

Legal Transformation: Realizing Nomocracy and Transparency in the Field of Land Distribution in Indonesia

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ABSTRACT

Keywords: Transformation; Nomocracy; Distribution.	Legal Land	In Indonesia, the issue of land distribution is an important issue related to social justice and the legal system. The large number of agrarian conflicts and inequality of access to land shows the need for legal transformation to achieve the ideals of the rule of law (nomocracy) and transparency in land distribution. The purpose of this study is to analyse the legal transformation needed to realise the ideal of the rule of law (nomocracy) and transparency in the field of land distribution, focusing on efforts to ensure fairness in the land distribution system in Indonesia. This research uses Empirical methods. The research data was collected from literature published in reputable scientific journals. Literature is collected through searches in electronic literature databases, such as Google Scholar and Scopus. The data that has been collected is then analysed in three stages, namely data reduction, data presentation and conclusions. The results show that the transformation of law in Indonesia towards nomocracy and transparency in land distribution aims to strengthen legal foundations, ensure justice, and reduce inequality of land access. The principle of nomocracy places law as the primary guide in decision-making, while transparency reduces the potential for corruption and land-related conflicts. Land law reform and land redistribution policies are crucial steps in achieving this goal. More open access to public information in the area of land distribution allows for greater public participation in decision-making processes. By strengthening transparency and the application of nomocracy principles, Indonesia can strengthen the foundation of its rule of law and ensure sustainability in land resource management.
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Introduction

In Indonesia, the issue of land distribution has become the focus of urgent attention relating to social justice and the legal system. According to a report by the Agrarian Reform Consortium (KPA), throughout 2023, there will be at least 241 cases of agrarian

conflicts in Indonesia. The conflict involved an area of 638.2 thousand hectares and affected 135.6 thousand heads of families (KK). KPA noted that many cases of agrarian conflicts in 2023 are related to the plantation business sector (108 cases), property business (44 cases), mining (32 cases), and infrastructure projects (30 cases). In addition, there were eruptions of conflicts related to the forestry sector (17 cases), coastal and small islands (5 cases), and military facilities (5 cases) (Wiweko, Utama, Anggraningrum, Hasan, & Hidayat, 2023). High levels of agrarian conflict and inequality in access to land are clear indications of the urgency of legal transformation. Efforts to change the legal structure related to land distribution are very important in order to create a more fair and equitable system for all citizens (Pebrianti, 2021).

Legal transformation in order to realise the ideal of the rule of law (nomocracy) and transparency in the field of land distribution in Indonesia aims to develop a more democratic, transparent, and effective legal system. In this transformation process, the Pancasila legal state must be carried out systematically, structured, and massive. Pancasila, as the basis of the state, is the source of all sources of law that provide legal guidance and overcome all laws and regulations. In the Indonesian constitutional system, the ideal of the rule of law has become an inseparable part of the development of the idea of Indonesian statehood since independence (Karianga, 2017).

The availability of relevant and reliable data on land distribution and related legal proceedings limits this research. Sometimes, the data required for in-depth analysis is incomplete or difficult to find. Other limitations, such as time and expertise, limit the depth of analysis and scope of research, which can affect the extent to which research can explore relevant and complex aspects of the desired legal transformation.

This research provides an important foundation for advanced research in the field of law, especially in the context of legal transformation and land distribution. The findings and analysis of the study provide in-depth insights into various aspects related to the problem, which can be a foothold for researchers to explore further. In the context of legal transformation, this research may have identified certain patterns or trends in legal changes related to land distribution, providing a better understanding of legal dynamics and change processes, which in turn can be used to develop more comprehensive theories. In addition, the study may also have uncovered specific issues in land distribution practices that require further attention, including issues related to social justice, protection of property rights, or the efficiency of land distribution systems. Thus, the findings from this study can strengthen the basis for the development of more effective legal practices in the future, and by better understanding the dynamics of legal transformation and land distribution, policymakers and legal practitioners can develop better strategies to address existing challenges and create a more just and effective legal system, open opportunities for innovation in legal theory and practice that can produce a positive impact on society at large.

The purpose of this study is to analyse the legal transformation needed to realise the ideal of the rule of law (nomocracy) and transparency in the field of land distribution, focusing on efforts to ensure fairness in the land distribution system in Indonesia. Based

on this description, researchers have two research questions: What is the purpose of legal transformation in the field of land distribution in Indonesia? What is the importance of legal transparency in the field of land distribution in Indonesia?

Research Methods

This research uses Empirical methods. Empirical Method: A legal research method that uses empirical facts taken from interviews and direct observations. The research data was collected from literature published in reputable scientific journals. Literature is collected through searches in electronic literature databases, such as Google Scholar and Scopus. The data used in this study has several criteria, including:

Table 1
Inclusion and Exclusion Criteria

No	Criterion	Inclusion	Exclusion
1	Language	Indonesian and English	In addition to Indonesian and English
2	Publication Period	2014-2024	Before 2014

The collected data is then analysed in three stages: data reduction, data presentation and conclusions.

Results and Discussion

The state is an integration rather than political power; the state is the principal organisation of political power. The existence of a state has great significance in maintaining order, security, and public welfare. Fundamentally, the state provides the necessary framework for regulating the relationship between individuals within a given territory. The state provides legal structures and governmental institutions that facilitate the implementation of justice, protection of rights, and enforcement of rules. In addition, the state is also responsible for the provision of public services such as education, health, and infrastructure that are fundamental to social welfare.

In addition to maintaining order and welfare, the state also has an important role in realising social solidarity and economic development. Through public policies and development programs, states can reduce social and economic disparities between individuals and groups in society. States also play a role in safeguarding national sovereignty and security from internal and external threats, as well as facilitating cooperation between nations for common interests such as peace, trade, and the environment. Thus, the existence of the state plays a central role in shaping identity, nurturing interests, and promoting the welfare of all citizens.

The state, in this case, is an agency (tool) of society that has the power to regulate human relations in society and bring order to the symptoms of power in society. The state paradigm is formulated by plenary integrating 5 (five) principles of statehood, namely Godhead (theism), humanity (humanism), nationality (nationalism), populist (democracy), and social justice (socialism) into a concept of Pancasila. The five principles

of Pancasila contain universal values but also have a particularity base on the traditions of the Indonesian nation. The dimensions of universality and particularity cause conceptual tensions in Pancasila, which shows that the founders of the Indonesian state wanted to establish a nation-state with modern characteristics but still based on the traditions of the Indonesian nation (Azhari, 2012).

The concept of the State of law in each State does show the dynamics of form and implementation in accordance with the historical background, ideology, experience, and view of the State of law. In this connection, it is known in practice that there is a legal State that only protects and protects the State from threats or expansion of other States. However, there are also States that, in addition to protecting their citizens from threats, other States also intervene in their warrga's life system towards welfare goals (Bakri & Jeddawi, 2022). Normatively, the affirmation of Indonesia as a state of law is contained in the 1945 Constitution in Article 1 paragraph (3), which states, "The State of Indonesia is a State of Law." As a state of law, all actions of state administrators and citizens must be in accordance with applicable regulations or laws and regulations. The law, in this case, is a hierarchy of norms culminating in the constitution, namely the Constitution of the Republic of Indonesia, Year 1945. In addition, the laws applied and enforced must reflect the will of the people, so they must ensure the participation of citizens in the state decision-making process (Rais, 2022).

The Indonesian State of Law is a state of law based on the values of Pancasila, which is the philosophy and basis of the state. As the basis of the state, Pancasila, which is a reflection of the soul of the Indonesian nation, should be the source of law from all existing legal regulations. The Indonesian Constitution, at first, affirmed that Indonesia was a Rechtsstaat. This is affirmed in the pre-amendment explanation of the 1945 Constitution, which states that "The state government system affirmed in the Constitution is: Indonesia is a state based on law (rechtsstaat)". After the amendment, the explanation in the 1945 Constitution was removed, leaving only the opening and torso (Hadi, 2022).

The conception of the rule of law always revolves around two different legal traditions, namely, the common law system and the civil law system. Both legal systems use different terms, namely rechtsstaat and the rule of law. In the Continental European legal system, the term rechtsstaat is also referred to by other terms, such as the concept of legality or Etat de droit. The two legal systems in question, in principle, lead to one main understanding and meaning, namely the rule of law. Both systems view law as an effective means of organising the life of the nation and state. However, there is a very real difference between the two (Iswari, 2020). Although they come from different traditions, these principles underscore the importance of a just rule of law, protection of individual rights, and the existence of independent institutions in a country's legal system.

The concept of the rule of law is related to the term nomocracy (nomocracy) or the rule of law, which means that the determinant in the exercise of state power is law (Hamzani, 2024). The concept of the rule of law is related to the term nomocracy or the rule of law, which describes that the law becomes the main authority in exercising state power, placing it as the basis and barrier for the actions of the government and citizens.

A country that is run with a nomocracy system will clearly be able to overcome inequality, poverty and even injustice because of all the legal foundations that apply in the country. Tax abolition, the application of zakat as a state model with a nomocracy system, the government is present to serve and protect (Chaidar, 2020).

The concept of the rule of law, or the rule of law, is a fundamental principle in the system of government that asserts that state power must be governed by law, not by the policies or desires of the ruler alone. This means that the law must be the foundation for all government actions, including lawmaking, law enforcement, and court decisions. This concept guarantees that every individual, including the government itself, is subject to equal and fair laws. Thus, the rule of law creates a stable, orderly, and predictable framework for society and becomes the foundation for justice and the protection of human rights.

Nomocracy is a concept closely related to the rule of law. The term refers to a form of government in which political decisions are based on legal principles. In this context, law has a strong and binding position, thus becoming the main basis for policymaking and the exercise of state power. In a nomocracy system, the government is responsible for exercising its powers in accordance with applicable law and may not act outside the limits established by that law. Thus, the concept of nomocracy underlines the importance of legal power in regulating the order of life in society and maintaining a balance of power between government and citizens.

According to (Patamatta & Jumardi, 2020), the principles of a Modern Legal State such as Indonesia adhere to at least the main pillars to support the establishment of the legal state, namely:

Supremacy of Law:

The concept of rule of law asserts that the law is above everything else in a country. This means that every individual, including the government and its officials, is subject to the same laws, and no one is exempt from compliance. This principle keeps power from being abused and encourages the creation of a society governed by clear and consistent rules.

Equality Before the Law: This principle states that all individuals should be treated equally regardless of their social, economic, or political status before the law. There is no discrimination in the application of the law, and all people have equal rights to legal protection and fair treatment from the judicial system.

Asas Legalitas (Due Process of Law):

The principle of legality guarantees that every individual has the right to undergo a fair and transparent legal process before being convicted or sanctioned. This means that legal decisions cannot be made arbitrarily; rather, they must be based on procedures established by law and rights guaranteed by the Constitution or other legal regulations.

Limitation of Power:

The principle of limitation of power emphasises the importance of having mechanisms that regulate and limit government power so that it is not misused. This can be done through the division of power between the branches of government, such as the

executive, legislature, and judiciary, as well as through mechanisms of supervision and balance of power.

Independent Supporting Organs: The independence and independence of supporting organs such as police, prosecutors, and supervisory agencies is important in ensuring the rule of law and justice. These organs shall operate without intervention or pressure from parties having particular interests and be responsible for the objective and fair execution of the law following applicable legal principles.

Free and Impartial Judiciary:

The principle of a free and impartial judiciary affirms the importance of the judicial system's independence from political influence or other external pressures. Judges must be able to carry out their duties objectively without interference from parties interested in the case's outcome. This helps ensure that judicial decisions are based solely on evidence and applicable law to achieve justice.

State Administrative Court:

The state administrative court is a unique judicial system that handles disputes between citizens and the government or public institutions. Its primary purpose is to enforce administrative law and ensure that government decisions are based on fair and transparent legal principles.

Constitutional Court:

Constitutional justice is a branch of justice that handles disputes related to the constitution or the state's basic rules. Its task is to ensure that government policies or actions conform to the principles laid out in the Constitution and maintain a balance of power between the branches of government.

Human Rights Protection:

States shall protect the human rights of every individual without exception. These rights include freedom of opinion, freedom of religion, the right to just justice, and the right not to be tortured or persecuted. This protection ensures that every individual has dignity that is respected and recognised by the state.

Bersifat Democrats (Democratic State under the Rule of Law):

A democratic rule of law prioritises democratic principles in decision-making and law implementation. This means that state power comes from the people and is exercised by the will of the people expressed through democratic processes while still ensuring the protection of minority rights and civil liberties.

Serves as a Means of Realizing the Goals of the State (Welfare Rechtsstaat): The rule of law also acts as a tool to realise the welfare of its people. This includes the state's responsibility to provide quality public services, maintain social stability, and reduce social and economic inequalities within society. Thus, the rule of law ensures compliance with the law and aims to improve welfare and justice for all its citizens.

Transparency and Social Control: A good rule of law must be transparent in all aspects of its government policies and actions. This means that information on government decisions, the legislative process, and the use of public funds must be publicly available. In addition, effective social control, whether through the media,

independent supervisory bodies, or active citizen participation, is important to maintaining accountability and sustainability of the rule of law.

Scheltema formulated his views on the elements and principles of the State of Law in a new way, which includes 5 (five) things as follows:

1. The recognition, respect, and protection of human rights rooted in respect for human dignity.
2. The enactment of the principle of legal certainty. State of Law aims to ensure that legal certainty is manifested in society. The law aims to realise legal certainty and high predictability so that the dynamics of everyday life in society are 'predictable.' The principles contained in or related to the principle of legal certainty are:
3. The principles of legality, constitutionality, and rule of law assert that state power must be based on law, both in the form of laws and constitutions, and laws must have binding force for all parties, including the government itself. This principle guarantees that no one is above the law, so every government action must be in accordance with applicable legal provisions.

The principle of the law establishes various sets of regulations on how the government and its officials conduct governmental actions. This includes making laws, regulations, administrative decisions, and instructions, all of which must conform to the principles of law and justice. By binding the government to the rules outlined in the law, this principle ensures that state power is used in an orderly and measurable manner and is accountable to the public.

The principle of non-retroactive legislation emphasises that new laws only apply forward, not retroactively. That is, the law should not be applied retrospectively to prosecute or punish acts previously committed unless the law expressly allows it. This principle provides legal certainty to individuals, as they can rely on the laws that existed at the time their actions were committed without fear of legal changes that would affect their rights in the future.

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laws that existed at the time their actions were committed without fear of legal changes that would affect their rights in the future.

In a State of Law, the Government may not privilege a particular person or group of people or discriminate against a particular person or group of people. Within this principle, there is a guarantee of equality for all before the law and government and the availability of mechanisms to demand equal treatment for all citizens.

The principle of democracy whereby everyone has equal rights and opportunities to participate in government or to influence the actions of government. For this reason, the principle of democracy is realised through several principles, namely:

1. The existence of a mechanism for the election of certain public officials that are direct, public, free, secret, honest and fair, which is held regularly;
2. The government is responsible and can be held accountable by the people's representative body;
3. All citizens have equal possibilities and opportunities to participate in political decision-making processes and control government;
4. All government actions are open to rational criticism and review by all parties;
5. Freedom of opinion/belief and expression;
6. Freedom of the press and traffic of information;
7. Draft laws should be published to enable effective popular participation.

The government and officials carry out the mandate as public servants in order to realise public welfare in accordance with the objectives of the state concerned. This principle contains the following:

The general basics of a worthy pemerintahan

The fundamental conditions for the existence of human dignity are guaranteed and formulated in laws and regulations, especially in the Constitution;

The government must rationally organise each of its actions to have clear and successful objectives (*doelmatig*). That is, the government must be organised effectively and efficiently.

Meanwhile, according to Asshiddiqie (2012), the characteristics of a good nomocracy or State of Law contain 9 (nine) principles, namely:

The principle of power as Amanah

The principle of power as a trust is one of the characteristics of the rule of law or nomocracy, a system of government in which the law is considered the highest authority. In this context, the power possessed by the government or state institutions is seen as a mandate that must be carried out in accordance with applicable legal principles. That is, the government acts on the basis of the authority granted by law, and that authority must be used in the public interest and accordance with applicable legal provisions.

With the principle of power as a trust, the rule of law or nomocracy creates an environment that supports justice, stability, and public trust in state institutions. This allows for the creation of a transparent, accountable and equitable system where the rights and interests of all citizens are protected and respected. Therefore, this principle becomes one of the main pillars in building a strong and sustainable rule of law.

The principle of deliberation

The principle of deliberation is one of the hallmarks of the rule of law or democracy which emphasises the importance of active and participatory involvement of various parties in the decision-making process. In this context, deliberation becomes the basis for policy formation and legal determination, allowing different views and interests to be heard and considered fairly.

Thus, the principle of deliberation becomes one of the important elements in building a responsive, transparent, and fair rule of law. It creates a framework that allows the public to participate in the decision-making process actively, strengthens the rule of law, and encourages the creation of a better legal system that is more oriented towards the interests of society as a whole.

Principles of justice

The principle of justice is one of the most important characteristics of the rule of law or democracy. In this context, justice is not only considered the ultimate goal but also the underlying principle of the entire legal system. Justice in the rule of law is reflected in the equal treatment of all individuals before the law, regardless of social, economic, or political status.

Overall, the principle of justice is a very important foundation for building a strong and sustainable rule of law. By ensuring that justice is prioritised throughout the legal system, the rule of law or democracy creates an environment that is fair, transparent, and oriented towards the interests of society as a whole. It assures that the law is not only a tool of control but also an instrument for maintaining peace, justice, and social welfare.

Principle of equality

The principle of equality is one of the essential characteristics of the rule of law or democracy. In this context, equality refers to equal treatment under the law for all individuals in the absence of discrimination based on factors such as race, religion, sex, or socioeconomic background. The principle of equality asserts that every individual has an equal right to be recognised and protected by law, regardless of their status or standing in society.

Overall, the principle of equality is a crucial foundation in building a just and just rule of law. By ensuring that every individual is treated equally under the law, the rule of law or democracy creates a legal environment that stimulates trust, openness, and justice for all its citizens. It is an indispensable aspect of ensuring the rule of law and the protection of individual rights within a state.

Principles of recognition and protection of human rights

The principle of recognition and protection of human rights is one of the fundamental characteristics of the rule of law or democracy. In this context, the rule of law recognises that every individual has inherent rights that cannot be violated or ignored by governments or other entities. This principle recognises the existence of fundamental rights inherent in all human beings, such as the right to life, freedom of expression, the right to fair treatment before the law, and the right to freedom from arbitrary treatment or torture.

By ensuring the recognition and protection of human rights, the rule of law or nomocracy creates an environment that supports freedom, justice, and human dignity. This principle is a key pillar in ensuring the rule of law and the existence of a responsible legal system, which in turn results in a more stable, harmonious and democratic society.

The principle of a free judiciary

The principle of a judiciary free of human rights is an important foundation of the rule of law or nomocracy. In this context, a free judiciary demonstrates strong independence from executive and legislative power and the ability to enforce the law fairly and objectively. This principle ensures that the justice system is not subject to political intervention or pressure from others, thus maintaining justice and protecting human rights.

Overall, the principle of a judiciary free of human rights is an important hallmark of the rule of law or nomocracy. By having an independent judicial system, the rule of law can uphold the rule of law, protect human rights, and maintain a balance of power between government and citizens. It creates a fair, transparent, and equitable legal environment, which is the foundation for the existence of a democratic and civilised society.

Principles of peace

The principle of peace is one of the important characteristics of the rule of law or nomocracy. In this context, peace is not only defined as the absence of armed conflict but also as a condition of social harmony achieved through the just enforcement of law, justice, and the rule of law. This principle emphasises the importance of peaceful resolution of conflicts, both between individuals and between governments and citizens, through transparent and equitable legal processes.

Overall, the principle of peace is an important hallmark of the rule of law or nomocracy. By upholding the rule of law, maintaining a balance of power, and protecting human rights, the rule of law creates an environment that supports peace in society. It forms the basis for the existence of a stable, harmonious, and just society, which is the ultimate goal of a democratic and civilised rule of law.

Principles of well-being

The welfare principle, which focuses on human rights, is one of the important hallmarks of the rule of law or nomocracy. In this context, welfare is not only defined as the fulfilment of material needs but also includes basic rights that guarantee a decent life for all individuals. The rule of law ensures that human rights, such as the rights to education, health, housing, and decent work, are recognised, respected, and fulfilled for all citizens.

The principle of well-being connected to human rights reflects the commitment of the rule of law to creating a just and inclusive society where every individual has equal opportunities to reach their maximum potential. By recognising these fundamental rights as an integral part of the legal system, the rule of law provides strong protection of human dignity and social interests.

The principle of welfare related to human rights is a distinctive feature that marks the rule of law or democracy oriented towards social justice and sustainability. By making human rights a top priority in policymaking and law enforcement, the rule of law creates a strong foundation for an inclusive, equitable, and socially and economically sustainable society.

The principle of popular obedience

The principle of popular rule is one of the essential characteristics of the rule of law or democracy. In this context, popular rule refers to the obligation of every individual and institution in society to comply with applicable laws. It emphasises the importance of maintaining the rule of law as a key foundation in the formation and enforcement of public policies and decisions.

In addition, the principle of people's governance also includes the active involvement of citizens in the decision-making process and law enforcement. In a rule of law or democracy, public participation in government and law enforcement is an important aspect of ensuring that policies and decisions reflect the interests and aspirations of society at large.

The principle of people's rule is not only about obeying the law but also about active participation in the formation of a just and legal system. By maintaining this principle, the rule of law or democracy ensures that the rule of law is maintained and respected by all parties, thus creating an environment that supports the creation of a democratic, civilised, and universally just society.

As a state of law, Indonesia upholds the rule of law in all aspects of life, including in the regulation and distribution of land. Land law reform is an important step in ensuring that land-related policies are based on the principles of justice, transparency, and protection of human rights. These reforms involve drafting comprehensive and clear laws on the ownership, use, and resolution of land disputes, as well as strict enforcement against violations of land-related laws. Thus, land law reform becomes a strong foundation for creating a just, stable, and sustainable environment in land resource management, which supports the creation of a prosperous and just society for all citizens.

Land is one of the earth's elements that is very important for the survival and livelihood of the nation, achieving the greatest prosperity for the people who are divided fairly and evenly. Therefore, land is cultivated or used to fulfil real needs. Land is an essential need, and the relationship between land and humans is essential and is religious magic (Febriana et al., 2022).

Indonesia has a large area and a very large population that makes land one of the valuable assets to meet the needs of life. The strategic meaning of land is understood because almost all community activities are related to or sourced from land, which functions as settlements, agricultural land, development facilities, as places of business, and so on (Akmal, Fitriansyah, & Ramadhan, 2023). The regulation regarding land rights is referred to in Article 50, paragraph (1) of the UUPA, namely regarding the establishment of a law regulating property rights. Until now the law has not been formed. The incompleteness of the land rights regulation is expected to be completed soon in the

form of a land rights law. The property rights regulation originally ordered in the UUPA needs to be developed into a regulation on land rights (Ginting, 2011).

However, transparency of land use rights (HGU) data information can actually support land redistribution in order to realise agrarian reform. Based on national and international legal instruments, as well as the concept of public information disclosure, access to public information must take precedence over the right to privacy of personal information based on the guarantee of constitutional rights based on Article 28 F of the 1945 Constitution as an enforcement of the principles of the rule of law, democratic state, good governance, and public participation. Transparency of HGU data is a form of government accountability for the people's mandate as the owner of sovereignty in the application of democratic principles, as well as an effort to avoid abuse of authority and arbitrariness in distributing land as an application of the principle of the rule of law (Winata & Sinaga, 2019).

The Presidential Decree on Agrarian Reform has regulated the policy of implementing agrarian reform, which consists of restructuring the structure of control, ownership, use and utilisation of land that is more equitable through asset management accompanied by access arrangements for the prosperity of the Indonesian people. Asset structuring through land redistribution with objects derived from former land use rights. This is in accordance with the Presidential Regulation on Agrarian Reform that former HGU and HGB lands that have expired their HGU and within one year have not applied for HGU extension are priorities for agrarian reform (Arifin & Wachidah, 2023).

The importance of transparency in the field of land distribution in Indonesia has a very important role in ensuring justice, accountability, and sustainability in land resource management. In a transparent context, information on policies, regulations, land tenure, and the process of transferring rights must be easily accessible to the community. This helps reduce the potential for corruption, abuse of power, and land-related conflicts. Transparency also provides legal certainty for stakeholders, including landowners and investors, thus encouraging more sustainable investment and more inclusive development. In addition, transparency allows greater public participation in land-related decision-making so that the resulting policies reflect the needs and aspirations of the community at large. By strengthening transparency in the field of land distribution, Indonesia can strengthen the foundations of its rule of law and ensure that all communities can enjoy the benefits of land resources fairly and sustainably.

The study's results found that the implementation of participatory and responsive concepts in Bomo Village reflects efforts towards nomocracy and transparency in resource management, including land distribution (Kumalasari, 2016).

Realising nomocracy and transparency in resource management, including land distribution, in Indonesia is essential to strengthening legal foundations, ensuring justice, and reducing inequality in access to land. The principle of nomocracy places the law as the primary guide in land-related decision-making, while transparency ensures that the decision-making process is open and accountable. By implementing these principles, Indonesia can achieve important goals such as ensuring fairer access to land, reducing

land-related social conflicts, supporting sustainable development, and strengthening the foundations of democracy and the rule of law.

A commitment to democracy and transparency in land distribution is also important in ensuring that all communities enjoy the benefits of land resources fairly and sustainably. By strengthening these principles, Indonesia can create an environment that supports the creation of a more inclusive, just, and prosperous society while strengthening public trust in the legal system and government.

The success of Tanah Datar District in managing regional finances transparently reflects the transformation towards democracy and transparency, which is relevant to efforts to increase transparency in land distribution.

The transformation towards democracy and transparency in land distribution requires Indonesia to take strategic steps that include comprehensive land law reform, strengthening relevant institutions, strict law enforcement against land-related violations, and increasing accessibility and disclosure of information on land policies, regulations, and tenure. Thus, efforts to increase transparency in land distribution are not only part of building a fair and equitable legal system but also a crucial step in creating an environment that supports the creation of an inclusive, stable, and sustainable society for all Indonesian citizens.

The Pandeman Village Government in Sumenep Regency has applied the principles of accountability and transparency in managing village funds, including in infrastructure development and land distribution (Azizah & Andayani, 2022).

The principles of accountability and transparency play a central role in efforts to realise democracy and transparency in the field of land distribution in Indonesia. By ensuring that decision-making processes are open and accountable and providing easy access to information related to policies, regulations and land tenure, Indonesia can build a strong foundation for law-based and fair governance in land resource management. This principle not only assures that the government and relevant institutions are accountable for their actions and policies but also enables active participation of the public in decision-making processes, which in turn supports the creation of an inclusive, transparent, and equitable environment for all Indonesian citizens.

The concept of the rule of law in Indonesia, including aspects of democracy. An understanding of this concept is relevant in the context of transparent and equitable land distribution.

The concept of the rule of law in Indonesia places the rule of law as the main foundation in resource management, including land distribution. In the context of transparent and equitable land distribution, an understanding of the concept of the rule of law is crucial. This includes ensuring that every land-related policy and action is based on fair legal principles and applies to all individuals without exception. The democracy aspect of the concept of the rule of law emphasises the importance of law-based government, where government policies and actions must be in accordance with the applicable rule of law. By applying these principles, Indonesia can build a more

transparent and equitable land distribution system, which in turn supports the creation of an inclusive, stable, and sustainable society for all citizens.

The state of law of Pancasila is prismatic and needs futuristic policies for the implementation of the state of law of Pancasila. This can support efforts to realise a more transparent and equitable land distribution in accordance with the principle of nomocracy (Supryadi et al., Imawanto., Yuliani, & Aminwara, 2023).

The state of law of Pancasila, which is prismatic because it encompasses the diverse values and principles reflected in Pancasila as the basis of the state, requires futuristic policies for its implementation. In the context of transparent and equitable land distribution, the implementation of the Pancasila rule of law demands progressive and adaptive policies to changing times. By reinforcing the principle of nomocracy, which emphasises rule based on law, futuristic policies must ensure that every land-related decision is based on legal principles that are fair and applicable to all. These include strengthening transparency mechanisms in land tenure, strict law enforcement against land-related violations, and increased community participation in decision-making processes. Thus, the implementation of the Pancasila rule of law with appropriate futuristic policies will provide strong support in efforts to realise land distribution that is more transparent, equitable, and in accordance with the principle of nomocracy.

Legal transformation in realising nomocracy and transparency in the field of land distribution in Indonesia is a journey that involves various aspects, ranging from regional financial management to the concept of the rule of law derived from Pancasila. Through various studies, it is proven that the application of the principles of transparency, accountability, and participatory in the management of village fund allocation and regional finance has had a positive impact. However, there are still challenges, such as the level of regional financial capacity that is not optimal and improvement in the quality of administrative law and justice system that is still needed. However, with the awareness of the importance of nomocracy and synergy between the principles of Pancasila in creating just laws, Indonesia is in the right direction towards a more inclusive and transparent legal transformation, which will ultimately support the realisation of a fairer distribution of land for all communities.

Conclusion

The legal transformation that embodies nomocracy and transparency in the field of land distribution in Indonesia is essential to strengthen legal foundations, ensure fairness, and reduce inequality in access to land. The concept of the rule of law based on the values of Pancasila is a strong basis for efforts to achieve this. The Indonesian rule of law must uphold the rule of law in all aspects of life, including in the regulation and distribution of land. Land law reform is an important step in ensuring that land-related policies are based on the principles of justice, transparency, and protection of human rights. Thus, this reform becomes a strong foundation for creating a just, stable, and sustainable environment in land resource management, which supports the creation of a prosperous and just society for all citizens.

The importance of transparency in the field of land distribution in Indonesia has a very important role in ensuring justice, accountability, and sustainability in land resource management. In a transparent context, information on policies, regulations, land tenure, and the process of transferring rights must be easily accessible to the community. This helps reduce the potential for corruption, abuse of power, and land-related conflicts. Transparency also provides legal certainty for stakeholders, including landowners and investors, thus encouraging more sustainable investment and more inclusive development. By strengthening transparency in the field of land distribution, Indonesia can strengthen the foundations of its rule of law and ensure that all communities can enjoy the benefits of land resources fairly and sustainably.

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