

RECONSTRUCTING LEGAL PROTECTION FOR LAND GRANTS IN INDONESIA: HARMONIZING ISLAMIC FAMILY LAW AND NATIONAL LAND LAW

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Abstract

Land grants (*hibah tanah*) are an important mechanism for transferring property during the donor's lifetime and may support family welfare, prevent inheritance disputes, and promote equitable asset distribution. However, disputes remain common in Indonesia because Islamic family law, civil law, agrarian law, and land administration apply different standards to determine the validity and enforceability of land transfers. This study examines the normative construction of land grants under Islamic law and Indonesian positive law, identifies the main causes of legal uncertainty, and proposes a model for harmonizing these plural legal regimes. Using normative legal research, the study applies statutory, conceptual, and case approaches to legislation, judicial decisions, and relevant legal scholarship. The findings show that legal uncertainty primarily results from fragmented legal governance, inconsistent judicial interpretation, informal transfers, and weak integration between substantive legal principles and land registration procedures. This study proposes an Integrated Legal Protection Model for Land Grants based on four pillars: harmonized substantive norms, stronger preventive functions of Land Deed Officials (PPAT), digital integration of land administration, and consistent judicial interpretation. The model contributes to legal pluralism scholarship by demonstrating that legal certainty requires the integration of substantive justice, administrative reliability, and institutional coordination. It also offers practical guidance for legislators, courts, land authorities, and legal practitioners.

Keywords: Land Grants, Legal Certainty, Legal Pluralism, Land Registration, Judicial Interpretation.

Introduction

Land constitutes one of the most valuable forms of property, carrying not only substantial economic value but also profound social, cultural, and religious significance. In Indonesia, where land ownership is closely associated with family continuity and intergenerational wealth transfer, the transfer of land rights frequently occurs through inheritance, sale and purchase, or *hibah* (inter vivos gift) (Harahab, 2023). Under Islamic

law, *hibah* represents a voluntary transfer of property made during the donor's lifetime without consideration, serving as an instrument for promoting social solidarity, preventing future inheritance disputes, and ensuring equitable distribution of family assets (Hakim, 2024). Nevertheless, the increasing commercial value of land has transformed land grants into one of the most contested forms of property transfer. Disputes frequently arise due to the absence of authentic deeds, non-registration of land rights, overlapping claims by heirs, and inconsistencies between formal legal requirements and customary or religious practices (Wiyajyanti, 2021). Consequently, land grants have become a significant source of legal uncertainty, requiring a comprehensive legal framework capable of reconciling Islamic family law with Indonesia's land administration system (Basic Agrarian Law No. 5 of 1960; Compilation of Islamic Law Arts. 210–214; Pramana et al., 2025; Wattilete, Latupono, & Uktolseya, 2022).

The complexity of land grant disputes is further exacerbated by Indonesia's pluralistic legal system, where the regulation of *hibah* is dispersed across multiple legal regimes, including the Indonesian Civil Code, the Compilation of Islamic Law, the Basic Agrarian Law, Government Regulation No. 24 of 1997 on Land Registration, and regulations governing the authority of Land Deed Officials (PPAT). These overlapping legal instruments often generate uncertainty regarding the legal validity of unregistered grants, the evidentiary status of privately executed grant deeds, the permissible scope of grants vis-à-vis heirs' compulsory rights, and the legal grounds for revoking or annulling grants through judicial proceedings. In practice, numerous disputes originate from orally executed grants, privately drafted agreements, or failures to register land transfers promptly, thereby creating multiple claims over the same parcel of land. Such circumstances demonstrate that land grant disputes extend beyond doctrinal legal interpretation and involve broader issues of land governance, administrative effectiveness, legal culture, and judicial consistency in resolving competing property claims (Pramana et al., 2025; Afrizal Pramudito & Djayaputra, 2023; Wattilete et al., 2022).

Previous studies have examined land grants from various legal perspectives. Pramana et al. (2025) emphasized the importance of strengthening land registration mechanisms to enhance legal certainty but focused primarily on the administrative dimension of land transfer rather than its interaction with Islamic family law. Likewise, Wattilete et al.

(2022) analyzed the juridical aspects of transferring land rights through *hibah*, highlighting procedural deficiencies in registration and documentation without addressing broader questions of family justice and judicial protection. Meanwhile, Afrizal Pramudito and Djayaputra (2023) investigated disputes concerning the transfer of land rights through grants, concentrating mainly on the validity of authentic deeds and statutory compliance. Although these studies contribute significantly to understanding the legal mechanics of land grants, they largely examine administrative, civil, or procedural issues independently. Limited scholarly attention has been devoted to developing an integrated analytical framework that simultaneously considers Islamic family law, national land law, and judicial interpretation in resolving land grant disputes. This gap indicates the need for a more holistic approach capable of harmonizing multiple legal regimes governing land grants in Indonesia.

Against this background, this article proposes an integrated legal perspective on land grants by bridging Islamic family law, national land law, and judicial practice within a unified analytical framework. The novelty of this study lies in reconstructing the concept of legal certainty in land grants by emphasizing harmonization among plural legal regimes as a prerequisite for achieving both legal certainty and family justice. Unlike previous studies that predominantly address either administrative or doctrinal aspects of *hibah*, this article simultaneously examines substantive legal norms, land administration, and judicial interpretation. Accordingly, the discussion is organized into three principal sections: (1) the normative construction of land grants under Islamic law and Indonesian positive law; (2) legal uncertainties and the underlying causes of land grant disputes; and (3) the reconstruction of legal protection mechanisms for land grants to strengthen legal certainty and equitable property distribution. The findings are expected to contribute to the development of Islamic family law scholarship, support the harmonization of Indonesia's land law framework, and provide practical recommendations for judges, Land Deed Officials (PPAT), the National Land Agency, and policymakers in strengthening legal protection for land grants.

Research Method

This study employs normative legal research using a doctrinal approach to examine the legal framework governing land grants (*hibah tanah*) in Indonesia. The research focuses on the analysis of legal norms regulating land grants under Islamic law and Indonesian

positive law, as well as their interpretation in judicial practice. Rather than investigating social behaviour through fieldwork, this study explores the coherence, consistency, and interaction of legal principles contained in statutory regulations, judicial decisions, and scholarly legal doctrines. The normative approach is considered appropriate because the principal issues addressed in this article concern legal certainty, normative inconsistencies, and the harmonization of multiple legal regimes governing land grants.

The study adopts three complementary analytical approaches. First, the statutory approach examines the hierarchy and interaction of legal instruments governing land grants, including the Indonesian Civil Code, the Basic Agrarian Law (Law No. 5 of 1960), Government Regulation No. 24 of 1997 concerning Land Registration, the Compilation of Islamic Law, and other relevant regulations relating to land administration and property transfer. Second, the conceptual approach analyses legal doctrines concerning *hibah*, ownership rights, legal certainty, justice, and protection of property within both Islamic jurisprudence and contemporary legal scholarship. Third, the case approach evaluates selected decisions of Indonesian courts concerning land grant disputes to identify patterns of judicial reasoning, statutory interpretation, and legal principles applied in resolving conflicts between grant recipients, heirs, and other interested parties.

The research relies exclusively on secondary legal materials. Primary legal materials consist of legislation, judicial decisions, and official legal documents regulating land grants and land registration. Secondary legal materials include peer-reviewed journal articles, academic books, commentaries, and international scholarship discussing Islamic family law, land law, property rights, legal pluralism, and judicial interpretation. To ensure academic rigor, priority is given to publications indexed in Scopus and Web of Science, complemented by authoritative Indonesian legal literature where necessary. Tertiary materials, including legal dictionaries and encyclopaedias, are utilized solely to clarify legal terminology and doctrinal concepts.

The collected legal materials are analysed using qualitative legal analysis through a process of interpretation, comparison, and synthesis. The analysis begins with identifying normative inconsistencies among statutory provisions governing land grants, followed by comparing legal principles derived from Islamic law and Indonesian positive law. Judicial decisions are then examined to evaluate how judges reconcile competing legal

norms when resolving land grant disputes. Finally, the study develops a normative reconstruction aimed at strengthening legal certainty and legal protection through a harmonized interpretation of land grant regulations. This analytical framework enables the research to generate recommendations that are both theoretically grounded and practically relevant for judicial institutions, land administration authorities, and policymakers.

Result and Discussion

The Normative Construction of Land Grants under Islamic Law and Indonesian Positive Law

The legal concept of *hibah* occupies a significant position within Islamic property law as an inter vivos transfer of ownership conducted voluntarily without consideration. Unlike inheritance (*farā'id*), which takes effect upon the death of the owner, *hibah* allows individuals to distribute their assets during their lifetime as an expression of generosity, social solidarity, and family welfare. Classical Islamic jurists generally agree that the validity of *hibah* requires several essential elements, namely the donor (*al-wāhib*), the beneficiary (*al-mawhūb lahu*), the donated property (*al-mawhūb*), and a clear declaration and acceptance (*ijab* and *qabul*), followed by effective delivery of possession (*qabd*). These requirements demonstrate that *hibah* is not merely a private contractual relationship but also an instrument intended to realize justice, preserve family harmony, and prevent future disputes over property ownership. Consequently, Islamic law recognizes *hibah* as a legitimate mechanism of wealth distribution while simultaneously imposing normative limitations to safeguard the rights of heirs and prevent potential abuse of ownership rights (Compilation of Islamic Law, Arts. 210–214; Nasution & Muchtar, 2023; Sulistiani & Ramelan, 2026).

Within the Indonesian legal system, the regulation of land grants reflects the coexistence of multiple legal traditions, including Islamic law, civil law, and agrarian law (Mahfud, 2024). The Civil Code regulates grants as unilateral legal acts based upon the principle of freedom of contract, whereas the Compilation of Islamic Law establishes additional substantive limitations, particularly by restricting grants made by Muslims to a maximum of one-third of the donor's assets when such grants may adversely affect the legitimate rights of heirs. At the same time, the Basic Agrarian Law and Government Regulation No. 24 of 1997 require that every transfer of land rights, including grants, be

evidenced by an authentic deed executed before a Land Deed Official (*Pejabat Pembuat Akta Tanah* PPAT) and subsequently registered at the National Land Agency. The coexistence of these legal frameworks demonstrates that the validity of land grants in Indonesia is determined not only by substantive legal requirements but also by compliance with administrative procedures designed to ensure publicity, legal certainty, and protection of third-party interests (Law No. 5 of 1960; Government Regulation No. 24 of 1997; Noor, Anggraini, & Rahman, 2025).

Despite the existence of a relatively comprehensive legal framework, the implementation of land grant regulations continues to generate considerable legal uncertainty (Zeng, 2021). In practice, many grants are executed orally, documented only through private agreements, or transferred without immediate registration before the competent land authority. Such practices frequently become the primary source of disputes involving heirs, grant recipients, and third parties claiming ownership over the same parcel of land (Bizoza, 2021). Recent legal scholarship indicates that non-compliance with formal legal requirements significantly weakens the evidentiary value of land grants and increases the likelihood of judicial challenges seeking annulment of the transfer (Fayyad, 2023). Furthermore, inconsistencies between religious norms emphasizing substantive justice and administrative regulations emphasizing procedural compliance often compel judges to balance legal certainty with equitable considerations in resolving disputes. This situation illustrates that the effectiveness of land grant regulation depends not solely upon the existence of legal norms but also upon the institutional capacity to implement and enforce those norms consistently (Noor et al., 2025; Abdurrahim & Mariani, 2026; Topuh, 2025).

An equally important issue concerns the relationship between land grants and the protection of heirs' rights. Islamic law recognizes the donor's autonomy to dispose of property during his or her lifetime; however, such autonomy is not absolute. The limitation contained in Article 210 of the Compilation of Islamic Law reflects the broader objective of preventing the circumvention of inheritance rules through excessive lifetime transfers. Contemporary judicial practice demonstrates that disputes frequently arise where land grants substantially diminish the estate available for inheritance or involve jointly owned marital property transferred without the consent of the co-owner. Courts therefore increasingly examine not only the formal validity of grant deeds but also their

substantive fairness and consistency with the principles of family justice. This development indicates a gradual shift from a purely formalistic understanding of land grants toward a more balanced approach integrating legal certainty, equity, and the protection of vulnerable family members (Nasution & Muchtar, 2023; Fakhri, Ismail, & Abidin, 2026; Hassan, Budiono, & Harini, 2025).

Overall, the normative construction of land grants in Indonesia demonstrates that legal certainty cannot be achieved solely through statutory regulation. Rather, it requires harmonization among Islamic legal principles, civil law doctrines, agrarian legislation, and judicial interpretation. The persistence of disputes concerning informal grants, excessive transfers, unregistered deeds, and conflicting claims among heirs illustrates that fragmentation among legal regimes continues to undermine effective legal protection (Navarro, 2021). Consequently, reconstructing the legal framework governing land grants requires not only strengthening procedural compliance but also integrating the substantive values of justice embodied in Islamic family law with the administrative objectives of Indonesia's land registration system. Such harmonization constitutes the essential foundation for ensuring that land grants function as instruments of orderly asset distribution rather than persistent sources of family conflict and legal uncertainty (Sulistiani & Ramelan, 2026; Noor et al., 2025; Widiyono & Khan, 2023).

Legal Uncertainty and the Causes of Land Grant Disputes

Although Indonesia has established a relatively comprehensive legal framework governing land grants (*hibah tanah*), disputes continue to increase due to the coexistence of multiple legal regimes that regulate the same legal relationship from different perspectives (Campos, 2023). Islamic law emphasizes the substantive validity of *hibah* through the fulfillment of essential legal elements (*ruk'n* and *shart*), whereas Indonesian land law places considerable emphasis on administrative formalities, including the execution of an authentic deed before a Land Deed Official (*Pejabat Pembuat Akta Tanah* PPAT) and registration at the National Land Agency. The Civil Code, the Compilation of Islamic Law, the Basic Agrarian Law, and Government Regulation No. 24 of 1997 each establish different normative requirements, creating overlapping legal standards that often generate uncertainty in practice. This plurality of legal norms frequently places judges in a difficult position when determining whether the substantive validity of a

grant should prevail over procedural compliance or vice versa (Rodima, 2021). Consequently, legal certainty in land grant disputes depends not only upon statutory interpretation but also upon judicial discretion in reconciling competing legal principles (Law No. 5 of 1960; Government Regulation No. 24 of 1997; Widiyono & Khan, 2023).

One of the most persistent causes of land grant disputes concerns the widespread practice of informal or privately executed grants (*hibah bawah tangan*). In many Indonesian communities, particularly within family relationships, land is transferred based on mutual trust without involving PPAT or formal registration procedures. Although such practices may satisfy the substantive requirements of Islamic law where offer, acceptance, and delivery of possession have occurred, they often fail to produce legally recognized evidence within Indonesia's land administration system. The absence of authentic deeds significantly weakens evidentiary certainty and creates opportunities for multiple ownership claims, particularly following the death of the donor. Noor, Anggraini, and Rahman argue that the involvement of PPAT serves not merely as an administrative requirement but as an institutional mechanism to guarantee both the formal and material validity of land transfers, thereby reducing future disputes. Similarly, recent judicial analysis demonstrates that informal grants frequently become the subject of litigation because parties rely on witness testimony rather than documentary evidence to establish ownership rights (Noor, Anggraini, & Rahman; Abdurrahim & Mariani, 2026).

Another significant source of legal uncertainty arises from the relationship between land grants and inheritance rights (Genicot, 2022). Under Islamic law, *hibah* is intended to promote generosity and social welfare rather than to circumvent the compulsory distribution of inheritance. Nevertheless, disputes commonly emerge where donors transfer substantial portions of their assets to one beneficiary shortly before death, thereby reducing the inheritance shares available to other heirs. While Article 210 of the Compilation of Islamic Law introduces limitations intended to protect the legitimate interests of heirs, judicial practice reveals that courts continue to interpret these provisions differently depending upon the factual circumstances of each case (Murken, 2022; Pierri, 2025). Some judges prioritize the donor's autonomy to dispose of property during life, whereas others emphasize the protection of family justice by scrutinizing whether the grant effectively undermines the equitable distribution of inheritance. Such variation in judicial interpretation reflects the absence of uniform legal standards

governing the relationship between *hibah* and inheritance (Keumala, 2023), ultimately contributing to inconsistent court decisions and reduced legal predictability (Compilation of Islamic Law, Arts. 210–214; Widiyono & Khan, 2023).

The issue becomes even more complex when judicial institutions attempt to balance procedural legality with substantive justice. A recent case concerning an informal land grant demonstrates that the court recognized ownership despite the absence of a PPAT deed because continuous physical possession, long-term control, and surrounding social facts established the donor's genuine intention to transfer ownership. This approach reflects a preference for substantive justice over rigid procedural compliance. However, while such reasoning may resolve individual disputes equitably, it simultaneously introduces uncertainty into Indonesia's land registration system by weakening the mandatory function of authentic deeds (Sommer, 2023). Consequently, judicial discretion becomes both a solution and a potential source of inconsistency, particularly when different courts adopt divergent approaches toward similar factual circumstances. This phenomenon illustrates the broader challenge faced by plural legal systems in balancing legal certainty, justice, and social reality (Abdurrahim & Mariani, 2026).

From a theoretical perspective, these recurring disputes demonstrate that legal certainty cannot be understood solely as compliance with statutory procedures. Instead, legal certainty should be interpreted as the ability of the legal system to produce predictable, coherent, and consistently enforceable outcomes while maintaining fairness for all parties. Widiyono and Khan argue that harmonization among land regulations remains essential because fragmented legal norms inevitably create conflicting interpretations and administrative uncertainty. This argument is equally applicable to land grants, where substantive Islamic principles, civil law doctrines, and agrarian administrative requirements frequently operate independently rather than complementarily. Therefore, strengthening legal certainty requires more than stricter procedural enforcement; it requires systematic harmonization among the various legal regimes governing land grants, supported by consistent judicial interpretation and effective land administration. Without such harmonization, land grants will continue to function as one of the principal sources of family property disputes despite their original purpose of promoting generosity and preventing conflict.

The foregoing discussion demonstrates that land grant disputes in Indonesia do not primarily originate from the absence of legal regulation but rather from the fragmentation of legal authority among Islamic law, civil law, and agrarian law. Each legal regime employs a distinct conception of legal validity: Islamic law prioritizes substantive consent and delivery of possession, whereas agrarian law emphasizes administrative publicity through authentic deeds and registration. This normative divergence creates uncertainty not because the law is incomplete, but because the interaction among different legal systems remains insufficiently harmonized.

Furthermore, judicial practice reveals an emerging tendency to prioritize substantive justice over procedural formalism in resolving land grant disputes. Although such an approach may protect parties acting in good faith, it also weakens the preventive function of land registration as the primary instrument of legal certainty. Consequently, future legal reform should not merely strengthen procedural requirements but should integrate Islamic legal principles with Indonesia's land administration framework through clearer statutory harmonization and more consistent judicial guidelines. Such integration would enable land grants to fulfil their original social function as mechanisms of orderly intergenerational wealth transfer while simultaneously reducing litigation and enhancing legal certainty.

Reconstructing Legal Protection for Land Grants: Toward Harmonization of Islamic Family Law and Indonesian Land Law

The persistence of land grant disputes demonstrates that Indonesia's existing legal framework has not yet achieved an adequate balance between legal certainty, substantive justice, and administrative efficiency. Although statutory regulations governing land grants are relatively comprehensive, their implementation remains fragmented because Islamic law, civil law, agrarian law, and land administration operate under different normative paradigms (Alhola, 2024). Islamic law emphasizes the donor's intention, voluntariness, and delivery of possession, whereas Indonesian land law prioritizes authentic documentation and registration as the principal means of ensuring legal certainty. This dualism often results in contradictory legal consequences, particularly when substantively valid grants fail to satisfy formal administrative requirements. Consequently, legal protection should no longer rely solely on procedural compliance

but should also integrate substantive principles of justice within a coherent regulatory framework (Widiyono & Khan, 2023; Daryono, 2010; Law No. 5 of 1960).

A fundamental step toward legal reconstruction is strengthening the harmonization of substantive and procedural legal norms. The Compilation of Islamic Law recognizes *hibah* as a legitimate legal institution intended to promote welfare and social solidarity, whereas Government Regulation No. 24 of 1997 requires that every transfer of land rights be evidenced through an authentic deed and registered before the National Land Agency. Rather than viewing these provisions as competing legal systems, they should be interpreted as complementary mechanisms. The substantive validity of *hibah* under Islamic law should constitute the legal basis of the transaction, while registration functions as the mechanism for ensuring publicity, enforceability, and protection against competing claims. Such an approach would eliminate the misconception that administrative registration creates ownership rights; instead, registration should be understood as strengthening the legal certainty of rights that have already arisen through a valid legal act (Government Regulation No. 24 of 1997; Noor, Anggraini, & Rahman; Widiyono & Khan, 2023).

Legal reconstruction should also address institutional weaknesses within Indonesia's land administration system. The strategic role of Land Deed Officials (PPAT) extends beyond drafting authentic deeds, encompassing verification of ownership status, legal capacity of the parties, examination of potential inheritance conflicts, and prevention of overlapping claims before registration. Recent scholarship demonstrates that many disputes originate from insufficient legal verification rather than from deficiencies in statutory regulation. Strengthening the supervisory function of PPAT, expanding digital verification systems, and improving coordination between PPAT and the National Land Agency would significantly reduce the likelihood of fraudulent or legally defective land grants. Digital integration would further enable more transparent verification of land ownership histories, reducing opportunities for multiple transfers involving the same parcel of land (Noor, Anggraini, & Rahman; Yubaidi, 2020).

From the perspective of Islamic family law, reconstruction should equally prioritize the protection of heirs without undermining the donor's autonomy. The purpose of *hibah* is not merely to transfer ownership but also to preserve family harmony and prevent future

disputes. Therefore, grants involving substantial portions of family assets should be accompanied by stricter procedural safeguards, including verification of family consent in circumstances where the transfer may significantly affect inheritance distribution. Such preventive measures would not restrict the donor's property rights but would instead promote transparency and minimize future litigation among family members. This approach is consistent with the broader objectives of Islamic law, particularly the protection of property (*hifz al-māl*), justice (*al-'adl*), and family welfare (*maṣlahah al-usrah*), while simultaneously strengthening public confidence in Indonesia's land administration system.

Judicial institutions likewise play a central role in reconstructing legal protection for land grants. Courts should develop more consistent interpretative standards when assessing disputes involving informal grants, unregistered transfers, or competing inheritance claims. Excessive judicial formalism risks disregarding genuine legal relationships established in accordance with Islamic principles, whereas excessive reliance upon substantive justice may weaken the preventive function of land registration (Aditya et al, 2021). Accordingly, judicial interpretation should adopt a proportional approach that simultaneously evaluates the donor's intention, compliance with Islamic legal requirements, procedural legality, and the broader objective of maintaining legal certainty. More consistent jurisprudence would not only improve predictability in dispute resolution but also provide practical guidance for PPAT, land administrators, and the public regarding legally acceptable grant procedures (Widiyono & Khan, 2023; Daryono, 2010).

Ultimately, the reconstruction of legal protection for land grants requires a shift from fragmented regulation toward an integrated legal governance model. Such a model should harmonize Islamic family law, agrarian law, civil law, and land administration through coherent statutory interpretation, institutional coordination, and digital governance. Harmonization would enable land grants to perform their original social function as mechanisms for orderly intergenerational wealth transfer rather than continuing as one of the primary sources of family property disputes. In this regard, legal certainty should no longer be understood solely as procedural compliance but as the capacity of the legal system to provide predictable, equitable, and socially legitimate protection for all parties involved. Recent studies on Indonesian land law reforms

similarly conclude that sustainable legal certainty can only be achieved through harmonization among plural legal systems rather than by strengthening state law alone.

The proposed reconstruction demonstrates that the principal weakness of Indonesia's land grant regime does not lie in the absence of legislation but in the fragmentation of legal governance. Islamic family law, agrarian law, and administrative land law each pursue different regulatory objectives, yet they are rarely interpreted as an integrated legal system. This institutional fragmentation generates inconsistent judicial decisions, weakens legal predictability, and ultimately diminishes public trust in land administration.

Accordingly, this study proposes an Integrated Legal Protection Model for Land Grants consisting of four interconnected pillars: (1) harmonization of substantive norms between Islamic law and national land law; (2) strengthening the preventive role of PPAT through enhanced legal verification; (3) digital integration of land registration and ownership verification; and (4) development of consistent judicial interpretation balancing procedural legality with substantive justice. Unlike previous studies that focus primarily on administrative reform or doctrinal analysis, this model integrates legal substance, institutional governance, and judicial practice into a unified framework. Such an approach not only enhances legal certainty but also reinforces the social function of *hibah* as an instrument of equitable intergenerational wealth distribution and family justice.

Conclusion

This study demonstrates that legal uncertainty in land grants in Indonesia does not primarily arise from the absence of legal regulation but from the fragmented interaction among Islamic family law, civil law, agrarian law, and land administration. Although each legal regime provides normative guidance regarding the transfer of property, their differing legal objectives frequently generate inconsistent interpretations and implementation, particularly concerning the validity of informal grants, land registration requirements, and the protection of heirs' rights. The findings reveal that legal certainty cannot be achieved solely through procedural compliance with land registration requirements or through substantive adherence to Islamic legal principles. Rather, it requires an integrated legal framework capable of harmonizing substantive justice, administrative certainty, and judicial consistency. Accordingly, land grants should be

understood not merely as private legal transactions but as legal institutions that simultaneously protect property rights, preserve family harmony, and prevent future inheritance disputes.

The principal contribution of this article lies in proposing an integrated model of legal protection for land grants that bridges Islamic family law and Indonesian land law within a unified analytical framework. Unlike previous studies that predominantly examine either doctrinal validity or administrative procedures, this research demonstrates that sustainable legal certainty depends upon the harmonization of legal substance, institutional governance, and judicial interpretation. The proposed model emphasizes four interconnected pillars: harmonization of substantive legal norms, strengthening the preventive role of Land Deed Officials (PPAT), digital integration of land administration, and the development of more consistent judicial interpretation. This reconstruction contributes theoretically to the discourse on legal pluralism by illustrating how multiple legal systems may function complementarily rather than competitively. Practically, the findings provide recommendations for legislators, judges, PPAT, and the National Land Agency to strengthen legal protection while preserving the social function of *hibah* as an instrument of equitable intergenerational wealth distribution.

This study is limited to normative legal analysis based on statutory regulations, legal doctrines, and selected judicial decisions. Consequently, it does not empirically examine how legal actors including judges, PPAT, land administrators, and grant recipients experience and implement land grant regulations in practice. Future research should therefore adopt socio-legal or empirical approaches to evaluate the effectiveness of legal harmonization, digital land governance, and judicial practice in resolving land grant disputes across different regions of Indonesia. Such studies would enrich the understanding of how normative legal reforms operate within diverse social contexts and would further strengthen efforts to establish a more coherent, equitable, and predictable system of legal protection for land grants.

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