

COMMUNITY RIGHTS GUARANTEED BY LAW

**M. Yusuf DM^{1*}, Ronni Tunas Mangapul Sitinjak², Hendra Gunawan³, Sofyan Asmadi⁴,
Alen Siswanto⁵, Elga Gilbert Orion Sinaga⁶**

Master of Law, Lancang Kuning University, Pekanbaru, Indonesia^{1,2,3,4,5,6}

Abstract

The rights of the people constitute a fundamental element of Indonesia's constitutional system and are directly guaranteed by the 1945 Constitution of the Republic of Indonesia as well as by statutory regulations derived from it. These guarantees encompass civil, political, economic, social, and cultural rights that must be respected, protected, and fulfilled by the state through clear, transparent, and accountable legal policies. This study aims to analyze the forms of legal guarantees for community rights, their implementation within the national legal framework, and the challenges encountered in achieving effective protection. The findings indicate that although the normative framework is comprehensively regulated, its practical implementation still faces various obstacles, such as regulatory inconsistencies, weak law enforcement, and low public awareness of their rights. Therefore, strengthening regulations, enhancing the capacity of state apparatus, and improving public education are essential to ensuring that community rights are fully and equitably realized.

Keywords : Rights, Society, Legislation

INTRODUCTION

Community rights have always occupied a central position in the dynamics of legal development in Indonesia. Although various regulations comprehensively address the guarantee of citizens' rights, in reality, a significant gap remains between the written norms and the perceived reality of the community. The concept that the state must be present to protect every citizen is not merely a normative idea enshrined in the constitution, but rather a factual demand arising from everyday social experiences. When citizens face legal uncertainty, abuse of authority, limited access to public information, discrimination in services, or protracted bureaucratic obstacles, the quality of the guarantee of their rights is questionable. Therefore, studying the guarantee of community rights is not only relevant but also an academic and moral imperative for strengthening the foundation of the rule of law in Indonesia.

In the concept of a state based on the rule of law, as stipulated in Article 1 paragraph (3) of the 1945 Constitution, Indonesia firmly places law as the basis for governance. This means that all state actions must be based on legal norms that regulate how people's rights are recognized, respected, protected, and fulfilled. However, social shifts, technological developments, and the emergence of new problems in the relationship between the state and citizens mean that protecting rights is not as simple as comparing the text of the law with the reality that occurs. Facts show that many people's rights are actually guaranteed by law, but their implementation still faces serious obstacles. For example, in the context of public services, reports from the Indonesian Ombudsman in recent years indicate that maladministration such as prolonged delays, failure to provide services, and abuse of authority remain the most dominant complaints. This condition illustrates that the public has not received services according to the appropriate standards, so that their rights as citizens are not optimally fulfilled.

In the field, citizens often find themselves in a weak position when dealing with state institutions. For example, in population administration, we still encounter cases of citizens having difficulty accessing important documents like birth certificates or electronic ID cards due to various technical and administrative obstacles. I encountered this phenomenon during field observations at several public service offices in 2024–2025, where citizens from low-income groups often had to visit multiple times just to complete a single simple service. When questioned, some admitted they didn't understand the actual procedures or were forced to use informal channels to expedite processes that were clearly regulated by law. This situation highlights the gap between the ideal law and current bureaucratic practices.

Furthermore, in the area of law enforcement, the rights of the public as justice seekers are not fully guaranteed. Many victims of crimes, such as domestic violence, trafficking, or online fraud, do not pursue legal proceedings because they feel they are not receiving adequate support from law enforcement officials. Research conducted by several human rights advocacy organizations found that victims often have to file reports more than once before their reports are properly processed. This situation demonstrates how the law enforcement structure remains inadequate in responding to victims' needs, resulting in inadequate fulfillment of their right to legal protection.

Theoretically, discussions on community rights cannot be separated from human rights theory and the rule of law. According to Lon L. Fuller (1964), a legal regime is considered good if it meets the principles of internal legal morality, such as the existence of clear, non-contradictory, and enforceable rules. In the Indonesian context, although the regulatory framework has met most of these principles, its implementation is often hampered

by a lack of integrity of officials, weak internal oversight, and a lack of public awareness of their inherent rights. Meanwhile, John Rawls's theory of justice (1791) emphasizes the importance of ensuring that social institutions are designed in such a way as to guarantee the distribution of justice for all citizens without discrimination. However, in the practice of public services in Indonesia, vulnerable groups such as the poor, people with disabilities, or indigenous communities often do not receive equal access to services as other groups.

From a positive legal perspective, guarantees of public rights are reflected in various provisions, such as Articles 28A–28J of the 1945 Constitution, Law Number 39 of 1999 concerning Human Rights, Law Number 25 of 2009 concerning Public Services, and a number of other sectoral regulations. However, the existence of numerous regulations does not always mean strong implementation. In the author's observation, there is a tendency for good regulations to be inconsistent with the institutional capacity to implement them. Government officials in many regions often do not receive adequate training, and some do not fully understand the basic principles of state administrative law, such as the principle of legality, the principle of equality before the law, or the principle of legal certainty. When officials do not understand the legal mandate, the rights of the public who depend on the quality of their services are neglected.

In some rural areas, for example, people still struggle to access public information. Law Number 14 of 2008 concerning Public Information Disclosure clearly states that every citizen has the right to obtain information from public bodies. However, the reality is that many government offices still do not optimally operate their Information and Documentation Management Officers (PPID). As a result, the public struggles to obtain information related to their rights, including information on village budget management, regional development plans, or specific service procedures. In the author's observation, this phenomenon is not only due to a lack of capacity among officials, but also to a bureaucratic culture that remains closed and reluctant to provide information to the public. Such a bureaucratic culture certainly contradicts the principles of accountability and transparency, which are the foundation of good governance.

The author also found that several social assistance programs, which should be the rights of the underprivileged, were not properly targeted due to weak data validation and discriminatory practices in the distribution process. Some residents claimed they did not receive assistance despite meeting the economic criteria, while others who were more affluent did receive it. This is evidence of the state's weak protection of the community's rights to social welfare. According to Aristotle's theory of distributive justice (2012), justice demands that everyone receive what they are entitled to. However, when the distribution of social assistance is not properly targeted, the principle of distributive justice has been violated by the institutions tasked with implementing it.

From a social perspective, the low level of legal literacy among the public is also a factor contributing to the unfulfilled rights. Many citizens are unaware of their right to file objections, appeals, or hold officials accountable if services are not provided according to standards. They also lack understanding of the complaint mechanisms provided in various regulations. In interviews with several residents in Pekanbaru City and Kampar Regency, the author found that most admitted to never having read regulations on public services or human rights because they felt the legal texts were too complex and difficult to understand. This creates a knowledge gap that prevents the public from optimally defending their rights.

Based on the explanation above, this background emphasizes that guaranteeing community rights requires not only a strong legal framework, but also consistent

implementation, adequate apparatus capacity, high public legal literacy, and a transparent and accountable bureaucratic culture. Discussions on guaranteeing community rights must continue to be encouraged to identify gaps between norms and practices, so that concrete strategies can be found to improve the legal system and increase the quality of protection for every citizen. Thus, this study not only provides theoretical contributions, but also has practical value that can help the government, law enforcement officials, and the community in optimizing the fulfillment of their rights in the context of a democratic state based on the rule of law.

RESEARCH METHODS

Research methods in the study of community rights guaranteed by law need to be designed comprehensively to be able to describe the relationship between applicable legal regulations and social realities that occur in the field. This research combines normative and empirical approaches. The normative approach is used to examine the legal basis for guaranteeing community rights in the Indonesian legal system, while the empirical approach is used to understand how these rights are actually implemented, respected, and implemented by government officials and the community in a practical context. The choice of this combination of methods is based on the need to present research that not only discusses norms that "should" (*das sollen*) but also describes the "as is" (*das sein*) situation in the implementation of community rights protection.

Normative research is conducted through a literature review of various laws and regulations, particularly the 1945 Constitution of the Republic of Indonesia, which substantively guarantees the rights of the people within the framework of a state based on law. In addition to the 1945 Constitution, this study utilizes other relevant laws, such as Law Number 39 of 1999 concerning Human Rights, Law Number 25 of 2009 concerning Public Services, and sectoral regulations governing the fulfillment of citizens' administrative rights. The regulatory texts are analyzed using grammatical, systematic, historical, and teleological interpretation methods, so that the meanings that emerge are not literal, but contextual according to the purpose of norm formation. Theoretical analysis is also conducted by referring to the thoughts of legal scholars regarding the concept of rights, state-citizen relations, the rule of law, the principle of justice, and the principle of legal protection.

Using a research method that combines normative and empirical approaches, it is hoped that this research will provide a comprehensive picture of how community rights are guaranteed by law, how these norms are implemented in real life, and the obstacles that prevent communities from fully obtaining their rights as mandated by the constitution. The results of this study not only provide theoretical understanding but also offer practical recommendations for improving the effectiveness of community rights protection in the Indonesian legal system.

RESULT AND DISCUSSION

Community Rights Guaranteed by Law

The study of community rights guaranteed by law cannot be separated from the social realities that develop in the field. Legal research, particularly research conducted empirically-normatively, consistently demonstrates that the relationship between legal regulations and society is not a rigid one, but rather a reciprocal process between written norms and the practices that live in the daily lives of citizens. In this context, the author found that the community actually has a high awareness of its rights, but the fulfillment of these rights is often not directly proportional to the legal guarantees provided by law. This imbalance

between the textuality of norms and the factuality of practice then creates a gap in legal protection that becomes increasingly apparent when the community is confronted with bureaucratic structures and law enforcement officials.

Basic rights such as the right to public services, the right to security, the right to information, and the right to be treated fairly exist. However, this knowledge does not automatically empower them to fight for their rights. Many citizens admit to being reluctant to deal with officials or administrative institutions due to previous experiences with complicated procedures or a tendency toward formalism. This demonstrates that community rights are not only a matter of legal substance, but also a matter of accessibility to mechanisms that enable citizens to truly experience these rights.

Normatively, guarantees of people's rights have been affirmed in various laws and regulations, especially in the 1945 Constitution. The formulation in Chapter XA of the 1945 Constitution, for example, states that everyone has the right to recognition, guarantees, protection, and fair legal certainty as well as equal treatment before the law. This constitutional formulation is then further translated into sectoral laws such as Law Number 25 of 2009 concerning Public Services, Law Number 39 of 1999 concerning Human Rights, and various other regulations that place the state as the party obliged to respect, protect, and fulfill the rights of citizens. The theory of positive obligations formulated by constitutional law experts emphasizes that the state must not be passive but must be actively present in guaranteeing the implementation of these rights (Asshiddiqie, 2012).

When these legal norms are tested through empirical phenomena in the field, the reality emerges that not all rights operate as envisioned by lawmakers. In several public service agencies, both at the sub-district and district/city levels, the author found that bureaucratic procedures still rely heavily on the interpretation of implementing officials. For example, in certain administrative processes, the public still has to wait for unclear periods, face unofficial levies, or receive uninformative services. These obstacles indicate that the guaranteed right to fast, easy, affordable, and accountable public services has not been fully realized. This is despite the Public Services Law explicitly requiring public service providers to provide definite and measurable service standards.

From the perspective of the legal protection theory developed by Philipus M. Hadjon (2011), the public is actually entitled to two forms of protection: preventive legal protection and repressive legal protection. Preventive legal protection aims to prevent rights violations through oversight mechanisms, transparency, and clear authority arrangements. Meanwhile, repressive legal protection arises when disputes or conflicts of interest occur, where the public must gain access to objective and independent judicial institutions or complaint mechanisms. However, research shows that to a certain extent, the public rarely uses official complaint channels because they lack confidence that their reports will be followed up seriously. The minimal use of these repressive mechanisms has an impact on widening the gap between normative guarantees and empirical reality.

This further reinforces Satjipto Rahardjo's (2010) view of law as a tool of social engineering, which requires law to not only remain normative but also serve as a tool for social reform. However, law can only fulfill its function as a tool of social engineering if supported by a responsive legal structure. The involvement of bureaucratic officials, public service officers, and law enforcement officials in understanding the ethical values behind the rules is a crucial factor in shaping institutional behavior that favors the community. If these structures are unresponsive and still struggle with the old, paternalistic administrative culture, then the rights guaranteed by law will become mere text without substantive meaning.

Thus, the interpretation of community rights cannot be based solely on legal positivism, as proposed by Hans Kelsen (1945), who emphasized that law is a hierarchical and binding norm. While a positivistic approach remains important as a basis for legality, its

application must be coupled with a sociological approach that examines how society interacts with the law. Harold Lasswell and Myres McDougal (1992), for example, assert that law is a decision-making process that must consider human values and social goals. From this perspective, community rights are not merely normative texts, but also lived experiences related to power relations, economics, and access to information.

One concrete example from field research shows how the public still faces obstacles when demanding their right to public information. Although the Public Information Disclosure Law provides the public with the opportunity to demand data transparency from public bodies, at the regional level, information requests are often delayed or rejected on procedural grounds. Some information applicants even experience unreasonable delays, with public bodies deliberately delaying responses past deadlines. Such practices create uncertainty and contradict the principle of transparency, an essential part of democratic governance.

In addition to the right to information, the public's right to justice in the law enforcement process is also a primary focus of this research. Many people feel that access to justice is still stratified by social and economic hierarchies. Those with legal knowledge, social networks, or financial resources often receive better legal protection than those with lower socioeconomic status. This phenomenon is particularly evident in cases involving administrative disputes or minor criminal cases. Citizens are often unaware of legal aid procedures or hesitate to seek legal assistance due to fear of costs or perceived intimidation of the legal process. This is despite Law Number 16 of 2011 concerning Legal Aid affirming that the poor have the right to free legal aid from the state.

Another issue evident from field research is the weak evaluation system for the implementation of the state's obligations to fulfill the rights of the people. Most agencies focus solely on administrative reporting, such as activity recaps or official memos, which fail to substantively reflect the quality of public services. There is no human rights-based evaluation instrument that measures the extent to which the state has fulfilled its citizens' rights. As a result, even though administrative reports appear to be good, the reality of public services remains unchanged. This highlights the need for a rights-based monitoring mechanism that measures rights fulfillment based on the principles of welfare, non-discrimination, and public accountability.

Furthermore, research has found that some citizens still perceive claiming their rights as challenging the state or government officials. This perception stems from past experiences where rights advocacy often faced bureaucratic resistance. Fear of being stigmatized as a "demanding citizen" leads people to remain silent, even when their rights are being violated. However, in the construction of a modern rule of law, as described by Lon Fuller (1969), citizens are encouraged to actively control and monitor the government to ensure that the law is implemented in accordance with the principles of legal morality. If public participation is hampered by a culture of fear, the rule of law system cannot function optimally.

In this context, a more humanistic legal approach is needed, particularly in the implementation of community rights. Law should not be understood merely as a set of prohibitions and commands, but as a space for dialogue between the state and its citizens. Strengthening community legal education is one of the most relevant solutions. When communities understand legal procedures, the limits of authorities' authority, and the channels for complaints, they will be more confident in defending their rights. Strengthening community capacity also has the potential to create legal empowerment, enabling them to negotiate with legal structures they have previously considered inaccessible.

The existence of oversight institutions such as the Ombudsman and the National Commission on Human Rights (Komnas HAM) should be seen as important instruments in strengthening the guarantee of public rights. However, field findings indicate that many citizens remain unaware of the functions of these institutions. Some even believe that

reporting to the Ombudsman will only create new problems. This lack of awareness highlights the importance of more intensive public awareness regarding access to external oversight mechanisms. The state must ensure that citizens not only have normative rights but also know how to exercise those rights effectively.

In practice, the enforcement of public rights is also largely determined by the integrity and professionalism of state officials. Many citizens have testified that the service they receive is significantly influenced by the individual character of the officers. If officers are committed to good service, it is easier for the public to obtain their rights. However, if officers are discriminatory or even engage in corrupt practices, these rights become difficult to realize. This situation demonstrates that building the rule of law cannot rely solely on regulations but must be accompanied by bureaucratic reform that emphasizes public service ethics, accountability, and moral integrity.

Based on the overall findings of this study, it can be concluded that community rights are indeed comprehensively guaranteed by law. However, this guarantee will always face challenges in implementation on the ground. The gap between norms and practice can only be bridged through a comprehensive approach: bureaucratic reform, increasing the integrity of civil servants, strengthening public legal education, improving oversight mechanisms, and creating a more transparent and accountable public service system. Ultimately, protecting community rights is not simply a matter of legal instruments, but also a matter of how the state builds equal and humane relations with its citizens.

This principle implies that every state action, including policies, public services, and law enforcement, must protect the rights of the people. These rights are not only those explicitly stated in the 1945 Constitution but also those enshrined in subordinate laws and regulations, thus creating a comprehensive normative framework for providing guarantees for citizens.

From a theoretical perspective, the concept of social rights is fundamentally derived from classical theories of human rights and citizen rights. John Locke stated that humans naturally possess inherent rights, such as the right to life, liberty, and property. The state was formed precisely to protect these rights, not to seize them. This view is clearly evident in the formulation of Articles 28A to 28J of the 1945 Constitution, which affirm various types of rights, such as the right to legal recognition, the right to security, the right to education, the right to employment, and the right to be free from discriminatory treatment. On the other hand, modern legal theory, such as that developed by Gustav Radbruch, places justice, legal certainty, and utility as three fundamental values that must form the basis for the formation of norms. In the context of protecting social rights, the existence of laws is the primary instrument for realizing these values.

Empirically, guarantees of community rights in laws and regulations are not merely declarative but also binding and regulate the mechanisms for their implementation. For example, the right to public services is regulated in Law Number 25 of 2009, which requires every public service provider to provide transparent, accountable, and equitable services. In practice, the public often encounters obstacles in accessing services ranging from education, health, population administration, and land services. Field findings often indicate that unequal access persists due to a lack of information, low transparency, or complicated bureaucratic procedures. This demonstrates that although community rights are guaranteed by law, their implementation does not always align with the normative spirit contained therein.

The guarantee of community rights in Indonesian law is also inseparable from the principles of the rule of law and legal protection. According to Philipus M. Hadjon, legal protection can be divided into preventive and repressive legal protection. Preventive protection provides the community with the opportunity to raise objections or control mechanisms before a decision is made, such as through public review or public consultation

in the drafting of regulations. Meanwhile, repressive protection aims to resolve disputes if community rights have been violated, through judicial institutions, state administrative courts, and non-litigation mechanisms such as mediation. From this perspective, the guarantee of community rights is not only related to the existence of regulations, but also the effectiveness of protection mechanisms when violations occur.

However, it is important to recognize that normative guarantees of community rights do not always align with social reality. The author's observations during field research indicate that some communities still lack an understanding of their rights. This lack of understanding often prevents them from asserting their rights when violations occur. For example, in land administration services, many communities are unaware of the procedures for appealing against certificates deemed detrimental. As a result, communities simply accept administrative decisions without the opportunity to challenge or correct the process. This situation demonstrates the importance of legal literacy as part of community empowerment to ensure that the rights guaranteed by law are truly realized.

Furthermore, guaranteeing people's rights is also closely related to the principle of non-discrimination. Article 28I paragraph (2) of the 1945 Constitution states that everyone has the right to be free from discriminatory treatment on any basis. In practice, forms of discrimination can occur directly or indirectly, such as restrictions on access to certain services due to economic, geographic, or social factors. This is often encountered in many regions where people in remote areas experience obstacles in obtaining their rights to education and health due to limited facilities. Therefore, the state's obligation is not only to provide a normative basis, but also to ensure that public services are accessible proportionally to all citizens.

On the other hand, the public also has the right to participate in the process of state governance. Law Number 12 of 2011 concerning the Formation of Legislation provides space for the public to provide input in the regulatory formulation process. This right to participate embodies the principle of deliberative democracy, where the public is not only an object but also a subject in the legal formation process. In the context of this research, public involvement is a crucial aspect in ensuring that public policies are not only created from a top-down perspective but also address real needs on the ground.

Furthermore, the rights of the people guaranteed by law also touch on the dimension of social protection. The state is obliged to ensure the welfare of the people through the provision of social security, as stipulated in Law Number 40 of 2004 concerning the National Social Security System. This social protection is not only related to financial assistance but also encompasses social security for vulnerable groups such as children, women, people with disabilities, and the elderly. The implementation of this right is one indicator of the country's success in carrying out its welfare state function.

Thus, the rights of the people guaranteed by law are highly complex, encompassing civil, political, economic, social, and cultural rights. The existence of laws provides certainty and legitimacy for these rights, but their effectiveness depends heavily on implementation mechanisms, the role of state institutions, and public awareness. Field research indicates a significant gap between legal norms and reality, necessitating reform efforts, increased oversight, and optimization of public legal literacy.

CONCLUSIONS

Community rights in the Indonesian legal system have essentially gained a strong normative foundation through the 1945 Constitution and sectoral laws that regulate various aspects of citizens' lives. Theoretically, the concept of protecting community rights aligns with the principle of the rule of law, the perspectives of classical and modern human rights theories, and the concept of preventive and repressive legal protection. However, field

research shows that these norms have not been fully implemented effectively. Various obstacles remain, including public ignorance of their rights, a non-transparent bureaucracy, lack of access to information, uneven quality of public services, and persistent administrative practices that do not always align with the values of justice and legal certainty. This situation highlights the gap between regulations that guarantee community rights and a social reality that remains far from ideal.

Furthermore, this study also found that available legal protection mechanisms have not been optimally utilized due to a lack of legal literacy at the community level. Many citizens are unaware of complaint procedures, oversight mechanisms, or available legal channels when they experience rights violations. This demonstrates that the fulfillment of community rights depends not only on the availability of regulatory instruments, but also on the community's ability to understand and exercise those rights. Therefore, the state's success in guaranteeing community rights lies not only in the establishment of clear laws, but also through effective implementation, bureaucratic simplification, increased transparency, and community empowerment so that they can assert their rights proportionally.

REFERENCES

- Akbar, M., Maisa, Permana, M. D., & Roesli, H. (2023). The progressive legal perspective of legal justice in customary dispute resolution related to natural resources. *Jurnal IUS Kajian Hukum dan Keadilan*, 11(2).
- Anindyajati, T. (2017). Legal politics on the role of the Constitutional Court in protecting the existence of the Adat Law Society in Indonesia. *Jurnal Masyarakat & Budaya*, 19(1).
- Arief, B. N. (1996). *Anthology of criminal law policy*. Citra Aditya Bakti.
- Aristotle. (1998). *Nicomachean ethics*. Oxford University Press.
- Asshiddiqie, J. (2012). *Introduction to constitutional law*. Rajawali Pers.
- Fuller, L. L. (1964). *The morality of law*. Yale University Press.
- Fuller, L. L. (1969). *The morality of law* (Revised ed.). Yale University Press.
- Gultom, M. (2008). *Legal protection of children in the juvenile criminal justice system in Indonesia*. PT Refika Aditama.
- Hadjon, P. M. (2011). *Legal protection for the Indonesian people*. Bina Ilmu.
- Irianto, S. (2017). Sejarah dan perkembangan pemikiran pluralisme hukum dan konsekuensi metodologisnya. *Hukum dan Pembangunan*, 4(33).
- Jayantiari, I. G. A. M. R., Sudiarawan, K. A., & Dewi, T. I. D. W. P. (2020). Pembagunan hukum berorientasi keadilan melalui harmonisasi hukum negara dan hukum adat. *Jurnal Majelis*, 2.
- Kelsen, H. (1945). *General theory of law and state*. Harvard University Press.
- Laksono Suroso, F. (2017, September 28). *Constitutional Court and protection of constitutional rights of indigenous peoples* [Paper presentation]. National Seminar on Protection of Constitutional Rights of Indigenous Peoples, Samarinda, Indonesia.
- Lasswell, H., & McDougal, M. (1992). *Jurisprudence for a free society*. Martinus Nijhoff.
- Mahfud, M. A. (2017). A state's right to control and legal protection towards indigenous people's right to have a land: Theories and its implementation. *Kanun Jurnal Ilmu Hukum*, 19(1).
- Matuankotta, J. K., & Holle, E. S. (2022). State recognition and respect for the rights of customary law communities in the Maluku Islands region in the exploitation of forest resources. *SASI*, 28(1).
- Nasution, A. B. (2007). *Legal aid in Indonesia*. LP3ES.

- Nurjaya, I. N. (2012). Is the constitutional and legal recognition of community customary law in the multicultural country of Indonesia a genuine or pseudo recognition? *Constitutional Review*, 1(2).
- Nusantara, A. H. G. (1981). Legal aid and structural poverty. *Prisma*, 1.
- Perbawati, C., Evendia, M., Firmansyah, A. A., & Neta, Y. (2023). Legal discourse on customary forest determination progressive law based. *Fiat Justisia: Jurnal Ilmu Hukum*, 17(1).
- Permadi, I., Dunga, W. A., & Arshad, A. (2025). Ensuring indigenous peoples rights protection through normative law in land acquisition for Indonesias new national capacity, Nusantara. *Jambura Law Review*, 7(1).
- Rahardjo, S. (2010). *Law and society*. Angkasa.
- Rawls, J. (1971). *A theory of justice*. Harvard University Press.
- Rosyada, A., Warassih, E., & Herawati, R. (2018). Constitutional protection of indigenous community in achieving social justice. *Kanun Jurnal Ilmu Hukum*, 20(1).
- Rumiarta, I. P. B., Astariyani, N. L. G., & Indradewi, A. A. S. N. (2022). Human rights of indigenous people in Indonesia: A constitutional approach. *Journal East Asia & International Law*, 15(2).
- Sukirno, & Mahfud, M. A. (2022). Relational dynamics of state law and customary law: A study of the ulayat land rights recognition. *Kanun Jurnal Ilmu Hukum*, 24(3).
- Sunggono, B., & Harianto, A. (2009). *Legal aid and human rights*. Mandar Maju.
- Vel, J., Zakaria, Y., & Bedner, A. (2017). Law making strategy for change: Indonesia new village law. *Asian Journal of Law and Society*, 4(2).