ABSTRACT

AGRARIAN INSTITUTIONAL CONFLICT RESOLUTION FROM PAST TO THE FUTURE (PRE AND POST-INDEPENDENCE)

By

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Agrarian conflict is one of the most complex legal issues in Indonesia. Hundreds of agrarian conflicts occur every year, but courts there have not been able to provide legal certainty to the victims. Agrarian conflict is increasing and expanding every year, so it appears the idea of the establishment of special courts agrarian realized with the formulation of the Agrarian Court Bill by DPD. Thus, there should be a study to support the development of the institution of the court. This study focused on the institutional history of doing justice (resolution of conflicts by law) against agrarian cases to track and find an idea and learning how agrarian conflicts are handled over the years. This study uses research legal history through historical approach (historical approach). Research focused on the development of institutions of justice and the identification of development progress agrarian law. Based on research activities can be seen that the resolution of the agrarian conflict has been resolved only through the General Court civil field alone, and sometimes resolved through the State Administrative Court. Indeed, there was a special court to try cases of land (as one of the main objects of agrarian), but its existence has never lasted long. In the end, the necessary draft form special courts that deal with the agrarian conflict based on land law and also pay attention to customary law and applicable law agrarian sector in Indonesia.

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