

ABSTRAK

Penelitian ini bertujuan untuk menganalisis kewenangan pemerintah daerah dalam penyelesaian sengketa tanah Masyarakat Hukum Adat di Indonesia, serta menelaah mekanisme yang diterapkan dalam pelaksanaannya. Dengan menggunakan metode penelitian yuridis normatif dan pendekatan perundang-undangan serta konseptual, studi ini mengkaji ketentuan hukum yang mengatur kewenangan desentralistik dalam urusan pertanahan serta realitas implementasi di berbagai daerah. Pembahasan difokuskan pada disharmoni antara kerangka normatif dan praktik kelembagaan, tumpang tindih otoritas antara pemerintah pusat dan daerah, serta kendala struktural yang menghambat efektivitas penyelesaian sengketa tanah adat. Hasil penelitian menunjukkan bahwa meskipun pemerintah daerah secara normatif memiliki kewenangan strategis dalam penyelesaian sengketa pertanahan, pelaksanaannya masih terbentur pada kelemahan koordinasi, keterbatasan sumber daya, dan minimnya perlindungan hukum substantif terhadap hak-hak Masyarakat Hukum Adat. Oleh karena itu, disarankan agar dilakukan penguatan regulasi daerah, harmonisasi kewenangan vertikal, dan peningkatan kapasitas institusional pemerintah daerah agar peran mereka dalam penyelesaian sengketa pertanahan dapat diwujudkan secara efektif, adil, dan berkelanjutan.

Kata Kunci : Kewenangan, Pemerintah Daerah, Penyelesaian Sengketa, Masyarakat Hukum Adat

**THE AUTHORITY OF LOCAL GOVERNMENT IN RESOLVING LAND
DISPUTES INVOLVING INDIGENOUS LAW COMMUNITIES IN
INDONESIA**

ABSTRACT

This study aims to analyze the authority of local governments in resolving land disputes involving Indigenous Law Communities in Indonesia, and to examine the mechanisms applied in its implementation. Using a normative juridical method with statutory and conceptual approaches, this research explores the legal framework governing decentralized authority over land affairs and its practical application across various regions. The discussion focuses on the discord between normative provisions and institutional practices, the overlapping authorities between central and local governments, and the structural barriers that hinder effective dispute resolution over customary land. The findings indicate that, although local governments are normatively endowed with strategic authority to resolve land disputes, their actual implementation is constrained by weak inter-agency coordination, limited institutional capacity, and insufficient substantive legal protection of Indigenous rights. Therefore, it is recommended that regional regulatory frameworks be strengthened, vertical authority harmonized, and the institutional capacity of local governments enhanced to ensure that their role in resolving land disputes can be realized in an effective, equitable, and sustainable manner.

Keywords: *Authority, Local Government, Dispute Resolution, Customary Law Society*