

The Village as a Space of Justice: Community Deliberation in Land Dispute Resolution in Cirebon Regency

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Abstract

Land disputes at the local level are not always immediately brought before formal courts. Rural communities continue to rely on deliberative mechanisms because they are perceived as more accessible, affordable, and compatible with existing social relations. This study aims to examine community deliberation practices in resolving land disputes in Cirebon Regency and to assess their position within the broader dispute-resolution system. The research employs a socio-legal approach based on fieldwork involving community members, village officials, local leaders, and parties who have experienced land disputes. The study also analyzes relevant legal provisions concerning dispute resolution and village governmental authority. It argues that village deliberation has significant potential as a community-based justice mechanism because it incorporates social relationships, the interests of disputing parties, and the preservation of community relations. Nevertheless, its effectiveness depends on the neutrality of local mediators, equality between the parties, proper documentation of agreements, and coordination with formal legal mechanisms. Strengthening village deliberation should therefore not be understood as replacing state adjudication. Rather, it should be developed as a complementary mechanism capable of expanding access to justice, preventing escalation, and producing locally legitimate solutions while remaining consistent with fundamental legal principles.

[Sengketa tanah di tingkat lokal tidak selalu langsung dibawa ke pengadilan formal. Masyarakat pedesaan terus mengandalkan mekanisme musyawarah karena dianggap lebih mudah diakses, terjangkau, dan sesuai dengan hubungan sosial yang ada. Studi ini bertujuan untuk meneliti praktik musyawarah masyarakat dalam menyelesaikan sengketa tanah di Kabupaten Cirebon dan untuk menilai posisinya dalam sistem penyelesaian sengketa

yang lebih luas. Penelitian ini menggunakan pendekatan sosial-hukum berdasarkan kerja lapangan yang melibatkan anggota masyarakat, pejabat desa, pemimpin lokal, dan pihak-pihak yang pernah mengalami sengketa tanah. Studi ini juga menganalisis ketentuan hukum yang relevan mengenai penyelesaian sengketa dan kewenangan pemerintah desa. Studi ini berpendapat bahwa musyawarah desa memiliki potensi yang signifikan sebagai mekanisme keadilan berbasis masyarakat karena menggabungkan hubungan sosial, kepentingan pihak-pihak yang bersengketa, dan pelestarian hubungan masyarakat. Namun demikian, efektivitasnya bergantung pada netralitas mediator lokal, kesetaraan antara pihak-pihak yang bersengketa, dokumentasi kesepakatan yang tepat, dan koordinasi dengan mekanisme hukum formal. Oleh karena itu, penguatan musyawarah desa tidak boleh dipahami sebagai pengganti pengadilan negara. Sebaliknya, hal itu harus dikembangkan sebagai mekanisme pelengkap yang mampu memperluas akses terhadap keadilan, mencegah eskalasi, dan menghasilkan solusi yang sah secara lokal sambil tetap konsisten dengan prinsip-prinsip hukum mendasar.]

Keywords: land disputes, village deliberation, community justice, rural communities, socio-legal

Introduction

Land is not merely an economic asset in rural communities but also a foundation of family identity, livelihood, social status, and intergenerational continuity. Consequently, disputes concerning ownership, boundaries, inheritance, transfers, cultivation, and access to land can have consequences extending beyond the immediate legal relationship between the disputing parties. In rural Indonesia, these disputes frequently occur within communities characterized by dense social relationships, kinship networks, and repeated interaction. Litigation may therefore be perceived not only as expensive or time-consuming but also as socially disruptive. Community-based deliberation offers an alternative because it permits disputing parties to negotiate solutions while preserving relationships that may continue after the dispute has ended. Research on rural justice institutions in other contexts similarly demonstrates that community-based mechanisms can be preferred because they are perceived as faster, less costly, and more socially accessible than formal courts (Winters and Conroy-Krutz 2021). The relevance of such mechanisms is particularly significant in examining rural access to justice in Indonesia.

The Indonesian legal system provides several formal avenues for resolving land disputes, including litigation, administrative mechanisms, mediation through land institutions, and alternative dispute resolution. The Basic Agrarian Law establishes the foundational framework for land relations, while land registration regulations seek to create legal certainty concerning land rights and their

evidentiary status. Nevertheless, formal legal mechanisms may not always be the first option for rural communities. The proximity of village institutions and the social authority of village leaders create an institutional environment in which disputes may be addressed before they escalate into formal proceedings. Law Number 6 of 2014 concerning Villages recognizes the role of village government in maintaining social order and resolving disputes among community members. Article 26 paragraph (4) letter k has been interpreted as providing a legal basis for the Village Head's role in resolving disputes within the village.

Village deliberation should nevertheless not be romanticized as inherently fair or effective. Informal mechanisms can reproduce local inequalities when one party possesses greater economic, political, familial, or social influence than another. The village head or community leader who facilitates deliberation may also have personal relationships with one or both parties. In such circumstances, social proximity, which can be an advantage for mediation, may simultaneously become a source of partiality. Similar concerns have been identified in studies examining village-level land mediation, where limited legal knowledge, inadequate procedural standards, incomplete documentation, kinship relations, and potential conflicts of interest can affect the effectiveness of mediation (Lestari, Ilwan, and Cahyowati 2019). The central issue is therefore not whether community deliberation should replace formal justice, but under what conditions village deliberation can provide a legitimate, fair, and legally responsible form of dispute resolution.

The concept of access to justice provides an important framework for evaluating this question. Access to justice is broader than physical access to courts because it concerns the ability of individuals to obtain remedies that are fair, effective, timely, and appropriate to their circumstances (Cappelletti and Garth 1978). For rural communities, geographical distance, litigation costs, limited legal literacy, procedural complexity, and social considerations can all influence the choice of dispute-resolution mechanism. Formal courts remain essential because they provide authoritative adjudication and enforceable judgments, but they do not necessarily represent the only legitimate institutional pathway to justice. Community deliberation can contribute to access to justice when it lowers practical barriers while preserving fundamental standards of fairness. Rahayu, Mulyanto, and Mayastuti (2016), for example, argue that strengthening village mediation can expand access to justice for rural communities while reducing unnecessary burdens on the formal judiciary.

The concept of legal pluralism further explains why village deliberation remains important in disputes involving land. Indonesian communities operate within overlapping normative orders, including national legislation, local government regulations, customary norms, religious values, family practices, and community expectations. Legal pluralism recognizes that state law does not necessarily constitute the only normative system influencing social behavior (Griffiths 1986; Merry 1988). In village disputes, formal legal documents may be

considered alongside family histories, local knowledge, testimony from community members, customary understandings of boundaries, and previous agreements. The interaction between these normative sources can create both opportunities and difficulties. Winarsih (2017) demonstrates that Indonesian village law provides space for community-based dispute settlement while simultaneously requiring compatibility with human rights and broader legal principles. Village deliberation therefore represents an important site where formal and informal normative orders interact.

Cirebon Regency provides a valuable context for examining these dynamics because rural communities continue to rely on social networks and village institutions while simultaneously operating within Indonesia's formal land-administration system. Land disputes in such settings may involve inheritance, unclear boundaries, informal transfers, overlapping claims, and disagreements concerning historical possession. The resolution of these disputes may require more than determining which party possesses the strongest documentary evidence. It may also require reconstructing relationships, clarifying community histories, and creating arrangements that parties consider socially acceptable. Research concerning land-dispute mediation in Indonesian villages demonstrates that village-level mechanisms can provide practical advantages in terms of accessibility and social harmony, although their outcomes may be weakened by documentation and enforcement problems (Bintang et al. 2024; Gunawan, Dialog, and Fitriana 2023). These findings make Cirebon an appropriate setting for examining the relationship between community deliberation and formal justice.

This study examines how community deliberation functions in resolving land disputes in Cirebon Regency and evaluates its legal and institutional position within Indonesia's broader dispute-resolution system. It addresses three principal questions. First, how is village deliberation practiced in resolving land disputes at the community level? Second, what factors determine whether deliberation produces an outcome perceived as legitimate and acceptable by disputing parties? Third, how should village deliberation be connected with formal legal mechanisms to ensure both accessibility and legal certainty? The study argues that village deliberation should be understood as a complementary justice mechanism rather than an informal substitute for the state judiciary. Its value lies in its capacity to combine legal considerations with social relationships, local knowledge, and consensual problem-solving. However, such advantages can only contribute to justice when deliberation is supported by neutrality, equality, documentation, legal literacy, and appropriate institutional referral mechanisms.

Theoretical Framework

1. Access to Justice and Rural Communities

Access to justice traditionally concerns the ability of individuals to invoke legal institutions and obtain effective remedies. Cappelletti and Garth (1978) famously conceptualized access to justice as involving both institutional

accessibility and the capacity of legal systems to provide meaningful remedies. This perspective challenges an exclusively court-centered understanding of justice. A formally available judicial remedy may remain practically inaccessible if litigation is financially burdensome, procedurally complex, geographically distant, or socially intimidating. Galanter (1974) similarly demonstrates that parties do not enter legal institutions with equal resources, knowledge, or experience. These inequalities become particularly important in rural land disputes because disputing parties may have unequal documentary evidence, economic resources, political connections, or access to legal assistance. Village deliberation can reduce some of these barriers, but it must also confront the inequalities that may exist within the community itself.

Access to justice therefore requires attention to the quality of the forum as well as its proximity. A mechanism that resolves disputes quickly but pressures vulnerable parties into unfavorable agreements cannot automatically be considered just. Tyler (2006) emphasizes that perceptions of procedural justice depend substantially upon whether people believe that decision-making processes are neutral, respectful, participatory, and trustworthy. These principles are directly relevant to village deliberation. Community members may accept an outcome more readily when they believe they have been heard and treated fairly, even when the outcome does not completely satisfy their original demands. Accordingly, the legitimacy of village deliberation depends not only on settlement rates but also on the fairness of the process through which agreements are produced.

2. Legal Pluralism and Community Justice

Legal pluralism provides a framework for understanding the coexistence of multiple normative systems within a single social setting. Griffiths (1986) distinguishes between legal centralist assumptions, which treat state law as the dominant or exclusive legal order, and pluralist perspectives, which recognize multiple forms of normativity. Merry (1988) further demonstrates that legal pluralism is particularly useful for understanding how formal law interacts with customary, religious, and community-based norms. In rural Indonesian communities, disputes may therefore be understood through multiple normative lenses. A land claim may depend simultaneously upon formal certificates, inheritance practices, historical possession, customary understandings, and community recognition. Village deliberation becomes an institutional space in which these normative claims can be articulated and negotiated.

However, recognizing legal plurality does not require abandoning state law. Rather, legal pluralism can be understood as an analytical tool for examining how different normative orders interact. Indonesia's village legislation itself creates opportunities for local institutions to resolve certain community disputes while placing them within a constitutional and statutory framework. Winarsih (2017) notes that recognition of customary dispute resolution under the Village Law is connected to principles of human rights and deliberative settlement. The

implication is that community justice can be recognized without becoming legally unlimited. Fundamental rights, equality, and public-order requirements remain important boundaries. Village deliberation should consequently be viewed as an institution operating within a plural legal environment rather than outside the national legal system.

3. Mediation and Deliberative Justice

Mediation is generally understood as a process in which a neutral third party assists disputing parties in communicating, identifying interests, and negotiating a mutually acceptable settlement. Unlike adjudication, mediation does not ordinarily authorize the mediator to impose a binding decision on the parties. Fisher, Ury, and Patton (2011) emphasize the importance of focusing on interests rather than merely fixed positions, while Menkel-Meadow (2006) highlights the capacity of dispute-resolution processes to accommodate complex interests and relationships. These characteristics are particularly relevant to village land disputes, where the objective may extend beyond determining legal entitlement to include maintaining future cooperation between neighbors or relatives.

Village deliberation can be understood as a localized form of mediation that incorporates community participation and social norms. Mustaqim (2022) argues that village mediation has particular importance because it emphasizes social harmony and local wisdom. The proximity of village institutions can facilitate communication because participants often share knowledge about the history and social context of the dispute. However, proximity also creates risks of bias and social pressure. A mediator must therefore distinguish between facilitating reconciliation and imposing a preferred community outcome. The legitimacy of deliberation depends upon voluntary participation, balanced treatment, meaningful opportunities to speak, and respect for the legal rights of each party.

4. Legal Framework

The Indonesian legal framework governing land disputes is anchored in Law Number 5 of 1960 concerning Basic Agrarian Regulations. The legislation establishes fundamental principles concerning land rights and the relationship between individuals, communities, and the state. Land registration is further regulated through Government Regulation Number 24 of 1997, which provides an administrative framework for registering land rights and recording juridical and physical data. Land registration is important because documentation can reduce uncertainty concerning ownership and boundaries. Nevertheless, registration does not eliminate all disputes. Historical claims, inheritance issues, overlapping documents, boundary disagreements, and transactions occurring outside formal administrative procedures may continue to generate conflicts. Consequently, village-level deliberation can perform an important preventive and conciliatory role even within a formal land-registration system.

Law Number 6 of 2014 concerning Villages is particularly relevant to the institutional position of village deliberation. The legislation recognizes villages as legal and governmental communities with responsibilities concerning governance, community development, and social order. The Village Head's responsibilities include resolving disputes arising within the village community. Empirical legal scholarship has interpreted this provision as providing a basis for village-level mediation, although the precise scope and legal consequences of such mediation remain important questions (Lestari, Ilwan, and Cahyowati 2019). The village therefore possesses a socially significant position within the dispute-resolution landscape, but it should not be confused with a court. Its principal function is facilitative and conciliatory rather than adjudicative. This distinction is crucial for protecting legal certainty and preventing village authorities from exceeding their institutional competence.

Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution provides a broader statutory foundation for non-litigation dispute resolution in Indonesia. The legislation recognizes consultation, negotiation, mediation, conciliation, and other mechanisms agreed upon by disputing parties as forms of alternative dispute resolution. Court-annexed mediation is separately governed by Supreme Court Regulation Number 1 of 2016, which strengthens the role of mediation within civil litigation. Indonesian legal scholarship has emphasized that the regulation seeks to encourage settlement, improve efficiency, and reduce unnecessary litigation (Sari 2017; Wiantara 2018). Village deliberation differs from court-annexed mediation because it takes place outside judicial proceedings, but the principles of neutrality, good faith, participation, and settlement remain relevant to evaluating its legitimacy.

The legal status of agreements reached through village deliberation requires particular attention. A village-mediated agreement may be socially authoritative but does not necessarily possess the same executorial force as a judicial judgment. This distinction has been identified in empirical studies of village-level land mediation, where the absence of formal executorial power can create uncertainty when one party later refuses to comply (Lestari, Ilwan, and Cahyowati 2019). Documentation is therefore essential. Agreements should identify the parties, describe the disputed land, record the agreed obligations, specify implementation arrangements, and contain signatures or other appropriate forms of acknowledgment. Where the dispute involves questions requiring formal land administration, village institutions should coordinate with the competent land authorities rather than attempting to create or cancel land rights independently.

Methods

This study employs a socio-legal research approach combining normative legal analysis with qualitative empirical inquiry. The normative component examines legislation and legal instruments governing land rights, land registration, village government, mediation, and alternative dispute resolution. Particular

attention is given to Law Number 5 of 1960 concerning Basic Agrarian Regulations, Government Regulation Number 24 of 1997 concerning Land Registration, Law Number 6 of 2014 concerning Villages as amended by subsequent legislation, Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution, and Supreme Court Regulation Number 1 of 2016 concerning Mediation Procedures in Court. The empirical component examines how village deliberation is understood and practiced by actors in Cirebon Regency. The study focuses on community members involved in land disputes, village officials, local leaders, and other relevant actors who participate in or possess knowledge concerning community-based dispute resolution.

Empirical data are analyzed through thematic analysis. The principal analytical categories include accessibility of village deliberation, mediator neutrality, participation of disputing parties, evidentiary practices, social relationships, legal awareness, documentation of agreements, implementation of settlements, and referral to formal institutions. Interviews and field observations are interpreted in conjunction with normative materials to identify gaps between the formal legal framework and community practices. Triangulation is used by comparing information obtained from different categories of participants and documentary sources. The study does not treat community preferences as automatically equivalent to legal validity; instead, it examines how social legitimacy and legal legitimacy interact. Because the manuscript outline supplied for this article does not contain verified information concerning the number of participants, dates of fieldwork, or specific villages included in the research, those details should be inserted from the author's actual field records before submission to ensure methodological accuracy and research integrity.

Results and Discussion

1. Village Deliberation as an Accessible Justice Mechanism

The first finding concerns the accessibility of village deliberation compared with formal dispute-resolution institutions. Community-based deliberation can reduce several practical barriers associated with litigation because the institution is geographically close to residents, generally requires fewer procedural steps, and operates through familiar forms of communication. Rural disputants may be reluctant to initiate litigation because of legal costs, uncertainty concerning procedures, and the perceived distance between formal legal institutions and everyday community life. This does not mean that villagers reject formal law; rather, they may prefer an initial mechanism that allows them to explore settlement before entering a more adversarial process. Research on village mediation in Indonesia similarly finds that local dispute resolution can expand practical access to justice by bringing dispute-resolution functions closer to rural communities (Rahayu, Mulyanto, and Mayastuti 2016; Kokotiasa 2023). The preference for accessible community mechanisms also corresponds with comparative evidence that rural

populations may perceive local justice institutions as faster and less costly than formal courts (Winters and Conroy-Krutz 2021).

Accessibility is also relational rather than merely geographical. In village communities, disputing parties often know one another personally and may continue interacting after the dispute. A court judgment can determine legal rights, but it may not restore the social relationship necessary for continued coexistence. Village deliberation creates opportunities to discuss misunderstandings, acknowledge community history, and negotiate arrangements that may be difficult to express through formal pleadings. This feature is consistent with the broader concept of restorative or relational justice, in which dispute resolution seeks not only to determine responsibility but also to repair social relationships (Lederach 1997; Zehr 2002). The value of deliberation in land disputes therefore lies partly in its capacity to address dimensions of conflict that formal adjudication may not directly resolve. Nevertheless, relational considerations should complement rather than override legally protected rights.

2. Deliberation, Local Knowledge, and the Reconstruction of Land Claims

The second finding concerns the importance of local knowledge in understanding land disputes. Rural land conflicts may involve historical boundaries, inherited possession, oral agreements, customary arrangements, changes in physical landmarks, and transactions that were never fully documented. Village officials and community leaders may possess contextual knowledge concerning the history of a parcel that is unavailable from formal documents alone. This does not mean that oral testimony should automatically prevail over registered rights, but it demonstrates why land disputes can be difficult to resolve through documentary analysis alone. Community deliberation allows participants to reconstruct the history of a disputed parcel through testimony and collective memory. Gunawan, Dialog, and Fitriana (2023) similarly identify village deliberation as a mechanism through which disputing parties can communicate and pursue consensus in land conflicts. Such practices illustrate the potential value of community knowledge in clarifying factual circumstances surrounding contested land.

Nevertheless, reliance on local knowledge creates evidentiary challenges. Collective memory may be inconsistent, particularly where disputes concern events occurring decades earlier. Community narratives may also be influenced by kinship, political alliances, economic interests, or the desire to protect particular social relationships. Consequently, deliberation should not treat community consensus as a substitute for objective verification. Land documents, maps, tax records, inheritance documents, transaction evidence, and information held by land authorities should be considered where relevant. The most appropriate approach is therefore evidentiary pluralism: different forms of evidence can be considered together while maintaining clear standards concerning legal rights. Such an approach can reduce the risk that socially influential individuals dominate the

narrative. It also reinforces the complementary character of village deliberation, in which local knowledge contributes to understanding the dispute while formal institutions remain available for authoritative determination.

3. Neutrality, Equality, and the Risks of Informal Justice

The third finding concerns the importance of mediator neutrality and equality between disputing parties. The social proximity that makes village deliberation attractive can simultaneously create structural vulnerabilities. Village heads, community leaders, or other mediators may have kinship relationships, political connections, economic interests, or personal histories involving the disputants. If these relationships influence the process, the deliberation may become a mechanism for reproducing existing power inequalities rather than resolving them fairly. Research concerning village heads as mediators identifies potential conflicts of interest and insufficient mediation expertise as significant limitations (Lestari, Ilwan, and Cahyowati 2019). Procedural justice theory suggests that parties are more likely to perceive a process as legitimate when they are treated respectfully, have meaningful opportunities to present their views, and believe that the decision-maker is neutral (Tyler 2006). These principles should therefore form minimum standards for village deliberation.

Equality is particularly important when the parties possess different levels of economic or social power. A landowner with substantial resources may be better positioned to obtain documents, legal advice, witnesses, or political support than a less-resourced claimant. A settlement reached under such conditions may appear consensual while actually reflecting unequal bargaining power. Fisher, Ury, and Patton (2011) emphasize that effective negotiation should focus on interests and legitimate criteria rather than coercive bargaining positions. Village mediators should consequently ensure that both parties receive adequate opportunities to explain their claims and understand the implications of proposed settlements. Where the dispute involves serious power imbalance, legal vulnerability, or questions that cannot appropriately be resolved through informal negotiation, referral to legal-aid organizations, land authorities, or formal judicial institutions should be considered.

4. Documentation, Legal Certainty, and Institutional Coordination

The fourth finding concerns the relationship between social settlement and legal certainty. Community deliberation may successfully produce an agreement that satisfies both parties, but the absence of adequate documentation can create future disputes. This is particularly problematic in land matters because rights may be transferred, inherited, divided, or otherwise affected long after the original settlement. Government Regulation Number 24 of 1997 emphasizes the importance of recording land rights and juridical information as part of land registration. Consequently, a village agreement should not be treated as automatically equivalent to formal land registration. Instead, it should provide a

clear record of what the parties have agreed and, where necessary, become a basis for subsequent administrative action by the competent authority. Empirical research on village mediation similarly identifies documentation and the absence of executorial authority as recurring weaknesses (Lestari, Ilwan, and Cahyowati 2019).

Institutional coordination can strengthen the relationship between village deliberation and formal justice. The village should function as an early and accessible forum rather than an institution attempting to exercise powers reserved for courts or land agencies. Where a dispute concerns unclear boundaries, registered rights, land certificates, or administrative decisions, village authorities may facilitate communication while referring technical questions to the appropriate institution. Hamidi and Latif (2021), for example, demonstrate that land-dispute mediation involving the National Land Agency can incorporate village heads and community leaders as sources of information and participants in the mediation process. A coordinated model therefore creates a continuum of justice: village deliberation can address communication and social settlement, while specialized institutions provide authoritative determinations where necessary. Such coordination would reduce institutional fragmentation and improve legal certainty.

5. The Village as a Complementary Justice Institution

The findings indicate that village deliberation should be conceptualized as part of a broader ecosystem of justice rather than as an isolated informal practice. The village occupies a strategic position between everyday social relations and the formal legal system. It is close enough to understand community circumstances but sufficiently connected to government structures to facilitate referral and documentation. This intermediate position creates opportunities for early dispute prevention. Rather than waiting until a conflict develops into litigation, village institutions can provide spaces where parties clarify claims, exchange information, and explore negotiated solutions. This model corresponds with the broader movement toward diversified dispute resolution, in which mediation, negotiation, administrative mechanisms, and adjudication are viewed as complementary rather than mutually exclusive processes (Menkel-Meadow 2006; Sander 1976). The principal challenge is ensuring that diversification does not result in lower standards of justice for rural citizens.

Village deliberation should consequently be strengthened through institutionalization without transforming it into a rigid bureaucratic procedure. The institutionalization of village mediation has been proposed as a means of improving access to justice while preserving local characteristics (Isdiyanto and Asmorojati 2021). Basic procedural standards could include registration of complaints, identification of the parties, disclosure of potential conflicts of interest, voluntary participation, separate opportunities to speak, documentation of evidence, written agreements, and referral procedures. Training should cover basic land law, mediation skills, conflict analysis, human rights, and administrative documentation. Such measures would not eliminate local flexibility but would create minimum

safeguards against arbitrary or discriminatory practices. The goal should be a form of community justice that is socially embedded while remaining legally accountable.

6. Policy Implications

Several policy implications follow from the analysis. First, village governments should develop written procedures for land-dispute deliberation while allowing sufficient flexibility to accommodate local conditions. Second, village mediators should receive basic training in land law, mediation techniques, evidence evaluation, and procedural fairness. Third, village institutions should establish mechanisms for identifying conflicts of interest before mediation begins. Fourth, agreements concerning land should be documented carefully and, where appropriate, coordinated with land-administration institutions. Fifth, villages should establish clear referral mechanisms for disputes involving serious legal complexity, substantial power imbalance, registered land rights, or allegations of unlawful conduct. These measures are consistent with research recommending stronger institutional capacity and procedural guidance for village mediation (Isdiyanto and Asmorojati 2021; Kokotiasa 2023). The objective is not to transform village officials into judges but to equip them to facilitate fair, informed, and legally responsible settlements.

A further policy priority is strengthening community legal literacy. Residents should understand the difference between ownership evidence, possession, inheritance claims, village agreements, and registered land rights. Legal education can reduce disputes before they emerge by encouraging written transactions, boundary clarification, inheritance documentation, and timely registration. It can also help residents recognize when a dispute requires professional legal assistance. The development of legal literacy is particularly important because community-based justice depends upon informed participation. Without adequate understanding, mediation can become a process in which stronger parties persuade weaker parties to accept unfavorable settlements. Access to legal information should therefore be regarded as an essential component of village justice. The combination of legal education, transparent procedures, and referral mechanisms can make village deliberation more consistent with substantive justice while preserving its accessibility and community legitimacy.

7. Limitations

This study has several limitations. First, its socio-legal and qualitative orientation emphasizes institutional processes and community experiences rather than statistical generalization across all villages in Cirebon Regency. Second, land disputes are highly heterogeneous, and mechanisms appropriate for inheritance disputes may not be appropriate for boundary conflicts, overlapping certificates, or disputes involving corporations or government institutions. Third, community deliberation is strongly influenced by local social structures, meaning that findings

from Cirebon should not automatically be generalized to villages with different customary, religious, economic, or political characteristics. Finally, because village mediation is shaped by changing regulations and administrative practices, future research should examine how village-level agreements interact with land-registration procedures and formal litigation over time. Comparative research involving several regencies would also be valuable for identifying institutional models capable of balancing local legitimacy with national legal certainty.

Conclusion

Village deliberation has significant potential to function as an accessible and socially legitimate mechanism for resolving land disputes in rural communities. Its principal strength lies in its proximity to residents, reliance on dialogue, incorporation of local knowledge, and capacity to preserve relationships between disputing parties. In Cirebon Regency, these characteristics are particularly relevant because land disputes may involve not only formal questions of ownership but also family histories, community relationships, inheritance, boundaries, and longstanding patterns of possession. Nevertheless, village deliberation cannot be considered inherently just merely because it is consensual or locally accepted. Its legitimacy depends upon neutrality, equality, informed participation, voluntary settlement, and respect for fundamental legal rights. The village should therefore be understood as a complementary justice institution rather than a substitute for courts, land agencies, or other formal legal mechanisms.

The strengthening of village deliberation requires an institutional framework that combines local flexibility with minimum standards of legal accountability. Village governments should establish transparent procedures, develop mediator capacity, document agreements, identify conflicts of interest, and create effective referral mechanisms when disputes exceed village competence. Coordination with land-administration institutions is particularly important because social agreements do not automatically produce formal registration or executorial authority. Community legal literacy should also be strengthened so that residents understand land rights, evidence, registration, and available remedies. Ultimately, the village can become an important space of justice when community deliberation is connected rather than isolated from the formal legal system. Such a model can expand access to justice while maintaining legal certainty, procedural fairness, and respect for the rights of all disputing parties.

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