



Justice-Oriented Legal Reasoning in Agrarian and Ecological Conflicts: a Critical Study of the Wadas Village Case

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Abstract

Conflicts over land and the environment driven by state-supported development projects have increasingly revealed the deep-rooted structural inequalities within Indonesia's legal system and spatial governance arrangements. This article critically examines the conflict in Wadas Village as a representative case of legal and ecological tensions arising from the implementation of Indonesia's *National Strategic Projects*. It interrogates how legal reasoning can be restructured to support justice in state-driven development projects that encroach upon local communities' land, ecological security, and political rights. Employing a normative juridical method grounded in critical hermeneutics and socio-legal perspectives, the study analyzes constitutional norms, statutory regulations, gubernatorial decrees, and environmental planning laws. Findings reveal that procedural legality has often been used to legitimize state coercion, undermining participatory governance and spatial justice. The article argues for a transformative legal reasoning framework that incorporates ethical deliberation, legal listening, and principles such as *Free, Prior, and Informed Consent (FPIC)*. It concludes that legal reform must reorient law toward substantive justice and democratic accountability, particularly in contested ecological landscapes.

Keyword: legal reasoning, agrarian conflict, ecological justice, participatory rights, state accountability

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INTRODUCTION

Land and environmental conflicts arising from state-backed development projects have increasingly exposed the structural inequalities embedded in Indonesia's legal and spatial governance frameworks (Mutmainnah, 2025). The case of Wadas Village in Purworejo, Central Java, exemplifies this phenomenon. Designated as the extraction site for *andesite* stone needed in the Bener Dam project—a *National Strategic Project (Proyek Strategis Nasional or PSN)*—the village has become a site of social and legal contestation between state authorities and local residents. Resistance from the community is not limited to land tenure disputes but extends to deeper claims for security, environmental protection, and participatory rights in development decision-making processes (WALHI, 2022; YLBHI, 2022).

The Wadas conflict must also be understood within the broader historical context of Indonesia's development paradigm, which often prioritizes economic growth and large-scale infrastructure over community rights and environmental sustainability. Similar patterns of resistance have emerged in other *PSNs*, where local voices are marginalized in the name of national interest. Legal instruments such as Law No. 2 of 2012 on Land Acquisition and its implementing regulations are frequently criticized for favoring the state's developmental agenda while providing inadequate safeguards for affected communities. At the same time, spatial planning regimes have been shaped by hierarchical decision-making that leaves little room for deliberation or meaningful community

participation. This structural imbalance highlights the persistence of *developmentalism* in Indonesia's governance framework, where the legitimacy of projects is measured by their strategic value to the state rather than their social and ecological consequences.

Furthermore, the Wadas case demonstrates how environmental degradation, loss of livelihoods, and the erosion of cultural ties to land are deeply intertwined with questions of justice and democratic accountability. Communities are not only defending their land as an economic resource but also asserting their rights to ecological security, cultural survival, and recognition in public decision-making. This makes Wadas more than a localized dispute; it reflects systemic challenges in reconciling state-led development with the principles of human rights, spatial justice, and sustainable governance. The controversy therefore serves as a crucial entry point for rethinking the foundations of legal reasoning in Indonesia, moving beyond formalistic interpretations toward a justice-oriented approach that integrates moral principles, responsiveness to community needs, and inclusive participation.

Existing studies illuminate different dimensions of the Wadas conflict but leave essential gaps unaddressed. Fairuzabadi et al. (2022) examined how religious symbols and beliefs underpinned community resistance—capturing the cultural and symbolic dynamics of the Wadas movement but without engaging legal reasoning or exploring policy frameworks. Meanwhile, Miswadi (2025) focused on the exclusion of non-landowning residents from decision-making around the *National Strategic Project*, highlighting procedural injustices, yet did not assess how legal interpretation could be reoriented toward justice.

This article aims to critically examine the patterns of legal reasoning deployed in the Wadas case and to propose a normative framework that supports justice-oriented legal interpretation. It is motivated by the key question: How can legal reasoning be reconstructed to protect substantive rights in situations where state infrastructure agendas intersect with community-based spatial and ecological claims? As Dworkin (1977) argues, law must be interpreted not merely as a set of rigid rules but as a practice embedded in moral principles—what he calls *law as integrity*. In similar fashion, Nonet and Selznick (1978) contend that responsive law must evolve to meet societal transformations rather than retreat into formalistic rigidity.

To address these issues, this study adopts a normative juridical method informed by critical hermeneutics and socio-legal perspectives. It draws on primary legal sources such as the 1945 Constitution, Law No. 2/2012 on Land Acquisition, Law No. 32/2009 on Environmental Protection, and gubernatorial decrees on land designation, alongside secondary materials including human rights reports and academic commentary. The legal assessment is situated within broader concerns over procedural legitimacy, spatial justice, and democratic accountability in state planning. The paper argues that justice-oriented legal reasoning must be inclusive and deliberative, incorporating both formal norms and the lived experiences of affected communities—a proposition aligned with de Sousa Santos's (2014) theory of *legal listening*.

RESEARCH METHODS

This study employs a normative legal research approach, complemented by critical hermeneutic and socio-legal perspectives. Given the research objective—to examine how legal reasoning can support justice in agrarian and ecological conflicts involving state infrastructure projects—this method is appropriate for analyzing legal texts within their socio-political context, interpreting the normative

framework of state actions, and uncovering the underlying structures of power embedded in legal instruments (Hutchinson & Duncan, 2012).

Sampling

The unit of analysis in this study is legal and regulatory documents related to the Wadas conflict, including statutory law, administrative decisions, and spatial planning policies. The research context is the implementation of the Bener Dam project in Purworejo Regency, Central Java, with a specific focus on the designation of Wadas Village as a mining site for *andesite* stone extraction. The selection of this case was purposive and theoretically grounded due to its illustrative value as a legal controversy that reveals the tension between procedural legality and substantive justice (Flyvbjerg, 2006).

The target legal materials include:

- a. The 1945 Constitution of the Republic of Indonesia;
- b. Law No. 2 of 2012 on Land Procurement for Development in the Public Interest;
- c. Law No. 32 of 2009 on Environmental Protection and Management;
- d. Law No. 39 of 1999 on Human Rights;
- e. Regional Regulation (*Perda*) of Purworejo No. 27 of 2019 on Spatial Planning;
- f. Governor Decrees No. 590/20/2018 and No. 590/41/2021;
- g. Related reports from *Komnas HAM*, *WALHI*, and *YLBHI*.

These documents were selected based on their direct relevance to the legal processes governing land acquisition, spatial re-zoning, and environmental governance in the Wadas case.

Data Collection

Legal materials were collected using documentary and doctrinal research techniques. Primary legal materials (statutes, decrees, constitutions) were obtained from official government publications and legal databases. Secondary sources—including academic articles, human rights reports, environmental assessments, and civil society publications—were sourced from institutional websites (*Komnas HAM*, *WALHI*, *YLBHI*), libraries, and digital repositories.

Data collection occurred over a three-month period (January–March 2025) and followed a systematic protocol:

1. Identifying legal instruments relevant to land acquisition and environmental law;
2. Compiling administrative acts and policy documents associated with the Bener Dam project;
3. Triangulating findings with civil society reports and empirical records of protest, resistance, or legal action (Webley, 2010).

To strengthen reliability, documents were validated through cross-referencing between normative sources and empirical accounts—for instance, comparing legal justifications in gubernatorial decrees with human rights documentation of events on the ground.

Measures

The main analytical method used was critical legal interpretation through hermeneutic contextualization. This involves reading legal texts not in isolation but in relation to the broader political, social, and spatial context of their implementation (Gadamer, 2004). The analysis was structured around key normative principles such as:

- a. Substantive justice (Dworkin, 1977);
- b. Responsiveness of law (Nonet & Selznick, 1978);
- c. Participatory justice and epistemic inclusion (de Sousa Santos, 2014);

d. Environmental and spatial justice (Soja, 2010).

These theoretical lenses guided the interpretation of legal instruments and policy decisions, especially in identifying:

- a. Gaps between formal procedures and actual implementation;
- b. Conflicts between administrative actions and constitutional rights;
- c. Deviations from international legal norms such as *FPIC*.

To assess validity, the study followed a principle of triangulation across doctrinal, empirical, and ethical sources. While the research is not empirical in the quantitative sense, it ensures internal validity through legal consistency and external validity through normative coherence with established rights frameworks (Perry et al., 1999).

RESULTS AND DISCUSSION

The findings of this study reveal how formal legal and spatial planning instruments—when applied without substantive ethical oversight—can produce systemic injustice and suppress constitutional rights. Through doctrinal analysis and critical interpretation, several key issues emerge concerning the implementation of the Bener Dam project and its impact on the people of Wadas Village.

Normative Ambiguity in Administrative Regulations

The issuance of two gubernatorial decrees—Governor Regulation No. 590/20/2018 and No. 590/41/2021—illustrates a profound legal ambiguity. The second decree expanded the designated project area to include the andesite quarry site in Wadas Village, but did not formally revoke the first decree. This regulatory overlap violates the principle of legal certainty, a foundational element of the rule of law enshrined in Article 28D of the 1945 Constitution (Indonesia, 1945). The absence of clear legal grounding in the alteration of project scope created confusion, reduced administrative accountability, and opened space for discretionary abuse.

The principle of legal certainty demands that legal actions and government policies be predictable, transparent, and consistent (Asshiddiqie, 2006). In this case, the state's failure to offer explicit legal reasoning for the second decree undermined public trust and provided a legal cover for coercive land measurements, which were conducted under heavy police presence.

Spatial Planning as a Tool of Dispossession

The revised Regional Regulation of Purworejo No. 27/2019 incorporated Wadas into a mining zone through modifications to the Regional Spatial Plan (RTRW). This amendment was made without substantive community consultation or adequate environmental safeguards. The regulation was based on a Strategic Environmental Assessment (KLHS) that failed to meaningfully engage local residents, in violation of participatory rights guaranteed under Law No. 32 of 2009 on Environmental Protection (Indonesia, 2009).

This spatial reclassification reflects the instrumentalization of spatial law to facilitate extractive interests. As Soja (2010) notes, spatial justice is violated when legal tools are used to reconfigure land without democratic input, particularly when such changes disproportionately harm marginalized populations. The lack of a participatory planning mechanism constitutes a procedural and substantive

breach of the right to a safe environment and the right to participate in governance, as stipulated in Articles 28H and 28C of the Constitution.

Administrative Coercion and the Erosion of Civil Rights

The events of February 2022, in which the National Land Agency (BPN) conducted forced land measurements with the support of armed police, resulted in the detention of at least 60 residents, including women and children (YLBHI, 2022). These acts amount to administrative repression, whereby lawful tools are deployed in a manner that violates basic civil rights. The arrest and intimidation of peaceful resisters contravenes the principles of proportionality and non-discrimination, as required under both Indonesian constitutional law and international human rights law, particularly the International Covenant on Civil and Political Rights (ICCPR) (United Nations, 1966).

Moreover, the denial of due process and the criminalization of dissent in this case illustrate the collapse of responsive law as theorized by Nonet and Selznick (1978), in which law becomes a mere instrument of state power rather than a forum for social justice. Instead of acting as a protector of constitutional rights, the administrative apparatus functioned as an enforcer of extractive development, disregarding the lived experiences and legal claims of affected communities.

The Fiction of Participation and the Subversion of FPIC

Although government actors claimed that socialization meetings had been held, evidence shows that such efforts were procedural rather than deliberative, designed to fulfill formal obligations without opening genuine space for contestation or consent. This violates the spirit of Free, Prior, and Informed Consent (FPIC), an internationally recognized principle under the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), which demands meaningful engagement before any development affecting customary land can proceed (United Nations, 2007).

In Indonesia, while FPIC is not formally codified into national law, the principle of prior consultation can be inferred from environmental and land acquisition laws that require public participation in decision-making processes. The failure to apply these principles in Wadas reflects a deeper problem: the erosion of participatory governance in favor of executive expediency. As de Sousa Santos (2014) argues, the absence of legal listening—the state's unwillingness to hear alternative legal perspectives—perpetuates epistemic injustice and undermines legal legitimacy.

The Structural Failure of State Responsibility

Finally, the state's actions in Wadas indicate a procedural fulfillment but a substantive abandonment of its constitutional obligations. While the government formally followed land acquisition procedures under Law No. 2 of 2012, it failed to ensure protection of fundamental rights to a healthy environment, access to information, and legal remedy. The Wadas case thus exemplifies the distinction between legal form and legal substance: administrative compliance was prioritized at the expense of justice, equity, and human dignity.

In conclusion, these findings demonstrate that law without justice becomes a mechanism of domination. The Wadas case reveals how administrative and spatial governance, when unchecked by ethical and participatory principles, can reproduce patterns of exclusion and dispossession. Legal reasoning must be reclaimed as a moral and dialogical process, one that restores balance between state power and citizen agency.

CONCLUSION

This study investigates how legal reasoning can support justice in conflicts between the state and local communities over space and ecological integrity. It finds that current legal procedures, while formally valid, often overlook the ethical dimensions of justice when community participation and spatial fairness are absent. Legal reasoning should therefore be restructured as a reflective practice centered on justice and accountability. The Wadas case illustrates how legal frameworks can produce exclusion and ecological degradation, despite formal compliance with existing laws. Key issues identified include uncertainty in gubernatorial decrees, manipulation of spatial plans to favor mining interests without citizen input, coercive land practices that infringe upon constitutional rights, and the absence of *Free, Prior, and Informed Consent (FPIC)*, which undermines democratic planning principles. The study recommends several reforms: amending spatial planning laws to mandate community consultations and *FPIC*; enhancing legal certainty through transparency in administrative decisions; institutionalizing *legal listening* practices; requiring Human Rights Impact Assessments for *National Strategic Projects*; and establishing independent mediation bodies to address grievances. Nonetheless, the study has limitations. Its non-empirical nature and single-case focus restrict generalizability. It also lacks quantitative data on policy impacts and acknowledges that Indonesia's legal frameworks are subject to frequent amendment. Despite these constraints, the study underscores the urgency of reclaiming legal reasoning as a tool for justice in contested development contexts.

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