

Legal Governance Of Village Boundary Dispute Resolution

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ABSTRACT

Village boundary disputes remain a persistent challenge in Indonesia, despite the existence of an established legal framework governing boundary determination and affirmation. Recurring disputes indicate that regulatory compliance alone is insufficient to ensure legal certainty, administrative order, and effective governance. This study examines the legal governance of village boundary dispute resolution by evaluating the coherence of the regulatory framework and the effectiveness of administrative settlement mechanisms. Employing normative legal research, this study integrates statutory, conceptual, and case approaches through qualitative analysis of primary, secondary, and tertiary legal materials using descriptive, evaluative, and prescriptive methods. The findings reveal that Indonesia has developed a comprehensive legal framework encompassing the 1945 Constitution, Village Law, Regional Government Law, Geospatial Information Law, and Minister of Home Affairs Regulation No. 45 of 2016. However, implementation remains constrained by inconsistent institutional coordination, divergent interpretations of historical boundary evidence, and limited integration of geospatial information. Administrative dispute resolution, emphasizing deliberation, documentary verification, geospatial validation, and formal government determination, provides a practical pathway toward legal certainty, although its effectiveness depends on institutional capacity and public legal awareness. This study contributes a legal governance perspective by demonstrating that sustainable dispute resolution requires the integration of regulatory coherence, intergovernmental coordination, reliable geospatial governance, and community legal culture, rather than reliance on legal substance alone. Future studies should incorporate empirical assessments of digital geospatial governance and comparative analyses across regions to evaluate the long-term effectiveness of village boundary dispute resolution policy.

Keywords: Administrative Dispute Resolution; Geospatial Governance; Legal Certainty; Legal Governance; Village Boundary Disputes.

INTRODUCTION

Legal certainty regarding village administrative boundaries is a fundamental prerequisite for effective local governance because territorial jurisdiction determines the authority of village governments to deliver public services, manage public assets, implement development programs and utilize natural resources. Within Indonesia's decentralized governance system, clearly defined boundaries establish the legal basis for administrative authority while preventing jurisdictional overlaps between neighboring villages. Conversely, uncertain territorial limits often create administrative disputes, institutional conflicts, and overlapping governmental authority, thereby reducing governance effectiveness and weakening public trust in institutions (Riza et al., 2018).

The constitutional recognition of villages as autonomous legal communities has increased the importance of boundary management. Village boundaries no longer function merely as geographical markers but also define the legal competence of village governments in exercising their administrative responsibilities. To strengthen legal certainty, Indonesia has developed a comprehensive regulatory framework through the 1945 Constitution, Law Number 6 of 2014 concerning Villages, as amended by Law Number 3 of 2024, Law Number 23 of 2014 concerning Regional Government, Law Number 4 of 2011 concerning Geospatial Information, and Minister of Home Affairs Regulation Number 45 of 2016 concerning Guidelines for Village

Boundary Determination and Affirmation. These regulations establish legal and procedural standards for determining and affirming village boundaries while supporting administrative order and territorial certainty (Suardita, 2023). In addition, the One Map Policy has strengthened geospatial governance by promoting a unified spatial reference system for land administration, regional planning, infrastructure development, and public investment (Riadi & Makmuriyanto, 2014).

Despite these regulatory advances, village boundary disputes remain common in many Indonesia regions. Conflicts frequently arise from inconsistent historical records, different interpretations of territorial evidence, changing geographical conditions, damaged boundary markers, and increasing socio-economic interests in border areas. These disputes affect not only territorial administration but also public service delivery, development planning, social stability and the exercise of governmental authority. Such conditions indicate that legal regulation alone is insufficient to ensure legal certainty without effective implementation, institutional coordination, reliable geospatial information, and meaningful public participation (Dwipayana et al., 2022;Febriansyah & Purwinarto, 2021).

From the perspective of administrative law, village boundary determination constitutes a governmental legal act that must comply with the principles of legality, transparency, accountability, proportionality, and legality. Administrative legitimacy is achieved through documentary verification, field surveys, geospatial validation, public consultations, and formal governmental approval. Accordingly, effective village boundary governance depends not only on the existence of legal norms but also on consistent implementation at every stage of the administrative process (Yuliastuti et al., 2022).

This study is grounded in Lawrence M. Friedman's Legal System Theory (Friedman, 1975) and Gustav Radbruch's Theory of Legal Certainty (Radbruch, 2006), which provide complementary perspectives for examining the effectiveness of village boundary governance. Friedman's framework explains that legal effectiveness depends on the interaction of legal substance, structure, and culture, whereas Radbruch argues that legal certainty requires clear legal norms, consistent implementation, and predictable administrative procedures. Together, these theories provide a comprehensive framework for evaluating the coherence of legal regulations, institutional performance, and administrative practices in village boundary dispute resolution.

Existing studies have examined village boundary disputes from various perspectives, including mediation, administrative procedures, legal conflict resolution, and geospatial mapping (Hasim et al., 2025Dwipayana et al., 2022). Other scholars have focused on legal certainty, administrative legitimacy, and village autonomy as separate issues (Riza et al., 2018;Suardita, 2023). Although these studies have contributed significantly to understanding village boundary administration, they primarily investigate individual aspects of the issue without explaining how regulatory coherence, institutional coordination, geospatial governance, and legal culture collectively influence the effectiveness of dispute resolution. Consequently, existing scholarship provides only a fragmented understanding of why village boundary disputes persist despite the availability of an increasingly comprehensive legal framework.

This limitation reveals an important research gap in the literature. Previous studies have generally emphasized either the adequacy of legal regulation or the effectiveness of individual dispute resolution mechanisms, whereas limited attention has been devoted to understanding how multiple governance dimensions interact to strengthen legal certainty in village boundary administration (VBA). Moreover, legal governance has rarely been employed as an integrated analytical framework linking legal substance, institutional performance, geospatial governance and legal culture within a single conceptual model.

Accordingly, the novelty of this study lies in the development of an integrated legal governance framework for resolving village boundary disputes. Unlike previous studies that analyze legal regulation, mediation, or geospatial administration separately, this study conceptualizes village boundary governance as the interaction of four complementary dimensions: regulatory coherence, institutional coordination, geospatial governance, and legal culture. This perspective demonstrates that sustainable legal certainty cannot be achieved solely through comprehensive legislation; it also requires effective institutional implementation, reliable spatial information, and community acceptance of administrative decisions.

Based on these considerations, this study aims to analyze the legal governance of village boundary dispute resolution by evaluating the coherence of Indonesia's legal framework governing village boundaries and assessing the effectiveness of administrative dispute resolution in promoting legal certainty. The findings are expected to contribute theoretically by enriching legal governance scholarship through an integrated analytical framework and practically by providing recommendations for strengthening institutional

coordination, improving geospatial governance, and enhancing administrative procedures for village-boundary management.

RESEARCH METHOD

This study employed a normative juridical legal research design to examine the legal governance of village boundary dispute resolution in Indonesia. This study focused on evaluating the coherence of legal norms, regulatory frameworks, and administrative mechanisms governing village boundary determination to assess their contribution to legal certainty and effective local governance.

The analysis adopted three complementary legal approaches: statutory, conceptual, and case-based. The statutory approach examined the legislation governing village administration, regional autonomy, geospatial information, and public administration. The conceptual approach explored legal doctrines and principles related to legal certainty, administrative governance, government authority, and good governance. The case approach analyzed selected village boundary disputes to evaluate the practical implementation of the legal framework and the effectiveness of existing dispute resolution mechanisms in the area.

This study relied exclusively on legal documentary materials. Primary legal materials included the 1945 Constitution of the Republic of Indonesia, Law Number 6 of 2014 concerning Villages as amended by Law Number 3 of 2024, Law Number 23 of 2014 concerning Regional Government, Law Number 4 of 2011 concerning Geospatial Information, Law Number 30 of 2014 concerning Government Administration, Presidential Regulation Number 23 of 2021 on the One Map Policy, and Minister of Home Affairs Regulation Number 45 of 2016 concerning Village Boundary Determination and Affirmation. Secondary materials comprised peer-reviewed journal articles, scholarly books, legal commentaries, and previous studies. Tertiary materials included legal dictionaries and other authoritative reference sources.

Legal materials were collected through library research and analyzed using qualitative legal analysis. A descriptive analysis was applied to explain the existing legal framework, evaluative analysis assessed the consistency and effectiveness of regulatory and administrative arrangements, and prescriptive analysis formulated recommendations for strengthening legal governance. The analysis was guided by Lawrence M. Friedman's Legal System Theory (Friedman, 1975) and Gustav Radbruch's Theory of Legal Certainty (Radbruch, 2006), providing an integrated framework for assessing the relationship between legal substance, institutional performance, legal culture, and administrative certainty in village boundary dispute resolution.

RESULT & DISCUSSION

Legal Framework for Village Boundary Governance

The analysis demonstrates that Indonesia has established a comprehensive legal framework governing village boundary determination through a hierarchical system of constitutional, statutory, and administrative rules. The constitutional foundation is provided by Article 1(3) of the 1945 Constitution of the Republic of Indonesia, which affirms Indonesia as a state governed by the rule of law. This constitutional principle requires every governmental action, including the determination of village administrative boundaries, to be exercised within a clear legal framework to ensure legal certainty, accountability and administrative order.

The statutory framework further reinforces this mandate. Law Number 6 of 2014 concerning Villages, as amended by Law Number 3 of 2024, recognizes a village as a legal community with clearly defined territorial boundaries that serve as the basis for exercising governmental authority. Territorial certainty constitutes more than a geographical requirement; it establishes the legal jurisdiction within which village governments administer public services, manage assets, implement development programs, and protect community interests. Consequently, ambiguous territorial limits create overlapping administrative authority, institutional uncertainty, and recurring disputes between neighboring villages, thereby weakening the effectiveness of governance.

Regulatory coherence is strengthened through Law Number 23 of 2014 concerning Regional Government, which assigns provincial and regency governments supervisory responsibilities over village administration, including territorial organization. Complementing this framework, Law Number 4 of 2011 concerning Geospatial Information introduced the legal basis for applying standardized geospatial data in administrative decision-making. The incorporation of geospatial information significantly improved the objectivity of village boundary determination by reducing dependence on historical narratives or conflicting

local interpretations. This approach also supports the implementation of Indonesia's One Map Policy, which seeks to establish a single national spatial reference for government administration and regional development (Riadi & Makmuriyanto, 2014).

The operational dimension of village boundary governance is primarily regulated through the Minister of Home Affairs Regulation Number 45 of 2016. This regulation specifies the procedural stages for village boundary determination, including documentary verification, cartographic analysis, field surveys, stakeholder consultation, installation of boundary markers, and formal governmental endorsement. Rather than functioning solely as a technical mapping guideline, the regulation integrates legal, administrative, and geospatial requirements into a unified governance mechanism intended to prevent jurisdictional conflicts while strengthening administrative legitimacy.

From the perspective of Radbruch's Theory of Legal Certainty, the existing regulatory framework substantially satisfies the normative requirement that legal rules should be clear, predictable, and consistently applied (Radbruch, 2006). The legislation establishes explicit institutional responsibilities, standardized procedural stages, and legally recognized spatial references that collectively reduce interpretative ambiguity in village boundary administration. However, legal certainty depends not only on the existence of legislation but also on its uniform implementation across administrative institutions. Variations in interpretation or inconsistent application inevitably diminish the authority of legal norms and create opportunities for renewed territorial disputes to emerge.

The findings further indicate that the effectiveness of village boundary governance cannot be explained solely by regulatory completeness. Friedman's Legal System Theory emphasizes that legal effectiveness emerges from the interaction between legal substance, legal structure, and legal culture (Friedman, 1975). Although Indonesia possesses relatively comprehensive legal substance, administrative effectiveness remains closely associated with institutional coordination among local governments, the Ministry of Home Affairs, and the Geospatial Information Agency, as well as the public acceptance of officially established boundaries. This interaction illustrates that legal certainty is produced through governance processes, rather than legislation alone.

These findings correspond with previous studies highlighting that legal certainty in territorial administration requires coherent regulation supported by institutional coordination and reliable geospatial information (Dwipayana et al., 2022; Yuliastuti et al., 2022). Nevertheless, the present analysis extends earlier scholarship by demonstrating that village boundary governance should be understood as an integrated legal governance system in which constitutional principles, statutory regulations, administrative procedures, institutional collaboration, and spatial governance collectively determine the effectiveness of dispute prevention strategies. Accordingly, regulatory coherence constitutes an essential foundation for legal certainty; however, its practical success ultimately depends on consistent administrative implementation across all levels of government.

Legal Certainty in Village Boundary Determination

The findings indicate that legal certainty in village boundary determination extends beyond the formal existence of the legislation. Although Indonesia has established a relatively comprehensive legal framework, legal certainty is achieved only when statutory provisions are translated into consistent administrative decisions, supported by accurate territorial information. Village boundaries define the jurisdiction within which governmental authority is exercised. Therefore, uncertainty regarding territorial limits directly affects public administration, including public service delivery, spatial planning, village asset management, and allocation of governmental responsibilities. Consequently, the legal status of village boundaries represents a fundamental prerequisite for effective local governance rather than a technical issue of territorial mapping.

The analysis reveals that Minister of Home Affairs Regulation Number 45 of 2016 provides a standardized administrative procedure intended to strengthen legal certainty through documentary verification, geospatial mapping, field surveys, stakeholder consultations, and formal governmental endorsements. These procedural requirements establish administrative legitimacy by ensuring that village boundaries are determined through transparent and legally recognized processes, rather than unilateral administrative discretion. The incorporation of geospatial evidence further enhances the objectivity of administrative decisions because territorial boundaries are verified using standardized spatial references rather than competing historical narratives or informal local claims. This finding supports previous studies

that emphasize that geospatial governance significantly improves legal certainty in territorial administration by reducing inconsistencies in boundary interpretation (Dwipayana et al., 2022).

The results further demonstrate that administrative consistency is a decisive factor in ensuring legal certainty. Differences in institutional interpretation, incomplete historical documentation, and inconsistent implementation of boundary determination procedures may generate overlapping jurisdictions despite the existence of adequate legislation. Such conditions illustrate that legal uncertainty often originates from governance practices rather than regulatory deficiencies. Similar observations have been reported in studies of local governance, which conclude that administrative coordination and procedural consistency are essential for transforming legal norms into effective public administration (Yuliastuti et al., 2022).

These findings are closely aligned with Radbruch's Theory of Legal Certainty, which argues that legal rules must provide clarity, predictability, and equal application to ensure legal order (Radbruch, 2006). In the context of village boundary governance, legal certainty is reflected not only in clearly formulated legislation but also in the consistent implementation of administrative procedures across regions. A legally established boundary becomes effective only when administrative authorities apply identical legal standards, rely on objective evidence, and make decisions that possess binding legal force. Consequently, the legitimacy of village boundary determination depends equally on normative clarity and administrative consistency.

From a governance perspective, the findings also suggest that legal certainty strengthens institutional accountability by reducing discretionary decision-making in the administration of territory. Clearly defined administrative boundaries establish predictable jurisdictional limits, enabling village governments to exercise their statutory authority without institutional overlaps. This administrative certainty improves intergovernmental coordination, facilitates regional planning, and minimizes potential conflicts regarding public assets and natural resources. These outcomes reflect the broader objective of legal governance, in which legal regulations function as instruments for enhancing administrative effectiveness rather than merely resolving territorial disputes.

Compared with previous studies that primarily examine village boundary disputes as isolated administrative conflicts, the present study demonstrates that legal certainty constitutes the central governance principle linking constitutional mandates, statutory regulations, geospatial information, and administrative implementation into a coherent legal system. Accordingly, the effectiveness of village boundary determination depends not only on regulatory completeness but also on institutional capacity to implement legal procedures consistently, transparently, and accountably. This integrated perspective broadens the existing scholarship by positioning legal certainty as both the normative objective and operational foundation of sustainable village boundary governance.

Administrative Resolution of Village Boundary Disputes

The analysis indicates that village boundary disputes in Indonesia should be understood as issues of administrative governance rather than merely territorial disagreements. Although disputes frequently originate from historical boundary claims, inconsistent administrative records, changing geographical conditions, or competing interests over strategic resources, their persistence largely reflects weaknesses in governance implementation rather than deficiencies in the legal framework. Unresolved boundary disputes create uncertainty regarding government jurisdiction, affecting public service delivery, village asset management, spatial planning, and regional development. Consequently, effective dispute resolution requires an integrated administrative mechanism capable of transforming legal norms into enforceable, governmental decisions.

Minister of Home Affairs Regulation Number 45 of 2016 establishes a structured administrative procedure for resolving village boundary disputes through documentary verification, geospatial assessment, field surveys, inter-village deliberation, and formal ratification by a competent regional authority. The findings demonstrate that this procedural model combines legal, technical, and participatory elements to enhance procedural fairness and administrative legitimacy. Rather than relying solely on adversarial legal mechanisms, the regulation prioritizes consensus building supported by objective geospatial evidence, thereby reducing the likelihood of prolonged jurisdictional conflict.

However, the effectiveness of this mechanism depends largely on the capacity of administrative institutions to implement each procedural stage consistently. The findings reveal that documentary evidence and geospatial information provide an objective basis for territorial verification, whereas stakeholder consultation facilitates social acceptance of administrative decisions. However, procedural delays, fragmented

institutional coordination, and inconsistencies in interpreting historical documents may undermine the legitimacy of the final administrative decision. Similar observations have been reported in previous studies, which emphasize that successful boundary dispute resolution requires both reliable spatial information and effective intergovernmental coordination (Dwipayana et al., 2022; Riadi & Makmuriyanto, 2014).

These findings correspond closely with Friedman's Legal System Theory, which explains that legal effectiveness depends on the interaction among legal substance, legal structure, and legal culture (Friedman, 1975). From the perspective of legal substance, Indonesia has developed a comprehensive regulatory framework for village boundary determination. The structural dimension is represented by the coordinated responsibilities of village and regional governments, the Ministry of Home Affairs, and the Geospatial Information Agency in implementing statutory procedures. Equally important is the cultural dimension, reflected in the willingness of communities and local governments to officially recognize established boundaries and comply with administrative decisions. Weakness in any of these three components reduces the overall effectiveness of dispute resolution, despite the existence of adequate legislation.

The findings also reinforce Radbruch's Theory of Legal Certainty, which argues that legal certainty is achieved only when legal norms are implemented consistently through authoritative and predictable administrative action (Radbruch, 2006). Consensus reached through inter-village deliberation alone does not provide sufficient legal protection unless subsequently formalized through an official administrative decision issued by the competent authority. Such formal recognition transforms negotiated agreements into legally binding administrative acts, ensuring enforceability, institutional accountability, and the protection of community rights. Accordingly, administrative legitimacy derives not only from procedural participation but also from the legal authority of the final government decision.

Compared with previous studies that primarily emphasize mediation or technical boundary mapping, the present analysis demonstrates that sustainable dispute resolution requires an integrated governance approach that combines regulatory certainty, institutional coordination, geospatial reliability, and community participation. These governance dimensions operate simultaneously to strengthen administrative legitimacy and reduce territorial conflicts. Therefore, the effectiveness of village boundary dispute resolution should be assessed not only by the achievement of agreement between disputing villages but also by the capacity of the legal governance system to produce decisions that are legally certain, administratively enforceable, and socially accepted.

An Integrated Legal Governance Model for Village Boundary Dispute Resolution

The findings demonstrate that the effectiveness of village boundary dispute resolution cannot be explained solely by the existence of comprehensive legislation. Although Indonesia has established a coherent legal framework regulating village boundaries, administrative disputes continue to occur because legal certainty depends on the interaction of multiple governance dimensions rather than on statutory regulations alone. This study proposes an integrated legal governance model that conceptualizes village boundary dispute resolution as the product of four interdependent components: regulatory coherence, institutional coordination, geospatial governance, and legal culture.

The first component, regulatory coherence, provides a normative foundation for administrative certainty. Constitutional provisions, statutory regulations, and implementing rules governing village boundaries collectively establish legal authority, procedural standards, and institutional responsibilities. A coherent regulatory framework minimizes normative inconsistencies and provides predictable legal guidance for administrative decision-making. However, regulatory completeness alone does not guarantee effective implementation. The findings indicate that legal certainty requires a harmonized interpretation and consistent application of legal norms by all competent authorities.

The second component, institutional coordination, represents the legal system's operational capacity. Village and regional governments, the Ministry of Home Affairs, and the Geospatial Information Agency perform complementary functions throughout the boundary determination process. Effective coordination enables the integration of legal verification, administrative decision-making, and spatial validation into a unified governance process. Conversely, fragmented institutional responsibilities and overlapping administrative authorities reduce procedural efficiency and delay dispute resolution. These findings reinforce Friedman's argument that institutional performance is an essential determinant of legal effectiveness (Friedman, 1975).

The third component, geospatial governance, strengthens the objectivity and credibility of administrative decisions. Standardized geospatial information provides verifiable territorial evidence that minimizes conflicting interpretations arising from historical records and customary claims. The implementation of the One Map Policy extends beyond technical mapping by supporting administrative consistency and legal predictability in territorial governance. Reliable spatial information also enhances transparency because administrative decisions are traceable, measurable, and scientifically verifiable, thereby increasing public confidence in government boundary determination (Riadi & Makmuriyanto, 2014).

The fourth component, legal culture, determines the long-term sustainability of dispute resolution. Administrative decisions acquire practical legitimacy only when communities and public institutions recognize and comply with officially established boundaries. Public participation during boundary determination, transparent administrative procedures, and equitable decision-making contribute to strengthening legal awareness and reducing resistance to government decisions. This finding supports Friedman's proposition that legal culture is indispensable for transforming formal legal rules into effective governance practices (Friedman, 1975).

Collectively, these four governance dimensions establish an integrated framework for achieving legal certainty in village boundary administration. This perspective also supports Radbruch's Theory of Legal Certainty, which emphasizes that legal certainty depends not only on the clarity of legal norms but also on their consistent and predictable implementation by public authorities (Radbruch, 2006). Accordingly, village boundary governance should be evaluated through the interaction between legal regulations, institutional capacity, spatial governance, and societal acceptance, rather than through legislative adequacy alone.

The principal contribution of this study lies in extending the existing scholarship from a predominantly regulatory or technical perspective to an integrated legal governance approach. Previous studies have generally examined legal regulations, mediation, or geospatial mapping as separate issues (Dwipayana et al., 2022; Yuliastuti et al., 2022). In contrast, this study demonstrates that sustainable village boundary dispute resolution depends on the simultaneous functioning of regulatory coherence, institutional coordination, geospatial governance, and legal culture. This integrated framework offers a broader theoretical explanation of how legal certainty is produced within administrative governance and provides practical guidance for policymakers seeking to strengthen village boundary management through coordinated legal and institutional reforms.

The proposed model suggests that future improvements in village boundary governance should prioritize regulatory harmonization, stronger intergovernmental collaboration, wider adoption of standardized geospatial information, and greater community participation in the administrative process. Integrating these governance dimensions is expected to enhance legal certainty, reduce recurring territorial disputes, and improve the effectiveness of village administration in supporting sustainable development.

CONCLUSION

This study concludes that the effectiveness of village boundary dispute resolution in Indonesia depends not only on the existence of a comprehensive legal framework but also on the quality of its implementation through integrated legal governance in the village. The analysis demonstrates that the constitutional and statutory framework, particularly the 1945 Constitution, Law Number 6 of 2014 as amended by Law Number 3 of 2024, Law Number 23 of 2014, Law Number 4 of 2011, and Minister of Home Affairs Regulation Number 45 of 2016, provides a sufficient normative basis for establishing legal certainty in village boundary administration. However, legal certainty can only be realized when regulatory coherence is supported by effective institutional coordination, reliable geospatial governance, and a strong legal culture that promotes compliance with administrative decisions. Guided by Friedman's Legal System Theory and Radbruch's Theory of Legal Certainty, the findings confirm that village boundary governance is shaped by the interaction of legal substance, institutional performance, and public acceptance, rather than by legislation alone. Accordingly, this study contributes to the development of legal governance scholarship by proposing an integrated analytical framework that links regulatory coherence, institutional coordination, geospatial governance, and legal culture as complementary dimensions of effective village boundary dispute resolution. Strengthening these interconnected dimensions is essential for improving administrative certainty, preventing recurring territorial disputes, enhancing public trust, and supporting sustainable local governance in Indonesia.

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