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## The Impact of PT KAI's Land Occupation Fine Policy on Informal Settlement Residents in Sugihwaras, Madiun

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### ABSTRACT

The land occupation fine policy imposed by PT Kereta Api Indonesia (PT KAI) is formally presented as part of asset regulation and optimization. Yet its implementation has generated significant tension among long-established residents living in informal settlements on PT KAI-owned land. The lack of public participation, procedural transparency, and sensitivity to local socio-economic realities has intensified uncertainty and vulnerability within the community. This study examines the impact of the fine policy on residents of Wadukan Hamlet in Sugihwaras Village, Saradan District, Madiun Regency, using a descriptive qualitative approach supported by literature review and field interviews. Drawing on Antonio Gramsci's concept of hegemony, the study explores how administrative instruments function as mechanisms of symbolic power and spatial control. The findings show that residents recognize PT KAI's legal ownership and have long contributed through informal dues; however, the sudden escalation of fines and the marking of homes without adequate socialization have produced economic burdens, psychological distress, and a heightened sense of insecurity. What began as an administrative procedure has evolved into a form of structural marginalization. The study underscores the need for policy reform grounded in social justice, transparent implementation, and meaningful community engagement so that state spatial governance does not operate as a vehicle of exclusion.

Keywords: Agrarian *Conflict;* Hegemony; Informal Settlements; Land Occupation Fines; PT KAI

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#### 1. Introduction

Agrarian problems in Indonesia represent long-standing structural issues that have yet to reach an equitable resolution. Amid the national narrative of modernization and infrastructure development, land conflicts involving communities, the state, and state-owned enterprises (BUMN) have intensified. According to the 2023 report of the Konsorsium Pembaruan Agraria, there were 212 agrarian conflicts across Indonesia that year, covering approximately 500,000 hectares, most of which involved state actors such as BUMN and private enterprises in disputes with local communities. One of the sectors most vulnerable to such conflicts is the transportation sector, particularly disputes related to land acquisition and relocation involving state-owned companies such as PT Kereta Api Indonesia (PT KAI). These conflicts commonly center on contested claims over land inhabited by residents for decades, which PT KAI subsequently categorizes as illegal occupation of state assets.

In recent years, PT KAI has become a central actor in land disputes in several regions, including Bandung, Jakarta, Yogyakarta, and Surabaya. Many of these conflicts involve residents living on lands claimed by PT KAI as state assets. For example, a 2022 dispute in Jatinegara, East Jakarta, illustrates how PT KAI issued occupation fine notices to residents accused of occupying company land without permission. Residents reported that they had lived there for generations and had never received adequate clarification regarding the legal status of the land they occupied. A similar case occurred in Yogyakarta in 2023, when PT KAI introduced a land-clearing policy on former railway areas that had gradually been converted into settlements, triggering both horizontal and vertical tensions between residents and state institutions.

PT KAI enforces occupation fines on residents deemed to be living on company land without formal authorization. These fines are substantial, reaching hundreds of millions of rupiah in some cases. In Yogyakarta, for instance, a report noted that residents who had lived on former PT KAI land since the 1980s were fined up to IDR 200 million without any fair consultation process or verification of land tenure (Yayasan Lokataru, 2021). Such policies have not only created economic hardship but have also generated social displacement, psychological distress, and forms of structural violence. Reports also show that between 2022 and 2023, more than 25 conflicts involving PT KAI and local residents occurred, many of which resulted in forced evictions or land sealing (WALHI, 2023).

These developments raise fundamental questions about the validity and fairness of PT KAI's occupation fine policy. Several studies indicate that the state's legal-formal approach often neglects the historical and social dimensions of community land use (Maulana & Hakim, 2021). Other research underscores that occupation fines are frequently used as instruments of structural pressure aimed at facilitating relocation rather than functioning as equitable or participatory mechanisms (Astari, 2020). Additional findings show that residents subjected to occupation fines experience psychological and economic stress due to unclear land ownership status and threats of displacement (Andrianto, 2022). Further monitoring reports note that PT KAI is among the top five institutions most frequently involved in land conflicts with communities over the past decade (BPN Watch, 2023). These patterns highlight the broader implications of occupation fines, which extend beyond administrative asset management to encompass issues of housing rights, social identity, and community sustainability.

Such conflicts cannot be understood solely as administrative or asset-management issues but rather reflect deeper inequalities in power relations between the state-corporate apparatus and civil society. Analyses suggest that many agrarian conflicts stem from discrepancies between state law and the historical rights of communities over their living spaces (Fitriani &



Nugroha, 2022). The dynamics described in these conflicts align with theoretical perspectives on hegemony, which explain how power operates not only through coercive force but also through the normalization of policies and values that conceal structural domination (Gramsci, 2013).

Within this framework, PT KAI's occupation fine policy can be interpreted as a form of structural and symbolic domination that displaces residents while disregarding the historical and sociological dimensions of community land use. Residents are often confronted with a dilemma: accept high fines or face forced eviction, choices that reflect hegemonic control rather than genuine autonomy. Prior evidence shows that occupation policies can generate structural violence under the guise of legal and modernization narratives (Nurhalimah, 2022) and that procedural opacity often marginalizes local residents (Dewi & Rahardjo, 2021). Additional analyses emphasize that agrarian conflicts involving BUMN are shaped by systemic bias toward investment interests rather than civil society protections (Sari, 2023), while state hegemony in urban agrarian conflicts is reinforced through legal-formal claims that neglect the lived realities of affected communities (Fitriani & Nugroha, 2022).

Against this backdrop, this study underscores the need to examine PT KAI's occupation fine policy comprehensively. Understanding this policy requires attention not only to regulatory frameworks or asset-management procedures but also to the social, economic, and political power relations underlying its implementation. This analysis is essential because affected residents are not merely "illegal occupants" but individuals whose lives are directly shaped by structural shifts in spatial governance imposed by hegemonic actors.

## 2. Research Methodology

This study employs a descriptive qualitative approach using a literature-based method to examine the impacts of PT Kereta Api Indonesia's (PT KAI) land occupation fine policy on communities residing on former railway land, station areas, and other state-owned assets. This approach was selected because it allows for a contextual exploration of power dynamics, agrarian conflict, and community responses, which cannot be adequately captured through quantitative or strictly normative-regulatory methods.

The primary method used is a literature study complemented by empirical data derived from field interviews. The literature review encompasses a wide range of relevant secondary sources, including academic journals, policy research reports, legal documents, investigative news articles, and critical social theory publications produced within the past five years. The review focuses on works addressing land occupation practices, agrarian conflict, and land governance policies under PT KAI's authority. In addition, the study incorporates insights from empirical research and policy dissemination materials related to state asset management performance, particularly regarding fine-imposition policies on communities occupying state-owned property.

The subject of this research is the land occupation fine policy as an institutional practice of power that shapes the lives of affected residents. The object of the study concerns the social, economic, and political impacts of the policy, analyzed through a critical lens. To interpret these impacts and uncover mechanisms of domination embedded within the policy, the study draws on the concept of hegemony, which explains how authority is maintained not only through coercive measures, such as the imposition of fines or forced evictions, but also through symbolic consent, wherein affected communities come to internalize and accept policies framed ideologically as modernization, spatial order, or public interest (Gramsci, 2013).

Through this theoretical lens, the land occupation fine policy is understood as a form of state-corporate hegemony in which legal and regulatory instruments serve as ostensibly

legitimate tools of domination while masking deeper structural inequalities. Accordingly, the literature-based method not only documents the policy and its consequences but also exposes the ideological and symbolic structures that sustain its implementation.

#### 3. Results and Discussion

### 3.1. Land Occupation Fines and the Configuration of Agrarian Conflict in the Literature

The land occupation fine policy implemented by PT Kereta Api Indonesia (PT KAI) represents a contemporary form of spatial control exercised by the state through its state-owned enterprise apparatus. Formally, the policy is intended to regulate the use of state-owned land occupied without authorization. However, in practice, it generates complex social conflicts, largely because it fails to consider the historical, social, and economic dimensions of long-term community settlement on PT KAI land.

Several studies indicate that PT KAI's legal-formal approach to occupation fines frequently neglects the fact that many residents have lived for generations on former station or railway land (Maulana & Hakim, 2021). Additional research reveals that the legal status of former Grondkaart lands, such as those in Depok Baru and Tanjung Barat, remains ambiguous, creating space for ongoing disputes between PT KAI and local communities (Sulistiowati et al., 2022). These findings demonstrate that the legal justification used to support occupation fine policies is often misaligned with social realities on the ground.

Literature further highlights that occupation fines function not merely as administrative procedures but as forms of structural pressure aimed at encouraging forced relocation (Astari, 2020). Studies involving residents of PT KAI's official housing in Semarang show that litigation processes often reflect a structural imbalance between citizens and state institutions, creating dilemmas for residents who lack proper legal support (Rizharini et al., 2024).

A major source of contention involves the legal standing of Grondkaart documents as the basis for land control. Research emphasizes that such documents should be converted into modern land-rights categories, such as management rights or usage rights, under the Basic Agrarian Law of 1960 (Intansari & Sihombing, 2022). Ambiguity surrounding this transition has prolonged disputes, as seen in conflicts between PT KAI and PT Pura Barutama in Kudus (Silvianna, 2020) and in cases involving former station land in Panarukan, where community occupation emerged from the absence of monitoring and formal leasing procedures (Diva, 2022).

In the context of infrastructure expansion, studies show that land acquisition for projects such as the airport rail line in Solo has produced tensions between agricultural land conservation and national transportation development, illustrating how development logic often sacrifices local communities and weakens residents' control over their living spaces (Idawijayanti & Widodo Dwi Pramono, 2021).

Other research demonstrates that agrarian conflicts involving PT KAI often intersect with local political dynamics and regional government policies, revealing the complex web of actors involved in land disputes (Resie & Turtiantoro, 2021).

Nevertheless, some literature views PT KAI's land-use policies, including legalization mechanisms and land regularization efforts, as potentially positive contributions to state asset optimization. Studies note that legal leasing arrangements can increase company revenue and improve national asset management efficiency (Nasrul, 2018). Within a legal-institutional framework, occupation fines are presented as part of orderly asset administration, which, if implemented with accountability, can strengthen state-owned enterprise performance.



However, this perspective is challenged by the reality that such formal mechanisms often disregard power imbalances and the historical claims of low-income communities.

Additional studies on PT KAI's Divisional Region II in West Sumatra show that cooperation with third parties can yield clear economic benefits and reduce conflict when implemented procedurally. Yet these mechanisms tend to exclude marginalized communities. Conflict emerges when similar legalistic approaches are imposed on residents of informal settlements who lack structural access to legalization schemes such as formal leasing (Nasrul, 2019). This reinforces arguments that occupation fines can serve as instruments for normalizing domination, consistent with hegemonic critiques.

Further literature acknowledges that while residents occupy PT KAI land informally, such occupation does not automatically constitute criminal illegality deserving punishment. Scholars emphasize that informal occupation often arises from unequal land distribution and the state's failure to provide adequate housing alternatives (Tuakia & Silviana, 2020). This highlights the need for socially just approaches that recognize the historical and economic contexts shaping community settlement patterns.

Studies reiterate that infrastructure-driven land acquisition frequently marginalizes local communities and weakens their spatial control (Idawijayanti & Widodo Dwi Pramono, 2021). Across the reviewed literature, the state's role appears far from neutral. Many analyses argue that legal legitimacy is often mobilized as a tool of symbolic domination to justify community displacement in the name of legality or development (Fitriani & Nugroha, 2022; Wardojo, 2024). This is consistent with theoretical perspectives on hegemony, in which coercion, such as fines, evictions, or sanctions, is complemented by ideological narratives that frame exclusionary policies as national interests.

Within this context, PT KAI's occupation fine policy functions not only as a legal mechanism but also as a hegemonic strategy to reinforce spatial claims through discourses of legality that marginalize social realities. Residents facing untenable choices, pay unaffordable fines or risk eviction, experience constrained agency within a structurally dominant framework. Research further suggests that the legal implications of former Grondkaart land should strengthen residents' legal standing when rights conversion has not occurred, yet in practice, information asymmetry and limited legal access weaken residents' positions (Nugroho, 2021).

Although PT KAI's occupation policy may appear legitimate as a state asset management measure, it becomes problematic when it ignores spatial justice and the historical presence of communities. Narratives of asset optimization must be balanced with an understanding of structural and ideological impacts on marginalized groups. This highlights the importance of participatory policy approaches and spatial justice ethics in formulating public regulations affecting community living spaces.

Overall, the literature demonstrates that occupation fines represent not only administrative tools but also manifestations of contemporary agrarian conflicts conditioned by power relations, policy politics, and state hegemony. A critical approach that recognizes historical, social, and justice dimensions is therefore essential in analyzing and envisioning alternative, more equitable policy frameworks.

### 3.2. Local Experience: The Direct Impact of Fine Policy in Wadukan Hamlet

The lived experiences of residents in Wadukan Hamlet, who have occupied PT KAI land near the railway corridor in Saradan District, Madiun Regency since the early 1930s, reveal the long-standing ambiguity shaping relations between the community and state institutions. The land was initially neglected and unused by PT KAI, and gradually became inhabited by



residents seeking shelter. Early settlement was permitted informally because community members assisted railway personnel by extinguishing sparks from steam locomotives. Over time, residents built homes independently, developed their living environment, and formed a socially cohesive and productive community.

From the outset, residents recognized that the land did not constitute private property, and they accepted the obligation to pay certain fines or informal dues to PT KAI. In the earlier years, these payments were relatively small and often made without receipts or clear administrative procedures. Problems emerged when, in recent years, the imposed fines increased drastically, reaching amounts felt to be burdensome by residents. The absence of procedural transparency, unclear payment mechanisms, and the lack of a formal leasing agreement created confusion and anxiety among the community.

Residents perceived the burden as disproportionate to their economic capacity and to the fact that they had inhabited, cared for, and maintained the land for decades. Feelings of insecurity intensified when PT KAI began marking or stamping their houses. Yet notably, despite these pressures, residents continued to maintain order and refrained from open resistance. They declined to pay fines they considered unreasonable but remained peaceful and open to dialogue.

This attitude illustrates that the residents do not categorically reject the presence of the state or PT KAI as the legal landholder; rather, they demand fairness and proportionality in treatment. They lament the absence of transparent and humane mechanisms for communication and policy implementation.

Literature indicates that land occupation policies under PT KAI may be interpreted positively as efforts to regularize the use of state assets previously occupied informally. Under legal arrangements such as formal leasing schemes or collaborative utilization agreements, such policies have the potential to strengthen company performance and generate legitimate economic benefits. In some contexts, these mechanisms may also reduce conflict if implemented through clear and inclusive legal processes. However, the success of such approaches depends heavily on the degree of social sensitivity embedded in implementation. In the case of Wadukan Hamlet, difficulties arose when fine amounts increased significantly without regard for residents' actual economic capacity and without a clear complaint mechanism, legal assistance framework, or formal pathway to legalization. Under such circumstances, the notion of justice within the policy becomes blurred. What originally functioned as a form of compensation for using state land began to evolve into a structural burden threatening the residents' livelihoods.

Studies emphasize that occupation policies can serve productive purposes when implemented through adaptive legal approaches oriented toward distributive justice. Conversely, when such policies prioritize enforcement without considering local socioeconomic conditions, they closely resemble mechanisms of social exclusion legitimized through formal legal discourse.

In Wadukan Hamlet, residents were never offered the option to formalize their usage rights, nor were they included in long-term discussions about their settlement status. Instead, they were confronted with billing letters and symbolic pressure in the form of house markings. This occurred despite the community's strong desire to remain peacefully and without disrupting public interests or damaging state assets.

A community leader explained that residents have never rejected PT KAI's legitimacy as the legal owner of the land. They have long understood that the land does not constitute private property and have consistently paid fines or contributions interpreted as a form of "land-use rent." The situation escalated when, particularly from 2018 onward, fine amounts increased

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sharply without rational explanation. Payments that were once small became several million rupiah per household, placing immense pressure on many families. Moreover, no mechanisms for objections, reductions, or negotiation were offered. Residents felt as though they were being asked to "rent" the land they had inhabited, built upon, and nurtured collectively for decades.

Despite this, the community leader stressed that residents of Wadukan Hamlet remain cooperative. They have never engaged in overt resistance or confrontational actions toward PT KAI. Instead, they maintain order, hope for dialogue, and seek a mutually acceptable solution that would allow their presence to be legally recognized under fairer terms. Their expectation is not merely compliance with obligations but acknowledgment of their rights as human beings living in collective space.

Unfortunately, the unilateral approach taken by the landholding institution emphasizes symbolic enforcement, such as marking houses, without providing channels for community input. This creates feelings of social and psychological intimidation. For residents, the issue is not solely the fine amount but the manner in which state and corporate institutions implement policies that erase the community's social history.

This case demonstrates that while land occupation policies may have legal legitimacy and may be considered positive in certain contexts of state asset optimization, they lose moral and social legitimacy when applied rigidly without regard for economic capacity or distributive fairness. In such situations, the gap between legality and social justice widens.

The narrative from Wadukan Hamlet underscores that what is needed is not simply the recognition of land claims, but recognition of residents' existence as legitimate members of a social fabric. They are not criminals but citizens who expect inclusion in decisions that directly affect their lives. Their experience highlights that just law is not only that which is written, but that which listens to voices from below.

Their testimony suggests that state policies, even when legal, lose meaning when detached from social justice. The residents do not demand ownership rights; instead, they ask to be treated as human beings who have built and sustained communal life under constraints. Their struggle reflects a quest for recognition rather than mere legality.

The narrative from this hamlet demonstrates that coexistence between communities and the state is possible when communication is grounded in mutual respect. When residents are excluded from discussions about the spaces they inhabit, policies will always be perceived as instruments of domination rather than public service. Thus, the experience of Wadukan Hamlet serves as a critical reflection on how the state manages the living spaces of marginalized citizens, illustrating that justice is expressed not only through law but also through fairness, acknowledgment, and empathy.

### 3.3. Ideal vs. Real Conditions in PT KAI's Land Occupation Fine Policy

The findings from Wadukan Hamlet illustrate a stark intersection between normative ideals and social realities within PT KAI's land occupation fine policy. Legally and administratively, the policy is grounded in formal regulations and justified as an effort to regulate underutilized state assets. However, its implementation in the field demonstrates how the idealism of state law can transform into symbolic pressure that marginalizes communities who have long resided on, shaped, and socially reproduced their living spaces.

This study reveals that the implementation of the policy lacked transparency, participatory mechanisms, and adjustments to residents' socio-economic conditions. The sharp increase in fines and the marking of homes produced a relationship of domination rather than cooperation between residents and the state. In this context, residents are not merely "illegal occupants," as



framed by official narratives, but long-standing communities that have organized their living environment for decades while remaining open to legalization.

The tensions that emerged did not originate from residents' legal violations but from the absence of participatory space and distributive justice in decision-making. Informal relations that were once flexible gradually shifted into rigid and intimidating structures. This reinforces the view that occupation fines are not merely bureaucratic procedures but manifestations of hegemonic mechanisms, wherein domination is concealed beneath the language of legality and development (Gramsci, 2013).

When residents are confronted with the choice of paying irrational fines or facing stigmatizing labels as illegal occupants, they lose their agency as subjects of policy. In this situation, the state and its enterprise do not appear as protectors but as agents of power that position residents in a subordinate role. Such conditions widen the gap between regulatory ideals and lived realities, while revealing the absence of ethical considerations and distributive justice in policy implementation.

The long-term implications of this imbalance include the potential for social dislocation, erosion of trust in the state, and community fragmentation. Without policy evaluation and reform, systemic marginalization will likely continue through forms of subtle displacement, where residents are compelled to leave their living spaces because they are unable to meet imposed requirements.

Therefore, an ideal approach to state asset management must find a middle ground with local realities. The state cannot ignore the social fact that affected residents are members of a community who have lived, contributed, and shaped their living environment, an environment that is not only physical but deeply cultural and social. Policies that fail to engage with such realities will inevitably reproduce conflict and perpetuate structural inequalities in the future.

#### 4. Conclusion

This study demonstrates that PT Kereta Api Indonesia's (PT KAI) land occupation fine policy, although legally valid and framed as an effort to optimize state assets, cannot be understood solely through regulatory or asset-management perspectives. The case of Wadukan Hamlet reveals that the policy generates significant social tension because it is implemented without transparency, without community participation, and without consideration of the socio-economic realities of residents who have lived on and shaped the land for decades. From the standpoint of Gramsci's theory of hegemony, the policy functions as a form of symbolic domination embedded within legal and developmental discourse (*Gramsci*, 1971). Through PT KAI as its institutional extension, the state deploys legality to assert spatial authority while disregarding the historical and social legitimacy of the community. This hegemonic process obscures power asymmetries and gradually erodes residents' rights to the living spaces they have maintained across generations.

Accordingly, PT KAI's occupation fine policy requires comprehensive and justice-oriented reassessment. Given the potential long-term negative impacts, policy review must prioritize three key principles: legal clarity that aligns with social justice; transparency and proportionality in implementation; and the active involvement of affected residents in all stages of policymaking. These principles are essential because policies governing living spaces should serve as instruments of reconciliation between the state and its citizens, rather than mechanisms of exclusion that deepen structural inequalities.



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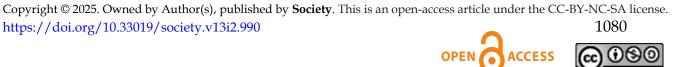
### **Declaration of Conflicting Interests**

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