THE HISTORY OF AGRARIAN REFORMS IN INDONESIA: A SOCIOLOGICAL PERSPECTIVE

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ABSTRACT

Objective: This research aims to address the challenges associated with managing and regulating agrarian resources, particularly the surge in agrarian conflicts in practice. It introduces the concept of Sustainable Land Governance as an alternative to the conventional National Land Administration paradigm. The study seeks to critique the limitations of the old paradigm and its inability to effectively address evolving issues and strategic changes in the management of national land resources.

Theoretical Framework: The theoretical framework of this research centers on land governance, sustainability, and institutional innovation. It explores the shifting paradigms in land administration, emphasizing the need for a more sustainable approach. The study also underscores the importance of political will in driving responsive institutional innovation.

Method: This research adopts a qualitative approach, relying on data obtained from observations and a comprehensive review of relevant literature. The qualitative method allows for an in-depth exploration of the concept of Sustainable Land Governance and its potential implications.

Result and Conclusion: The findings of this research suggest that the effective implementation of sustainable land management practices hinges on the ability to address both internal and external strategic challenges adequately. To foster responsive institutional innovation, strong political will from the government is essential.

Originality/Value: This research contributes to the discourse on land governance and sustainability by proposing the concept of Sustainable Land Governance as a response to growing agrarian conflicts and changing national land management dynamics. It underscores the significance of political commitment in driving institutional changes and aligning land governance with sustainable development goals. The study’s value lies in offering a fresh perspective and potential solutions to address the complex issues surrounding agrarian resource management.

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A HISTÓRIA DAS REFORMAS AGRÁRIAS NA INDONÉSIA: UMA PERSPECTIVA SOCIOLÓGICA

RESUMO

Objective: Esta investigação visa abordar os desafios associados à gestão e regulação dos recursos agrários, particularmente o aumento dos conflitos agrários na prática. Introduz o conceito de Governança Fundiária Sustentável como uma alternativa ao paradigma convencional da Administração Nacional de Terras. O estudo procura criticar as limitações do antigo paradigma e a sua incapacidade de abordar eficazmente as questões em evolução e as mudanças estratégicas na gestão dos recursos terrestres nacionais.

Referencial Teórico: O enquadramento teórico desta investigação centra-se na governação fundiária, sustentabilidade e inovação institucional. Explora a mudança de paradigmas na administração de terras, enfatizando a necessidade de uma abordagem mais sustentável. O estudo também sublinha a importância da vontade política na promoção da inovação institucional responsável.

Método: Esta pesquisa adota uma abordagem qualitativa, apoiando-se em dados obtidos a partir de observações e em uma revisão abrangente da literatura relevante. O método qualitativo permite uma exploração aprofundada do conceito de Governação Fundiária Sustentável e das suas potenciais implicações.

Resultado e Conclusão: Os resultados desta investigação sugerem que a implementação eficaz de práticas de gestão sustentável da terra depende da capacidade de enfrentar adequadamente os desafios estratégicos internos e externos. Para promover a inovação institucional responsável, é essencial uma forte vontade política por parte do governo.

Originalidade/Valor: Esta pesquisa contribui para o discurso sobre governança fundiária e sustentabilidade ao propor o conceito de Governança Fundiária Sustentável como resposta aos crescentes conflitos agrários e às mudanças na dinâmica nacional de gestão fundiária. Sublinha a importância do compromisso político na condução de mudanças institucionais e no alinhamento da governação fundiária com os objectivos de desenvolvimento sustentável. O valor do estudo reside em oferecer uma nova perspectiva e soluções potenciais para abordar as questões complexas que envolvem a gestão dos recursos agrários.

Palavras-chave: governança, instituições fundiárias agrárias, ordenamento do território, reforma burocrática, boa governança, governança fundiária sustentável.

1 INTRODUCTION

Reviewing the political background and agrarian law formulated and regulated in Law Number 5 of 1960 concerning Basic Agrarian Provisions (UUPA) as an elaboration of Article 33 paragraph (3) of the 1945 Constitution, it can be said that it is driven by a
strategic need so that state administrators, in turn, have the basic foundation for structuring national agrarian and land policy; in this case, it concerns the control, ownership, use, and utilization (P4T) of all agrarian resources which include earth, water, space and all the natural wealth contained therein. In structuring and managing agrarian resources, the state has the authority to regulate land use, land rights, and their transfer as defined in Article 2 paragraph (2) of the UUPA. The authority to control the state here is to achieve the greatest prosperity for the people whose implementation can be delegated to local governments and indigenous peoples (Medaline et al., 2021; de Lima et al., 2023).

With the mandate of the UUPA 1960, it is also intended to achieve efforts to eliminate the legacy of the two dichotomous domains that previously accompanied the basis of agrarian and land politics; that is, on the one hand, it is embodied in the Customary Law system, which in part tends to be feudalistic, and on the other hand, a system that tends to have a Western-colonialistic character (Sulistyowati, 2022). It is in this context that the primary mandate of the UUPA is directed at efforts to reduce and eliminate this dichotomous inheritance and, at the same time, at the inequality of agrarian structures, namely those that include P4T, where this last thing is none other than born and strengthened as a consequence of two domain characteristics that tend to be sociologically asymmetric in their socio-agrarian relations. This effort is known as land reform, or in other terms that have no different meaning in principle in the context of this paper, namely Agrarian Reform (Hardiyanto, 2021; Klimovskikh et al., 2023).

According to Wiradi, the term agrarian reform (RA) comes from Spanish, which is called agrarian reform in English. Agrarian reform is land reform accompanied by supporting programs, including post-reform programs. In simple terms, the essence of RA is to rearrange the P4T structure for the benefit of the wider community. Of course, carrying out and fulfilling the Agrarian Politics with a similar RA policy is not easy or even in a 'vacancy' given the complexity of the various interests contested within it. The historical trajectory in the practical-empirical realm of Agrarian Reform (RA) deals with contesting the power of political-economic interests in power dynamics that vary in each period of the government era (Mudimu et al., 2021).

During the reign of President Soekarno, the steps taken by the government to end colonial agrarian law products could be distinguished in two ways, namely (i) the promulgation of various agrarian regulations that were partial, meaning that they involved certain parts of the scope of agrarian law; and (II) form a unanimous and national agrarian
law drafting committee. The Soekarno government has issued the principal regulations that have been issued including (1) Law No. 1 of 1958 concerning the Elimination of Particle Land, (2) Law No. 2 of 1960 concerning Production Sharing Agreements, (3) Law No. 5 of 1960 concerning Basic Agrarian Regulations, (4) Law 56 Prp/1960 concerning Determination of Agricultural Land Areas, (5) PP No. 224/1961 concerning Implementation of Land Distribution and Implementation of Compensation, and (6) PP 224/1961 concerning Land reform (Bedner & Arizona, 2019).

To eliminate the legacy of agrarian colonialism in Indonesia, the Land Reform policy was born before UUPA No. 5 of 1960, which contains, among others: First, the Abolition of Village Education Rights. Second, the Removal of Conversion Rights. Third, Soil Particle Removal. The discussion on the issue of "justice" that accompanies the agrarian sector, referring to the notes of Shohibuddin & Bahri, in the reform era was far worse compared to the Suharto era. The government in the reform era produced agrarian inequality, which was much higher than the Soeharto regime for more than 30 years. In the forestry sector, for example, out of 10,031,931 ha of business permits for industrial forest plantations (HTI), only around 20% were issued by the Soeharto regime. At the same time, the rest were granted after the reformation of the regime. The same goes for natural forest utilization permits. Of the total area of 16,138,242 ha, the contribution of the New Order regime only decreased by around 3%. In the case of leasing forest areas which reached 563,464 ha, only about 7% of the role was played by the New Order regime. Moreover, what is not widely known by the public, the total forest area controlled by large-scale private business actors is 40,463,103 ha, equivalent to almost 96% of the total forest area allocation, compared to 4% less for communities and 0.10% for public interest (Girinatha & Hafizi, 2022).

The history of the UUPA is very important to underline in agrarian politics in Indonesia because until now, only the UUPA can become a reference and legal umbrella in managing agrarian policies that are affirmative and philosophical in spirit to carry out "Agrarian Renewal." After President Soekarno, until now, it can be said that there has been no government that has consistently and significantly implemented policies derived from the LoGA, except at a certain level or in a limited way during the era of President Susilo Bambang Yudhoyono (Hardiyanto, 2021).

National Agrarian Reform Program (PPAN): The era of President Susilo Bambang Yudhoyono's administration marked the return of "RA" in the vortex of national
policy after experiencing a long period of stagnation. The emergence of PPAN as a program in the SBY-JK government is inseparable from agrarian reform supporters' role in reintroducing this issue to the national policy agenda. The lobbying process against SBY was intensive before the direct presidential election in 2004. SBY revised the draft "Vision, Mission and Program" by including two paragraphs regarding implementing agrarian reform if he and JK managed to come to power.

In the last half of 2006, a policy emerged that the government would redistribute 18.15 million hectares of land to the people to implement agrarian reform. This land was obtained from the release of a conversion production forest area. The legal basis for implementing PPAN is the UUPA 1960, in which TAP MPR RI mandated no. IX/2001 concerning Agrarian Reform and Natural Resource Management, Presidential Regulation No. 10/2006 concerning the National Land Agency, and the mandate of President SBY’s speech that "Agrarian Reform is Land for Justice and People's Welfare." Even though the Head of BPN at that time had been encouraged by various efforts to break through agrarian policies, until the end of the PPAN period, he had yet to realize his ideals optimally. In addition to weak support from national political authorities, strong sectionalism is another obstacle (Krupnik et al., 2021; Rêgo & de Godoi, 2022).

Based on the historical background of agrarian policy and its institutions through the UUPA and the current problems, it seems that the paradigm with the model of land administration, which has been the primary domain of ATR/BPN, is no longer adequate in responding to various agrarian structural issues inherited from the past or those happening right now. The idea of Land Governance which is widely used by developed countries to regulate land use justice and agrarianism can be one of the essential offers to be tested in the rearrangement of agrarian institutions and national spatial planning (Franco & Borras, 2019). Land governance in the translation that is often used in Indonesian island governance, land governance, land governance, or in terms previously introduced, land management. However, the latter term has now undergone a significant shift in meaning, bearing in mind that the transformation of land problems and challenges has been highly developed both in terms of strategic issues, the complexity of the problems, the challenges that arise, the impacts and implications that arise, approaches, etc. (Reydon et al., 2020).

Land Governance is essential in several ways, including as a prerequisite for social justice and sustainable economic development and minimizing the potential for
corruption and bribery. First, those with only temporary or faltering land rights are likely to put only some of their efforts into enhancing the long-term potential of the land. Otherwise, they may have to spend a lot of money to maintain their land rights, which will not help the economy as a whole. Women (especially in circumstances of inheritance or divorce) and other historically disadvantaged groups, such as migrants or herders, are among the most precarious elements in terms of land ownership. Second, converting land to a different use is much more challenging if property rights need to be clearly defined. With apparent certainty of property rights, it will be easier for landowners to lease their land or for other needs, for example, development and development. This will reduce land use productivity in both rural and urban areas. Third, land is needed to build or develop a business. It is more expensive for small businesses and aspiring entrepreneurs to turn a good idea into a commercially viable one when land administration procedures are unclear, corrupt, or ineffective. Fourth, easily transferable property rights can be used as collateral. In that case, their availability will lower credit access costs for business owners, expand job possibilities and encourage financial system innovation and growth (Farooq et al., 2022).

Land governance can encourage the land mechanism to function properly and effectively. This is because the policy of accelerating national economic development will increase demand for land and make it a more valuable asset. Improvement of defense mechanisms will encourage accountability and improve the government's economy. This is the ultimate goal envisioned from the concept of land governance (Zhu et al., 2020).

However, in various efforts to carry out the management and regulation of agrarian resources, there are various obstacles and problems marked by the existence of agrarian and spatial planning conflicts which are increasing day by day. Data from the Ministry of Agrarian Affairs and Spatial Planning shows that from 2015 to 2022, there were 44,549 cases of 15,199 disputes/conflicts and 28,350 cases. Whereas in 2023, the Presidential Staff Office released that there were 1,384 agrarian/land and spatial planning cases based on the typology of these cases covering the fields of plantations, transmigration, inheritance disputes over State Property, overlapping land, which, if grouped by ministries, includes the Ministry of Agrarian Affairs/BPN, Ministry of BUMN, Ministry of Environment and Forestry as well as sections of various Ministries. This data is conflict or dispute data collected and captured by the Ministry due to complaints and reports from the public or, in other words, actual conflicts/disputes.
Meanwhile, latent conflicts/disputes have not been revealed; in practice social life, these conflicts/disputes do exist (Montero-Rosado et al., 2023). The achievement of Agrarian Reform, which is targeted at 9 million hectares, especially regarding the object of transmigration land legalization and the object of land redistribution in forest areas, has yet to achieve maximum results. From the target of legalizing transmigration land assets of 600,000 hectares, only 126,945 hectares or 21.16% was achieved, while the redistribution of land from the release of forest areas covering an area of 4.1 million hectares was only implemented 348,732.56 hectares or 8.51%. The two RA objects qualitatively show the number of disputes and conflicts that have given rise to various complaints in various ministries (Salim et al., 2021).

Based on the background description above, this study would like to offer the concept of Sustainable Land Governance as a basic idea in criticizing the old domain of the National Land Administration paradigm which is felt to be increasingly inadequate to answer various issues and changes in the strategic environment of national agrarian defense, both in the form of past legacies, present and future challenges.

2 THEORETICAL FRAMEWORK

2.1 PUBLIC POLICY

The Ministry of Agrarian Institution, which was established in 1955, had the function of preparing the UUPA, which was drawn up in 1948. After the UUPA was promulgated in 1960, the Ministry of Agrarian Institution was perfected in 1964; through Minister of Agrarian Regulation Number 1 of 1964, the tasks, structure, and organization established, including the Directorate of Agrarian Affairs and the Directorate of Land Registration (Wibowo, 2020).

The organization formed was to carry out Article 2 paragraph (2) of the UUPA, namely the authority to plan, regulate and control the agrarian sector, namely in planning land use, granting land rights, and registering and controlling the transfer of land ownership. It can be said that agrarian institutions are government organizations that carry out public policies in the agrarian/land sector. Thus, Public Policy Theory is relevant as a Grand Theory (Listiyani et al., 2023). The concept of public policy has long been developed to bridge government action against society. A conception according to Edward III, public policy is a series of goals and objectives of government programs.
Then Anderson emphasized that policy is the direction of action carried out by actors intending to overcome a problem (Cashore et al., 2021).

The involvement of actors in the formulation of policies then characterizes a public policy because a policy is formulated by an actor who has the authority to take action on problems that occur according to their position in the bureaucracy. Dunn views Public Policy as a series of choices made or decisions not to act by government agencies or institutions. Public policy contains several elements, including specific goals, in a certain way and time sequence. Public policy is also interpreted as a process that causes the relationship between the government and its people (Toshkov et al., 2022).

From some of the opinions mentioned above, public policy is a series of choices to do or not do something that results in interactions between the government and its people which contain some aspects of goals and objectives and ways to achieve these goals. These goals have been formulated by institutions or offices of government (Béland & Schlager, 2019). UUPA has been mandated to carry out agrarian reform. The implementation of agrarian reform in the current context is relevant to the Land Management Paradigm (LMP) concept. One of the ways to carry out agrarian reform is to carry out institutional arrangements as an implementing structure for agrarian reform. As a policy, public policy theory is used as an analytical tool in analyzing agrarian reform policies with institutional arrangements as a showcase for public services to the community (Pasamai, 2023).

2.2 ORGANIZATION

The Greek term organon, meaning instrument, is the origin of the word organization. Many experts have defined organization. Using Prajudi from Armosudiro's narrative as a guest speaker, Ari Ambarwati emphasized that organization is a framework for the division of labor and a structure of work relations among a group of officeholders who work together in a certain way to achieve a common goal. Meanwhile, according to Etzioni, organizations are social units (or human groupings) that are deliberately formed and reconstructed with full consideration to achieve specific goals (Modliński & Gladden, 2022). Daft stated that the organization is a social entity with a directed purpose, its activities are structured, and its boundaries can be identified. Amitai Etzioni states that the organization is formed to be the most effective and efficient social unit. Organizational effectiveness is measured by the extent to which goals have been
achieved. In contrast, organizational efficiency is assessed by the number of resources used in comparing benefits and costs or with time (Kantabutra & Ketprapakorn, 2021).

Amitai Etzioni uses an organizational typology based on what in sociology is called 'compliance,' that is, 'the adherence of members to the system of authority in the organization. In organizations that are 'coercive' (coercion, pressure, necessity), the obedience of members/subordinates is 'alienative' (foreign, not familiar, indifferent). The second typology, the organization formed by the exercise of authority, is 'regenerative,' which is demanding work but promising rewards so that members' (subordinates) obedience is 'utilitarian'; or 'calculative,' which calculates (Cavaliere, 2019). The third typology is that the basis of authority is normative, so obedience from subordinates is moral. Another aspect still needs attention, namely regarding 'organizational structure,' which, according to Richard Hall, relates to 3 main topics: the size of the number of personnel, complexity, and formalization. In addition, Keban stated that the organization can also become a political system that seeks to control the decision-making process and can be used as a tool to dominate (Lopes, 2022).

A good organization is an organization that can look ahead and prepares forecasts and estimates of the environmental situation so that it responds more quickly to environmental changes. Organizations are very dependent on the environment. Therefore, organizations must be able to adapt to environmental changes in order to remain sustainable because the community needs them. Many factors affect organizational sustainability mainly due to two factors, namely: (1) Flexibility in responding to any environmental changes and (2) "Rigidity" (rigidity) in responding to any changes (Hoffmann et al., 2020).

2.3 INSTITUTIONAL AND INSTITUTIONAL ARRANGEMENTS

Neuman stated that the word institution or institution in English is the object of the verb from the word institute, which comes from the word instituted (Latin), which means plan, design, goals, procedures, instructions, and teachings. Institutions are formal organizations that produce and protect change, not only interpreted as normative activities. Scott put forward a concept in which institutions have distinctive characteristics and a durable social structure consisting of symbolic elements, social activities, and material resources (Wyatt et al., 2020).
The notion of institution is often confused with the notion of organization, but the two cannot be considered the same. Neuman states that "not all institutions are organizations, strictly speaking, nor are all institutions organizations." However, Giddens stated that the difference between institutions and organizations lies in their existence in space and time, the relationships between their members, and the norms embedded in the forms of standard practices and traditions. Institutions are not only limited to formally constituted organizations such as government bodies, political parties, and corporations but also include laws, regulations, and norms of behavior that govern human life (Rivera & Knox, 2022). Sumner stated that "institutions consist of concepts (ideas, ideas, doctrines, interests) and structures." Where the concept (concept) is the purpose or function of establishing an institution, while the structure (structure) is an institutional means for realizing ideas in action (Otegui, 2021).

Esmann uses the term institutional development, which, according to him, is "planning, organizing, and fostering a new organization or reorganization that (a) brings about changes in physical, and/or social values, functions and technology; (b) establishing, developing and protecting new normative relationships and patterns of action; and (c) obtain support and completeness in that environment." Therefore, institutional development is a process that starts from planning, implementing arrangements, and coaching from new or newly reorganized organizations by changing values and functions as well as physical and social aspects to create normative relationships and new patterns of action (Fox, 2020).

Esmann said five variables affect institutional development. The five variables are (1) Leadership; is a group of people who actively formulate goals or doctrines and institutional programs and play a role in directing institutional goals. Leadership is the most critical element in institutional development because it requires intensive management as it relates to decision-making, operational control, and patterns of representation. Leadership includes formally appointed leadership positions and people who influence the institution's activities; (2) Doctrine; is the specification formulation of values, goals, and operational methods based on social action. Doctrine is a set of expectations related to the goals to be achieved by the institution; (3) Programs; shows actions related to implementing functions and services, which are the institution's output. Therefore, the program is a pattern of real action and allocation of resources within the institution, which is the elaboration of the doctrine of relations with the external
environment; (4) Resources; cover all financial, physical, human, technological, and information aspects. These resources must be in a steady and reliable condition because they can affect every institution's activity; (5) Internal structure; includes structures and processes as a place for institutions to work. The internal structure describes the division of roles within the organization, patterns of distribution of authority, and a communication system that contains commitments from people to the organization's doctrine/goals and programs. In institutional development, the organization is a vehicle for expanding the influence of its innovations on society (Figueroa et al., 2021).

2.4 CONFLICT

Conflict theory explains conflicts that occur in society in general: how conflicts originate, the types of conflicts, and the consequences of these conflicts. According to Dahrendorf's theory of dialectical conflict, society has two faces: conflict and consensus. Thus, it is suggested that sociological theory be broken down into conflict theory and consensus theory (Mahlert, 2021). While consensus theory has to look at the benefits of social integration, conflict theory has to look at conflicts of interest and the use of force that holds societies together. According to Ralf, society needs approval and disagreement to function. Forced freedom is what keeps society together. Consequently, some societal positions confer authority and influence on others (Boudreau LeBlanc et al., 2022).

This reality of social existence leads Dahrendorf to his main thesis, which argues that differences in how "authority" is distributed are always the cause of systematic social conflict. The conflict between social relations and authority According to Ralf Dahrendorf, the existing position of society has varying degrees of authority or influence. Authority is not static because it is based on position rather than individual. Therefore, a person can have a certain power or authority in some contexts while not having the same ability or authority in others. So that a member of one group who holds a subordinate position may also hold a superior in another group (Kühne et al., 2022).

The two components of power or authority are the ruler (who is in charge) and the controlled, or superiors and subordinates. There are three categories into which groups can be classified: pseudo groups, interest (manifest) groups, and conflict groups. Pseudo-groups are many position-holders who share the same interests but do not know each other; they belong to the second category of groups, interest groups, and it is because of these interests that the third category of groups, social conflict groups, was created.
Consequently, the group will have two affiliations: one for the ruling (superior) group and one for the subordinate (subordinate) group. The interests of the two groups are different. Ralf claims that shared interests bind them together (Moses et al., 2023). The top (rulers) prefer to keep things as they are, while the bottom (the controlled or subordinates) prefer to change. Dahrendorf recognized the value of conflict by citing Lewis Coser's theory, which stated that the link between conflict and change is that conflict serves to spur change and progress. If the conflict is fierce, the changes will be extreme; if it involves violence, there will be a sudden structural change (Ashley, 2022).

3 METHOD

This research was carried out in-depth, measurable, and comprehensively by considering various supporting factors and constraints/obstacles that influenced it. The position of this research is significant and strategic as material for institutional improvement that can answer strategic issues in the 2020-2024 Strategic Plan and the future strategic environment to realize the vision of Agrarian Institutions and Spatial Planning/Land Planning. The data collection method in this research is observation and literature study. The research method used in this research is qualitative. The Qualitative Method is based on the philosophy of postpositivism, where research on natural objects, where the researcher is the key instrument, is carried out using triangulation, the analysis will be inductive or qualitative, and the results emphasize meaning rather than generalization. This research also uses historical methods or historical methods. The historical method is a method that critically examines and analyzes records and writes down the results based on the facts obtained, which is called historiography (Gottschalk, 1986). This study chose this method to reveal historical facts connected with the current problems of agrarian reform policies from 2015 to 2023 in Indonesia.

4 RESULT AND DISCUSSION

4.1 HISTORY OF AGRARIAN REFORM AS A FOUNDATION FOR SUSTAINABLE DEVELOPMENT POLICY

Agrarian Reform (RA) includes improvements in land tenure and agricultural organization, or legally formally (in Indonesia), it is also called Agrarian Reform, which is a process of rearranging (rearranging) ownership, control, and use of agrarian resources (especially land). RA can be interpreted as an effort that is systematic, planned, and
carried out relatively quickly, within a specific and limited period, to realize social welfare and justice and pave the way for the formation of a 'new' society that is democratic and just; which began with steps to realign the control, use, and utilization of land and other natural resources, then continued with several other supporting programs to increase the productivity of farmers in particular and the people's economy in general (White et al., 2023).

The specificity of this land is often also popular with the term Land Reform (LR) or land/land reform(s) worldwide. In Bachriadi's writings, the essence of RA is LR in the redistribution of land ownership and control. However, LR will only be successful if it is supported by supporting programs such as irrigation, credit, counseling, education, marketing, etc. Tuma concludes that LR, in a broad sense, can finally be equated with RA, namely efforts to change the agrarian structure to achieve the goals mentioned above. So, RA can be interpreted as LR plus.

The concept of extended land reform can be understood with the history of colonialization; for example, the entire process of colonial settlements in North America, Central and South America, Australia, and New Zealand was one of the significant land reforms that seized the lands of indigenous peoples and distributed it to European Settlers at the time. Land reform can be understood as a much more common experience of (presumed) Developed Countries than is usually thought of in the economics literature.

Michael Lipton theorizes and taxonomy of LR practices by defining them as laws intended to redistribute ownership, claims, or rights to agricultural land, and enacted to benefit people with low incomes by increasing their absolute and relative status, power, and income power, compared to the situation without the law. Moreover, if a more comprehensive policy prescription is desired in development, then a country's government must go beyond land redistribution, i.e., it must support other rural development measures such as increased agricultural credit, cooperatives for agricultural supply in the form of inputs and marketing, and extension services for facilitating the reallocation of more productive land uses.

In the development of the agricultural sector in general, there are various opportunities and obstacles to increasing it, namely geography, demography, Natural Resources (SDA), ideology, politics, economy, socio-culture, and defense and security. Whereas specifically in Indonesia, other factors that influence the development of the agricultural sector are socio-economic problems and investment development, followed
by the use of technology in the agricultural production process. Meanwhile, RA, or land reform, more precisely, the reallocation of rights to build a more equitable distribution of agricultural land, is believed to be a powerful strategy to promote long-term economic development and quality environmental sustainability, thereby minimizing the impact of social conflict.

Based on the objectives of Agrarian Reform above, it is not easy to ensure that development policies can achieve sustainable goals if they are not based on structuring and developing agrarian structures as a first step. This is because every policy will be developed based on land and agrarian resources. So that if land management and agrarian resources are carried out, all construction buildings on it will be substantial and easily collapse. Conversely, if the basic foundation is strong, you can be sure that the building above it will also be vital.

To ensure that a land and agrarian policy can be called the basic foundation of development is to measure the extent to which the policy can meet the requirements called "Policies Proportionally Supporting the Poor or Other Marginalized Groups in Agrarian Terms." Referring to Saturnino J. Borras with nine Pro Poor Land Policy requirements, it can be discussed again, namely: (1) Protection or transfer of land-based wealth for the benefit of people with low incomes; (2) The transfer of land-based political power to strengthen control over land resources to the rural poor who almost/do not own land; (3) Having awareness of social class; (4) Having historical awareness; (5) Having sensitivity to gender justice; (6) Having ethnic sensitivity (diversity); (7) Able to encourage increased people's productivity; (8) Improving the people's livelihood (and welfare); and (9) Ensure the guarantee of people's rights.

Based on the nine pro-poor/marginalized policy requirements, the public can examine all agrarian policies issued by the government and whether these policies are following the objectives of agrarian sustainability and justice for the people. Because, constitutionally, agrarian justice is a political goal of agrarian policy. Thus, all vital objects of the state in an economic, democratic system must be ensured that foreigners and the private sector do not control them but must be ensured for the greatest possible prosperity of the people. If the mandate of Article 33 of the 1945 Constitution can be realized, then it can be ensured that the goals of agrarian politics are in line with their primary objectives.
4.2 AGRARIAN POLICY STRATEGY FOR SUSTAINABLE AND EQUITABLE DEVELOPMENT

Agrarian policy for the implementation of agrarian reform is defined as a policy of rearranging the structure of tenure, ownership, use, and use of land in a more just manner through asset management accompanied by structuring access for Indonesia's prosperity. This meaning implies that agrarian reform, or in other terms, it is often called land reform plus aims to improve the socio-economic conditions of the people through equal distribution of peasant livelihoods in the form of land (Hansen, 2023).

Agrarian policy reform must be carried out continuously because every era has different problems and challenges. This is important because land is a source of life and a source of well-being. The primary reason for the need for agrarian reform, especially when the style and system of society are still agrarian. The definition of land reform in the UUPA and Law Number 56 Prp Year 1960 is in a broad sense according to the understanding of the FAO (Food and Agriculture Organization), which contains programs of action that are interrelated to eliminate obstacles in the economic and social fields arising from deficiencies in the soil structure.

In essence, the goal of land reform as an embodiment of agrarian politics can be categorized into 3 (three) objectives, namely the economy to improve people's socio-economic conditions by strengthening people's property rights and giving social functions to property rights, increasing national production, especially in agriculture to increase the standard of living; community life; Politically, ending the landlord system and eliminating extensive land ownership, realizing a fair distribution of the livelihoods of the peasant people in the form of land; and Psychological, increasing work enthusiasm for sharecroppers by providing certainty of rights, improving working relations between landowners and cultivators.

Since its inception, the Ministry of Agrarian Affairs and Spatial Planning/BPN, which manages policies and implementation in the land sector, is expected to become a locomotive for agrarian reform. The extent to which the role has been played in responding to and initiating the implementation of agrarian reform will be discussed in this paper, as well as how to strengthen Agrarian Reform institutions so that agrarian management can continue (sustainable development). Historically, the dynamics of national politics have brought about fundamental changes in agrarian/land management and spatial planning. In terms of agrarian/land management and spatial planning, changes
to the institutional structure occur in each period of government. These are spelled out in the vision and mission of the institution in its implementation. This shows that changes in national political policies also impact changes in the governance of agrarian institutions so that they remain in line with the needs and challenges of the times. Therefore, a breakthrough is needed to change a policy paradigmatic basis fundamentally.

The paradigm with the model of land administration (land administration), which has been the primary domain of the ATR/BPN since the founding of this institution, seems to be increasingly inadequate in responding to various agrarian structural problems inherited from the past and present, including its changes. In the internal and external strategic environment of ATR/BPN. The idea of Sustainability Land Governance which is widely used by developed countries to regulate land use justice and agrarianism is one of the essential offers to be tested in improving the restructuring of land institutions and national spatial planning. Through the paradigm of land governance, land governance, or land governance, it is expected to be able to analyze the problems, challenges, and transformation of land institutions that have developed so far both in terms of the strategic issues that have arisen in the past, present and future.

Because the problems and challenges of every era demand the character of various agrarian policies, agrarian policy breakthroughs must be relevant and actual. With this basis, it will be easy to understand what has been done before, the strengths and weaknesses, and what needs to be added and improved to be more aligned with current problems, challenges, and needs. The character of development in the 21st-century era can be summed up in all efforts based on forms of development that meet the requirements of just and sustainable development.

4.3 STRENGTHENING AGRARIAN AND LAND POLICY IN THE CONCEPT OF SUSTAINABILITY AND GOVERNANCE PLUS (SLG-PLUS)

Every country in the world needs help with land and agrarian management. One way or another, they have to deal with the four functions of land ownership, land valuation, land use, and land development. A country’s capacity can be enhanced by integrating all operations into a single conceptual framework supported by advanced ICT models, or it can involve widely dispersed and similar techniques. Depending on their cultural foundation and level of economic development, other countries will also emphasize these four functions differently (Suharyanto et al., 2021).
Sustainable development and advancing the global agenda set through implementing the Millennium Development Goals (MDGs) depend on effective land governance. Policies, procedures, and institutions govern the management of land, property, and natural resources. To achieve political, social, and economic goals and sustainable development, land governance includes all actions involving the management of land and natural resources. The land management paradigm, which views ownership, valuation, use, and holistic development of land as a significant and pervasive responsibility exercised by an organized society, is the theoretical foundation for contemporary land administration. According to this paradigm, each country uses various tools and approaches to manage its resources and land to communicate its land policy objectives. Each jurisdiction has its definition of what is meant by land administration for these management strategies and tools. However, the basics—the cadastral or parcel maps and the registration system—remain the same. Despite being the focus of contemporary land administration, this resource is only recognized as a component of community land management agreements.

Everyone can understand the role of land administration functions (land tenure, land value, land use, and land development) and how land administration institutions are related to the historical conditions of a nation and its policy decisions thanks to the land management paradigm. Importantly, paradigms offer a framework to make it easier to integrate new requirements into conventionally structured systems without compromising the security offered by the underlying architecture of these systems. Although sustainability goals are relatively thin, the paradigm mandates that all critical aspects of land administration be considered together rather than separate activities.

4.4 GOOD LAND AND AGRARIAN ADMINISTRATION

Governance refers to how the government exercises power in managing a country’s social, economic, and spatial resources. This means the decision-making process and the process by which decisions are implemented. This shows that the government is only one of the actors in governance (Wolsink, 2020). The concept of governance includes the formal and informal actors involved in making decisions and implementing the decisions and the formal and informal structures established to reach and implement the decisions. Good governance is a qualitative term or an unattainable ideal.
The term includes features such as: a) Sustainable and locally responsive: It balances the economic, social and environmental needs of present and future generations, and places its service provision at the level closest to citizens; b) Legitimate and fair: Has been supported by society through democratic processes and deals fairly and impartially with individuals and groups that provide non-discriminatory access to services; c) Efficient, effective and competent: It formulates policies and implements them efficiently by providing high quality services; d) Transparent, accountable and predictable: Be open-minded and show stewardship by responding to inquiries and making decisions according to rules and regulations; e) Participatory and provides security and stability: It enables citizens to participate in government and provides livelihood security, freedom from crime and intolerance; and f) Dedicated to integrity: Officials carry out their duties without bribes and provide independent advice and judgment, and respect confidentiality. There is a clear separation between the personal interests of officials and politicians and government affairs.

The terms of good governance above are, of course, normative and ideal. So its implementation requires supporting factors to be achieved and realized. In the practical experience in the Kantah area of West Java Province, there are at least five critical factors: (1) substantial and trusted leadership; (2) responsive and adaptive institutions; (3) collaboration between government actors (central and regional), civil society, and other community organizations; (4) Availability of stable funding; (5) full community support and participation. To produce good land and agrarian management achievements requires political conditions, management, institutions, and cooperative strategies between parties that mutually support the same goals.

4.5 TOWARDS A FORM OF SUSTAINABLE AGRARIAN AND LAND POLICY AND GOVERNANCE (SLG-PLUS)

In perspective, sustainable development or implementing all land and agrarian policies must be spatial/ agrarian-based in an area whose land parcels are recorded cadastral. In other words, development in Indonesia will be enjoyed by future generations if the territory of the Unitary State of the Republic of Indonesia is appropriately recorded and mapped in a cadastral manner. Such a paradigm is the realm of agrarian reform which encourages the arrangement of agrarian structures to provide a sense of justice for society. A robust cadastral system has supported the implementation of Agrarian Reform in West Java Province.
Java Province as the prime mover and a comprehensive information system to support decision-making in practical implementation. Land Information is a database that provides maps of land parcels throughout the earth's surface in Indonesia as land registration maps. The Complete Systematic Land Registration Program (PTSL) is expected to provide an overview of land parcel space, making it easier to determine the structure of land tenure and ownership. It can quickly provide information on inequality and land tenure through various approaches, such as the Gini index coefficient. Institutions that manage land information are already running through the PTSL program.

This is the basis for a strong foundation for implementing the other four pillars of land administration in West Java Province: First, control or control of land, and land ownership. This pillar is entirely played by BPN, especially in granting certificates of land rights with various asset legalization programs such as PTSL, Lintor, BMN, and land redistribution programs to state lands controlled by the community and former HGU lands or abandoned lands. Second, Land Value or land value. Land value management in Indonesia has decreased and is dynamic, where land value data is isolated and cannot be accessed by other institutions. There are at least 5 data on land values in one area, which are used as a reference for tax imposition. 1) The land value zone used by the Ministry of Agrarian Affairs and Spatial Planning/BPN as the basis for imposing PNBP; 2) PBB is used for the imposition of PPh; 3) The updated PBB value is used for the imposition of BPHTB; 4) the price/value listed in the PPAT deed; and 5) the market price used to determine the general price in the community. Third, Land use or use and utilization of land. Policies on the use and use of land are regulated through the Regional Spatial Plan (RTRW), and the detailed provisions are regulated in the Zoning Provisions in the Detailed Spatial Plan (RDTR)—fourth, Land development. Various development instruments, such as the development of strategic areas such as transit-oriented (TOD), urban rejuvenation, development of new areas, and land consolidation, are potentials in the land development and development framework.

As the basis of Agrarian Reform, the land governance above must be reflected in the institutional system in managing agrarian land and space. The existing institutional system does not have to be one rigid institution but can be realized in several agencies that are functionally related to each other. The ideal institutional form then regulates the duties, functions, and authorities, including the mechanism of institutional relations between institutions, so that it can be seen as being able to close the gaps in the problems
that have arisen so far. In addition, the process of selecting institutional forms must also be adjusted to existing regulations. The central-regional and sectoral dichotomy must be seen as an integrated and continuous unit. This institutional relationship must reflect a clear line of coordination according to the function of each entity which can be reflected as a common thread in the management of agrarian land and space in institutional relations between institutions.

In the institutional architecture of agrarian, land and spatial planning have adopted the paradigm of land management, which is spelled out in the organizational structure of the Ministry of Agrarian Affairs and Spatial Planning/BPN and the Ministry's draft strategic plan. However, this land management paradigm is only implemented in the institutional form of the Ministry of Agrarian and Spatial Planning/BPN and has not yet touched the constellation of agrarian and spatial planning arrangements nationally. This is because agrarian terminology does not only concern land but also the more significant national interest. Agrarian management must integrally link the existing sectoral institutional structures, functions, and coordination. For example, how to integrate policies and institutional relations between forest and non-forest areas and achieve institutional harmonization and technical aspects of spatial/land planning in coastal areas and small islands. Harmonizing policies and institutions between these sectors are expected to realize the unity and similarity of vision in realizing sustainable agrarian, land, and spatial management to realize the desired people's welfare.

4.6 GTRA INSTITUTIONAL REORGANIZATION SCENARIO PLANNING

Based on the previous description, institutional restructuring in the agrarian/land and spatial planning sector in implementing agrarian reform is the restructuring of the Agrarian Reform Task Force (GTRA). This setup can be done with:

1. Structural Strengthening

The GTRA Institute, in completing Agrarian Reform, is likely to fill in the institutional framework within the framework of the Land Management Paradigm. This institutional framework was carried out by filling in the gaps in the current GTRA institution, namely by establishing a GTRA structure at the sub-district and village levels. The success of agrarian reform lies in resolving conflicts based on parcels of land. Both require the involvement of parties who fully understand these two matters. Of course,
village officials and the community are the most aware of this, so, like it or not, GTRA can only partially touch them.

The role of GTRA must be based on crowdsourcing, namely focusing on entities that understand agrarian/land issues in the field, such as village heads, carik, hamlet heads, Babinkamtbimas, and Babinsa. GTRA must include this element as an entity that understands local issues properly.

2. Function Strengthening

GTRA must ensure that it functions to support the availability of TORA objects through the settlement of various conflicts and land/agrarian disputes. This function is carried out through crowdsourcing, which then strengthens the budget function, which is integrated with crowdfunding from GTRA-based stakeholders in the village. Crowd Funding utilizes various central, regional, and village budget sources. This scheme provides a forum for cooperation with sources of funds from the APBN, APBD, and APBD. This should be synchronized with various ministries and local governments.

The involvement of various sources, both human and budgetary, will make GTRA stronger and ensure that RA implementation becomes more optimal. In current conflict resolution, by applying conflict resolution management that classifies metamorphic conflict and evolutionary conflict, the following strategies can be implemented: 1) Strengthening the settlement asset legalization scheme in waters, small islands, and the outermost small islands; 2) Settlement of agrarian conflict resolution related to cross-sectoral authority (BUMN/D, state property controlled by ministries, forest areas, mining, transmigration, and spatial planning); 3) The policy direction for solving transmigration land problems and accelerating the fulfillment of RA targets; 4) Accelerating the redistribution of land originating from the release of forest areas.

4.7 AGRARIAN CONFLICTS IN 2015-2023 IN INDONESIA

Based on the results of the study of land issues related to RA in the 2015-2023 period, the following problem findings were found:
The diagram above shows the number of agrarian conflicts in Indonesia from 2015 to June 2023 (1 semester in 2023). The diagram shows a gap between the number of conflicts per year and the conflicts successfully resolved each year. The more significant the gap, it shows that the handling carried out by the government in that year was less effective and maximal. The handling of land conflicts, both litigation, and non-litigation, requires a thorough work focus and special handling from the government, both central and regional. Several obstacles, including economic and political constraints, can cause
conflict handling that could be more optimal. For example, in 2019, there appears to be a reasonably large gap between the number of conflicts and the resolution of conflicts. The reason that there was quite a large gap that year, among others, was the holding of general elections to elect the next President of the Republic of Indonesia for leadership until 2024. This caused leadership to be unfocused, slowing down the process of resolving agrarian conflicts in 2019.

The condition of the Indonesian state and government is being focused on the euphoria of general elections. The Indonesian state and government leaders have not yet been determined, so the government has not been able to provide the best solution for handling litigation and non-agrarian litigation conflicts. Apart from that, the economic conditions, which were still focused on general election activities at that time, needed more to support the costs of handling the agrarian conflict resolution. Because every agrarian conflict, both litigation conflict and non-litigation conflict, requires a large amount of money. So that the number of litigation conflicts that have not been resolved in 2019 is 3,119, and in non-litigation cases, 1,038 conflicts have also not been resolved.

5 CONCLUSION

Land-Agrarian and Spatial Planning policies in West Java are carried out through the RA policy (Redistribution with Asset Management, Access Management, and Community Empowerment), which institutions support through GTRA. Various changes in the strategic environment at the Ministry of ATR/BPN, especially at the Regional Office (Katah) of West Java Province, in terms of GTRA and RA implementation, have become an arena of contestation and interests, both in Kantah and Kantah. The regional level of West Java and Kantah Province 'supra.' Especially the central government policy intervention. All changes in the strategic environment in the Kantah area of West Java Province cannot be separated from the influence of the socio-political context in internal and external institutions. Therefore, all changes in the strategic environment are arenas of conflict and contestation of multi-interest, national and regional. Agrarian conflict is the essential strategic environmental challenge in land and spatial planning policies in the Kantah region of West Java Province. Two types of agrarian conflicts emerged namely evolutionary agrarian conflicts and metamorphosis. Each of these types of conflict can arise independently. The practice of sustainable land governance in the Land Management Paradigm for sustainable development can only be fulfilled if existing
internal and external strategic challenges can be addressed with strong, responsive, and contextual agrarian institutional innovations. Encouraging institutional innovation and agrarian spatial planning that is responsive, adaptive, and contextual requires political will from the government, alignment or interconnectivity of Central-Regional policies, as well as correction of the agrarian policy paradigm that restores the constitutional mandate that agrarian resources are for sustainability and just development for the greatest prosperity of the people. The importance of developing the SLG – Plus concept. A model of agrarian and spatial planning policies that not only meets the requirements of the SLG in general but is also equipped with principles of agrarian conflict resolution that are appropriate to the local character, both with evolutionary and metamorphic dimensions.
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