

The Impact of Land Reform Policies on the Sustainable Management of Natural Resources in Local Communities



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ABSTRACT

One of the main components of the sustainable development program is land reform. At the same time, there is a lot of land conflict caused by sustainable development programs that accelerate investment through palm mining, which impacts local communities' forced takeover of land and the destruction of natural resources. The research aims to determine to what extent land reform programs impact the protection of local communities and sustainable management of natural resources. This research is descriptive, using statute, conceptual, and case approaches. As well as comparing with three countries - Indonesia, Australia, and the Netherlands - to find out the obstacles to implementing land reforms in the country. The results of this research are, *first*, that land reforms have a good impact on protecting local communities. However, sustainable natural resource management still takes time and consideration of some aspects. *Second*, there are still crucial obstacles that hinder the implementation of land reform in Indonesia, Australia, and the Netherlands. Therefore, it is crucial to adopt a participatory and collaborative approach to planning and implementing land reform programs to guarantee that the interests of all parties are addressed sustainably and equitably.



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1. Introduction

Land is a significant economic resource closely linked to access, use, and control of financial resources and other productive activities. Therefore, land is vital to achieving sustainable development goals (SDGs).¹ One component of sustainable development goals is a significant land reform policy.² Land reform policy has become an inevitable process in most countries on the African and Asian

¹Robert Home, 'New Directions in Land Reform : An Editorial Overview', *Land*, 11.160 (2022), 1-7 <https://doi.org/10.3390/land11020160>

²Ida Aju Pradnja Resosudarmo and others, 'Indonesia's Land Reform: Implications for Local Livelihoods and Climate Change', *Forest Policy and Economics*, 108 (2019), 101903 <https://doi.org/10.1016/j.forpol.2019.04.007>

continents, including Indonesia.³ Land reforms are aimed at resolving land conflicts, such as reducing inequalities in land possession, ownership, use of land and increasing farmers' income. In forest areas, land reforms aim to provide legal certainty over the people's land ownership and solve land conflict based on inventory and verification of land ownership.⁴ Agrarian reform significantly impacts the agricultural sector, land use, natural resource management, and sustainable economic growth.⁵

On the other hand, the policy of accelerating investment targeting forestry and land cultivation in Indonesia is still frequently triggering land conflict. The land conflict remains a strange issue that needs to be resolved immediately as it hampers development. Land conflicts involving farmers and local communities often end in violence and are characterized by an imbalance of power over land between the local community and investors.⁶ Most of the communities lost to this land conflict and lost their land.⁷ Other than that, this is aggravated by the need for more clarity about land ownership. Some local communities do not have legal rights to their land because the government fails to map and register the land as required by Act No. 5 of 1960 on the Basic Rules of Agrarian Trees (UUPA). Therefore, some local communities are in a legal grey zone where their land rights are highly unsecured. This lack of clarity has seized the land of vulnerable communities.⁸

According to the Agrarian Reform Consortium (KPA), during the presidency of President Joko Widodo (2015-2023) there were almost 3 thousand explosions of land conflict in Indonesia. Exactly 2,939 conflict, driven largely by his prioritization of investors and infrastructure projects over local communities and the environment. These conflicts involved a combined 6.3 million hectares (15.6 million acres) of land, mostly occupied by Indigenous or traditional communities

³ Regis Musavengane and Llewellyn Leonard, 'When Race and Social Equity Matters in Nature Conservation in Post-Apartheid South Africa', *Conservation and Society*, 17.2 (2019), 135-46 https://doi.org/10.4103/cs.cs_18_23

⁴ Dodik Ridho Nurrochmat and others, 'Policy Forum: Reconciling Palm Oil Targets and Reduced Deforestation: Landswap and Agrarian Reform in Indonesia', *Forest Policy and Economics*, 119.102291 (2020) <https://doi.org/https://doi.org/10.1016/j.forpol.2020.102291>

⁵ Ekonomi Lime Shie and Ayang Fristia Maulana, 'Evaluasi Kebijakan Agraria Dalam Mendukung Keberlanjutan Lingkungan Dan Ekonomi', *Journal of International Multidisciplinary Research*, 2.2 (2024), 20-25 <https://doi.org/https://doi.org/10.62504/5mzmsm10>

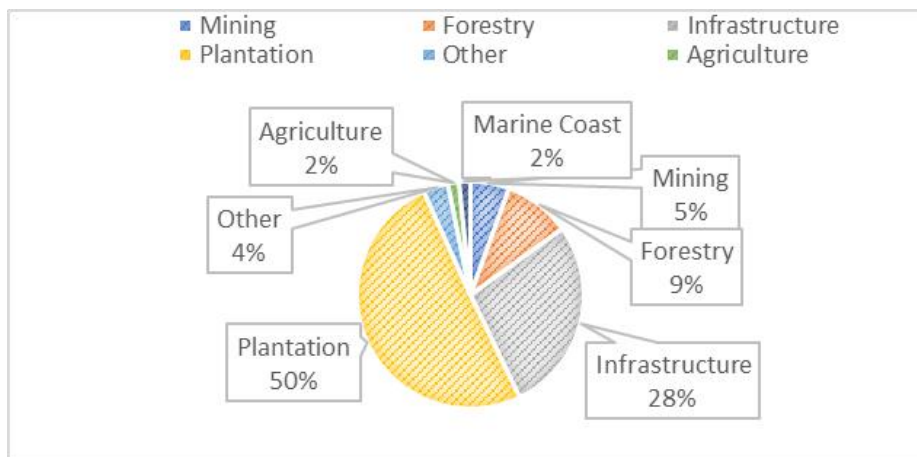
⁶ Saturnino M. Borrás and others, 'Transnational Land Investment Web: Land Grabs, TNCs, and the Challenge of Global Governance', *Globalizations*, 17.4 (2020), 608-28 <https://doi.org/10.1080/14747731.2019.1669384>

⁷ A Castellanos-Navarrete, F. de Castro, and P. Pacheco, 'The Impact of Oil Palm on Rural Livelihoods and Tropical Forest Landscapes in Latin America', *Journal of Rural Studies*, 81 (2021), 294-304 <https://doi.org/https://doi.org/10.1016/j.jrurstud.2020.10.047>

⁸ Tania Murray Li, 'Commons, Co-Ops, and Corporations: Assembling Indonesia's Twenty-First Century Land Reform', *Journal of Peasant Studies*, 48.3 (2021), 613-39 <https://doi.org/10.1080/03066150.2021.1890718>

but which have been granted by the government as concessions to plantation companies or earmarked for infrastructure projects. Here's the spread of sectors in the land conflict in 2015-2023.

Figure 1 Distribution of Sector in Land Conflict 2015-2023



Source : Agrarian Reform Consortium

From this data, the agricultural sector became the most conflicting sector in agriculture. Besides that, according to the KPA, the National Strategic Project (PSN) also triggered a new land conflict. The KPA assesses the government's failure to respect the rights of local communities in the area of development and investment. It finally ended with the evictions and deprivation of the local community's land. The program aims to accelerate palm oil production, an essential commodity in Indonesia and the most significant contributor to foreign exchange. At the end of 2022, the KPA mentioned the palm coconut plantation sector as the cause of the highest agricultural conflict in the planting sector. The trigger of the conflict as a result of palm coconut plantations is the investment and business practice of the plantation through the seizure and expropriation of local communities' land. Such practices also hurt the environment. By the way, most companies open palm fields to destroy forests. This contradicts the principle of natural resource sustainability as a sustainable resource policy effort.⁹

Land conflict and uncertainty, land ownership such as the above threatens the security of local communities and natural resources. This contradicts Article 33, paragraph 3, of the 1945 Basic Law (UUD 1945), which stipulates that the State must dominate land and waters and the natural wealth therein for the most excellent possible use for the people. The Government must guarantee and realize the common welfare, one of which is through the management or exploitation of

⁹ Muflihatun Nahriyah, 'Manajemen Berkelanjutan Dalam Perkebunan Kelapa Sawit', *Peatland Agriculture and Climate Change Journal*, 1.1 (2024), 35–51. <https://journal-iasssf.com/index.php/PACC/article/view/725>

natural resources for the greatest prosperity of the people.¹⁰ Basically to control the exercise of state control over natural resources can be carried out in several ways, namely implementing policies (beleid), actions of management (bestuursdad), regulation (regelendaad), management (beheersdaad) and supervision (toezichthoudensdaad) to maximize the well-being of the people.¹¹

The legal framework governing agriculture in Indonesia is essential in ensuring sustainable management of natural resources, protecting public rights, legal certainty for landowners, and alignment with sustainable development.¹² In terms of its validity, the land law in Indonesia has passed two periods: First, the Colonial Land Law, which was in force in the pre-independence period of Indonesia or before the National Farm Act. Second, the Law on National Farms, from the publication of Law No. 5 of 1960 on the Basic Regulations of Agrarian Trees on September 24, 1960, to the present day.¹³ As a follow-up to measures to the goal of land ownership and use regulation, land reforms were designed to resolve conflicts that occurred on land.¹⁴ This policy is based on the fact that during the first period of Eastern Indian colonialism, there was massive land ownership by companies and individuals, indigenous and foreign private. This significant change in agricultural reform policy is expected to significantly impact the lives of local communities and the management of natural resources in Indonesia.¹⁵

The land reform policy is one of the national priority programmes initiated during the first period of President Joko Widodo to build Indonesia from the countryside and improve the quality of life. This is contained in the Nawa Program Cita Jokowi-Jusuf Kalla and the National Medium-term Development Plan (RPJMN) 2015-2019. The program covers asset legalization, land remuneration, and social forestry.¹⁶ The land reform policy was re-emphasized in the second term of

¹⁰ Sholahuddin Al Fatih and others, 'Understanding Delegated Legislation in The Natural Resources Sector', *BESTUUR*, 11.2 (2023), 290 <https://doi.org/10.20961/bestuur.v11i2.78125>

¹¹ Lego Karjoko, I Gusti Ayu Ketut Rachmi Handayani, and Willy Naresta Hanum, 'Legal Policy of Old Wells Petroleum Mining Management Based on Social Justice in Realising Energy Sovereignty', *Sriwijaya Law Review*, 6.2 (2022), 286–303 <https://doi.org/10.28946/slrev.Vol6.Iss2.1745.pp286-303>

¹² Sapriani Sapriani, Reza Octavia Kusumaningtyas, and Khalid Eltayeb Elfaki, 'Strengthening Blue Economy Policy to Achieve Sustainable Fisheries', *Journal of Sustainable Development and Regulatory Issues (JSDERI)*, 2.1 (2024), 1–19 <https://doi.org/10.53955/jsderi.v2i1.23>

¹³ Ricco Survival Yubaidi, 'The Future of Land Ownership Regulation in Indonesia', *International Journal of Multicultural and Multireligious Understanding(IJMMU)*, 6.6 (2019), 712–20 (p. 713) <https://doi.org/10.18415/ijmmu.v6i6.1236>

¹⁴ Aliefia Qatrunnada and others, 'Tantangan Dan Peran Pemerintah Dalam Pelaksanaan Landreform Di Indonesia', *AL-DALIL: Jurnal Ilmu Sosial, Politik, Dan Hukum*, 1.3 (2023), 1–12 <https://doi.org/10.58707/aldalil.v1i3.527>

¹⁵ SiuSue Mark and Ben Belton, 'Breaking with the Past? The Politics of Land Restitution and the Limits to Restitutive Justice in Myanmar', *Land Use Policy*, 94.104503 (2020) <https://doi.org/https://doi.org/10.1016/j.landusepol.2020.104503>

¹⁶ Arditya Wicaksono and Yudha Purbawa, 'Hutang Negara Dalam Reforma Agraria Studi Implementasi Mandat 9 Juta Hektar Tanah Indonesia', *BHUMI: Jurnal Agraria Dan Pertanahan*, 4.1 (2018), 24–38 <https://doi.org/10.31292/jb.v4i1.214>

President Joko Widodo and was dedicated to the 2020-2024 RPJMN on Agrarian Reform. The RPJMN scripts 2020-2024 depict inequality, poverty, and a low Human Development Index.¹⁷ Furthermore, the Government's efforts to accelerate the implementation of land reforms referred to in Presidential Decree No. 62 of the Republic of Indonesia No. 2023 on Accelerating the Implementation of Agrarian Reform as set out in Article 2 include the legalization of assets, the redistribution of land, the empowerment of the economy is the subject of agrarian reform, the institutional reform of agriculture, public participation.¹⁸

Land reforms are present in the hope of providing legal certainty on the land and improving the well-being of the people.¹⁹ This policy can provide adequate access and control over land and other natural resources to the income of the public and the state. In addition, it supports the livelihoods of the people, especially those working in agriculture, plantation, and other sectors vulnerable to land degradation. The policy is also a sustainable resource management effort.²⁰ Given the importance of this, asset management systems and land access must follow good governance standards.²¹ Therefore, the impact of implementing this land reform needs to be explored more deeply.

Based on some research, no research has yet to be done on this problem. Although many researchers have researched land reform, the research has yet to concentrate on the implications of land reform policies for protecting local communities and sustainable management of natural resources in Indonesia.²² First research by Ida Aju Pradnja Resosudarmo with the title "Indonesia's Land Reform: Implications for Local Livelihoods and Climate Change" examines that the implications of Landreform for the lives of the community by emphasizing social forestry programs.

¹⁷Aditya Nurhamani, 'Reforma Agraria Dan Tembok Ego Sektoral: Merumuskan Alternatif Penyelesaian', *Bina Hukum Lingkungan*, 8.2 (2024), 189–213 <https://doi.org/https://doi.org/10.24970/bhl.v8i2.157>

¹⁸John F. McCarthy and others, 'Land Reform Rationalities and Their Governance Effects in Indonesia: Provoking Land Politics or Addressing Adverse Formalisation?', *Geoforum*, 132.April (2022), 92–102 <https://doi.org/10.1016/j.geoforum.2022.04.008>

¹⁹Dewi Gafuraningtyas, Nurasih Setiatin, and Tommy Anggrivianto, 'Dampak Redistribusi Tanah Terhadap Penghidupan Masyarakat Di Kawasan Fora 2 (Ternate) Maluku Utara', *Majalah Geografi Indonesia*, 38.1 (2024), 16–24 <https://doi.org/10.22146/mgi.84620>

²⁰Moussa Dieng and others, 'Sustainable Land Management Policy to Address Land Degradation: Linking Old Forest Management Practices in Senegal with New REDD+ Requirements', *Frontiers in Environmental Science*, 11 (2023), 1–12 <https://doi.org/10.3389/fenvs.2023.1088726>

²¹Jumali, 'Pelaksanaan Redistribusi Tanah Objek Reforma Agraria (TORA) Dalam Rangka Pembangunan Sumber Daya Alam Berkelanjutan Untuk Kesejahteraan Masyarakat', *COMSERVA : Jurnal Penelitian Dan Pengabdian Masyarakat*, 3.12 (2024), 4780–97 (pp. 4781–82) <https://doi.org/10.59141/comserva.v3i12.1273>

²²Mohammad Jamin and others, 'The Impact of Indonesia's Mining Industry Regulation on the Protection of Indigenous Peoples', *Hasanuddin Law Review*, 9.1 (2023), 88 <https://doi.org/10.20956/halrev.v9i1.4033>

Second, the research by Putu Mahardika Adi Saputra with the title “The Effect of Land Reform on Poverty: A Study of Provinces in Indonesia” provides valuable insights into the effects of land reform policies, namely the redistribution of land to the poverty rate of Indonesians through increased income from agricultural production and access to credit. However, there are still significant gaps in our understanding. Thirdly, as highlighted by the research by John F. McCarthy and others, “Land Reform Rationalities and Their Governance Effects in Indonesia: Provoking Land Politics or Addressing Adverse Formalisation?”. This research shows how political economics, the need for political legitimacy, and the frictional encounters between knowledge, interest, and political practice form the governance effects produced by tenurial rationality.

Fourthly, the research by Harley S. Clements and others, “The Relevance of Ecosystem Services to Land Reform Policies: Insights from South Africa,” examines how land reform programs can benefit from considering ecosystems in planning such programs aimed at achieving development and socio-economic justice. This research takes case studies in a South African country. Fifth, the research by Andrea M. Collins and others, “The Glocal Dynamics of Land Reform in Natural Resource Sectors: Insights from Tanzania.” The research examines the gaps in how policies have been formulated and, in turn, impact vulnerable populations, including rural women. This research also found that global governance institutions must pay greater attention to how land reform recommendations are implemented to foster equality and effectiveness.

Based on the explanation above, this research explores the implications of the current government's ten-year-old agricultural reform policy and the obstacles to its implementation. The research examines that the relevance of farming conflicts to the detriment of local communities and the barriers to sustainable management of natural resources. The research aims to provide policy recommendations for preserving ecosystems, strengthening local populations' protection, and guaranteeing sustainable natural resource management by applying a wide range of scientific perspectives.

2. Research Method

This research uses normative legal research. The research approaches used are statute, conceptual, and comparative. A legal approach examines and analyzes all applicable laws and regulations on legal issues. A conceptual approach is employed to develop ideas and find legal principles related to the problems discussed.²³ This methodology aims to understand the existing legal framework and identify legal matters related to this research.²⁴ This research material is

²³Jundiani and others, ‘Urban Green Space Regulation: Challenges to Water Resources Conservation in Indonesia and Australia’, *Journal of Human Rights, Culture and Legal System*, 4.1 (2024), 169–93 <https://doi.org/10.53955/jhcls.v4i1.128>

²⁴ Fatih and others.

obtained from the analysis of the provisions of legislation regulations, journals, and relevant articles aimed at identifying the implications of land reform policy for the protection of local communities and sustainable management of natural resources.²⁵ The research is also supported by a comparative analysis with other countries, namely Australia and the Netherlands, which aims to understand the concept of land reform policy in the country by identifying regulations, challenges in their implementation,²⁶ and recommendations for land policy in Indonesia. This analysis will produce informative and fact-based policy recommendations that can support strengthening land reform policies implicit in the protection of local communities and sustainable management of natural resources.

3. Results and Discussion

The Protection of Sustainable Natural Resources Policies in Local Communities

Land reforms are formulated as "development" programs for local communities to raise income and standard of living and resolve land conflicts of social dissatisfaction with state and private enterprises.²⁷ This policy requires considerable attention to protect and empower the local community's interests.²⁸ The land reform efforts undertaken by President Joko Widodo are a response to the long-standing demands of activists about the rights to land of indigenous and local people so that the government recognizes and restores their rights. The asset arrangement consists of land redistribution and asset legalization programs with a target of 9 million hectares to reform half of them to redistribute to local and customary communities, then another 4.5 million hectares to legalize assets in the territory of land use permits and deforestation of areas directly controlled by the ministry.²⁹ The purposes and objectives of land reform are detailed in the following scheme.

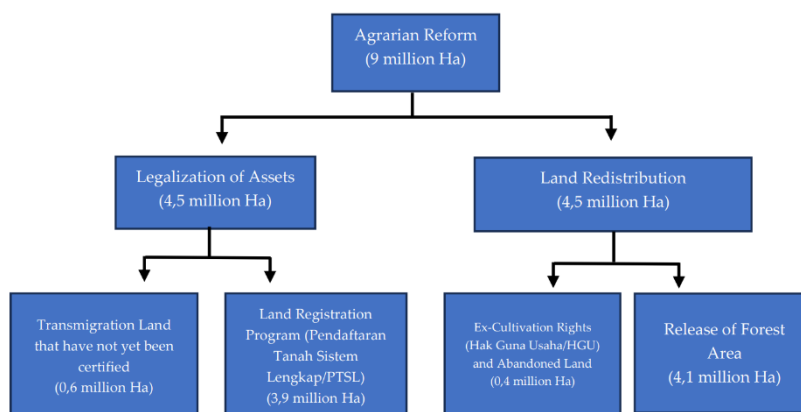
²⁵ Abdul Kadir Jaelani and others, 'Indonesia Carbon Tax Policy: A Key Role in Sustainable Development Goals', 2024, p. 020040 <https://doi.org/10.1063/5.0202042>

²⁶ Husni Mubarrak, Faisal Yahya, and Iskandar, 'Contestation on Religious Interpretation in Contemporary Aceh Shari'a: Public Caning in Prison as the Case of Study', *Juris: Jurnal Ilmiah Syariah*, 22.2 (2023), 213–22 <https://doi.org/10.31958/juris.v22i2.10258>

²⁷ Grace Y. Wong and others, 'Social Forestry in Southeast Asia: Evolving Interests, Discourses and the Many Notions of Equity', *Geoforum*, 117 (2020), 246–58 <https://doi.org/10.1016/j.geoforum.2020.10.010>

²⁸ Andrea M. Collins, J. Andrew Grant, and Patricia Ackah-Baidoo, 'The Glocal Dynamics of Land Reform in Natural Resource Sectors: Insights from Tanzania', *Land Use Policy*, 81.October 2016 (2019), 889–96 <https://doi.org/10.1016/j.landusepol.2017.05.027>

²⁹ Paul K. Gellert, 'Neoliberalism and Altered State Developmentalism in the Twenty-First Century Extractive Regime of Indonesia', *Globalizations*, 16.6 (2019), 894–918 <https://doi.org/10.1080/14747731.2018.1560189>

Figure 2 Land Reform Implementation Scheme

The land reforms implemented in Indonesia advanced the principle of land redistribution by distributing land belonging to the state, excess land, absentee land, as well as other land of the state that is used as Land Object of Agrarian Reform (TORA) to farmers who have limited land.³⁰ Land redistribution aims to achieve justice in possessing, owning, and using land, territory, and natural resources. In general, land redistribution in the land reform policy for local communities should be done with the mechanism of distributing clean and clear land by the established flow until it reaches the stage of accounting rights and issuance of certificates.³¹

Land redistribution is beneficial in terms of strengthening land ownership and opening up opportunities for better collaboration among farmers. It can contribute to increased food production and farmers' incomes, which can boost local communities' economic growth and prosperity.³² Land redistribution has a real impact on poverty, mainly in rural areas. This is reinforced by a simulation of the National Economic and Industrial Committee using data from the National Social Economic Survey 2017, which states that land redistribution can lower the fertilizer coefficient, mainly in rural areas, from 0.320 to 0.316. Therefore, the redistribution of land is expected to reduce inequalities and inequality and underpin the process of sustainable development to create equitable development.³³

³⁰ Sri Martini, Maiza Hazrina Ash-Shafikh, and Nur Choirul Afif, 'Implementasi Reforma Agraria Terhadap Pemenuhan Harapan Masyarakat Yang Bersengketa Lahan', *BHUMI: Jurnal Agraria Dan Pertanahan*, 5.2 (2019), 150–62 <https://doi.org/10.31292/jb.v5i2.367>

³¹ Akhyar Tarfi and Ikhwan Amri, 'Reforma Agraria Sebagai Jalan Menuju Perdamaian Yang Berkelanjutan Di Aceh', *BHUMI: Jurnal Agraria Dan Pertanahan*, 7.2 (2021), 210–25 <https://doi.org/10.31292/bhumi.v7i2.509>

³² Gafuraningtyas, Setiatin, and Anggrivianto.

³³ Sudjito and Nanda Saputra, 'Legalisasi Aset Dalam Reforma Agraria (Studi Kasus: Di Kabupaten Rejang Lebong)', *Notary Law Journal*, 2.4 (2023), 276–90 <https://doi.org/https://doi.org/10.32801/nolaj.v2i4.50>

As for the redistribution of land, the target of 4.5 million Ha refers to the 2015-2019 *RPJMN* that is continued on the 2020-2024 *RPJMN*, the achievement is as follows:

Table 1. Land Redistribution Achievements

Source	Target	Realization
Release of Forest Area	4,1 Million Ha	357.094,76 Ha (8,71%)
Ex-Cultivation Rights (HGU) and Abandoned Land	400.000 Ha	1.365.640,65 Ha (341,41%)

Based on the data, there needs to be a greater target reach between land redistribution access from the source of deforestation and that from ex-HGU abandoned land. By January 2023, access to land redistribution from the source of forestation had only reached 8.49%. Deforestation requires cross-sectoral coordination, especially with the Ministry of Environment and Forestry. Furthermore, once the forest area status is clear and clean, the new ATR/BPN Ministry will follow up on the land redistribution certificate. It's different for redistributing land sources from Ex HGU, Landed Land, and Land of Other Countries with Area of Other Use (APL) status, so it's relatively straightforward, clean, and easy to follow.³⁴

Implementation of sustainable redistribution deforestation area targets increased from 4.11% in 2020 to 100% of approximately 4.1 million hectares in 2024. Implements redistributions of land from former HGU and decommissioned land, by 2020 targets 0.4 million ha, then by 2024 is increased to 2 million ha.³⁵ This target refers to the marks of disputes and conflicts that root the deprivation of the land's right to society. According to the KPA report, in 2023, there were at least 241 land conflicts in Indonesia. The conflict covered an area of 638,2 thousand hectares and affected 135,6 thousand family heads. As a concrete example, in Salama Village, Sabbang District, North Luwu District, the village government felt helped in dealing with land disputes in the village, especially related to the conflicts of the boundaries of possession and land ownership. Explicit and legitimate land ownership through land certificates prevents land abduction, mafia, and other land problems. The certificate is a land redistribution program for the budget year 2023.

In Indonesia, the community of Banjar City has gained the right to redistribute land after a prolonged period of waiting for the recognition of land rights

³⁴ Aditya Nurahmani, 'Revitalisasi Kebijakan Reforma Agraria Dalam Rangka Penguatan Hak Perekonomian Rakyat', *Majalah Hukum Nasional*, 53.2 (2023), 296–320 <https://doi.org/10.33331/mhn.v53i2.236>

³⁵ Fitra Alvian and Dian Aries Mujiburohman, 'Implementasi Reforma Agraria Pada Era Pemerintahan Presiden Joko Widodo', *Tunas Agraria*, 5.2 (2022), 111–26 <https://doi.org/10.31292/jta.v5i2.176>

managed since 1964 and resolving disputes with PT. Perkebunan Nusantara (PTPN). Through the Banjar City BPN Office, the government has established the subject and object of land redistribution in Batulawang VIII. The results of the trial of the Agrarian Reform Task Group decided that as many as 200 communities in the village of Legensari, Rejesari, Sinartanjung, and Muktisari Kelurahan of the city of Banjar finally obtained clarity of the legality of land ownership by giving it electronic land certificate to the community that owns the land of the former PTPN VIII Batulawang. The total area is about 14.5 hectares. The land consists of meadows, gardens, groves, and fish ponds.

The Asset Legalization Program also covers the rights and protection of local communities. Over the past ten years, the government has pursued a massive movement to distribute land certificates throughout Indonesia through the Land Registration Program (PTSL) and Transmigration Land Settlement.³⁶ The following is the access for November 2023, based on data from the Directorate-General of Agrarian Planning, the Ministry of Agriculture, and the National Farming Agency, as follows:

Table 2. Legalization of Assets Achievements

Source	Target	Realization
Land Registration Program (PTSL)	3,9 Million Ha	9.173.953 Ha (235,23%)
Transmigration Land that has not yet been certified	600.000 Ha	140.580, 72 Ha (23,43%)

Based on the above data, there is a target access disparity between access to land registration through the Land Registration Program (PTSL) and completion of land transmigration. The new land remigration settlement reached 23.43%. Some of the frequently found issues include incompatibility of subject/object in the field, incomplete jurisdictional documentation of application for Certificate of Property Rights (SHM), object of transmigration into forest areas, overlap with HGU permits, inter-agency data discrepancy to the question of budget availability. Furthermore, there still needs to be a program between the Ministry and the Institution that has not been fully integrated, from granting land rights to the empowerment process for the transmigrant community. It becomes a shared urgency that must be resolved immediately. Access to uncertified transmigrated land requires strong cooperation between the Ministry of Agriculture and the National Farming Authority, the Ministries of Rural Development, Regional Development, Transmigration, and the Regional Government.³⁷

³⁶ Armalia Berlinda Irawan, Rahayu Subekti, and Bobur Baxtishodovich Sobirov, 'Legal Protection in Land Acquisition for Public Interest: A Dilemma Between State Regulation and Social Welfare', *Journal of Sustainable Development and Regulatory Issues (JSDERI)*, 2.2 (2024), 148–68 <https://doi.org/10.53955/jsderi.v2i2.38>

³⁷ Nurahmani.

Meanwhile, access to the PTSL program is much better. In 2017, a total of 5 million certificates were issued by the government. In 2018, the government issued 7 million certificates. The subsequent increase in 2019 was the issuance of 9 million certificates.³⁸ The government aims to have a certificate by 2025 for all landowners in Indonesia. The significance of the land certificate is that it brings legal certainty to the land ownership rights of local communities. By giving legal certainty to the land, the people feel safe as they are avoided from land conflict. For example, in September 2023, 723 inhabitants of Kelurahan Maospati, Magetan district, received a land allowance from the PTSL Program, which is part of one of the improvements to the community's well-being.

Land reforms enable local communities to develop sustainable farming, planting, and farming, thus creating jobs and increasing domestic income through access to land management. However, more than the distribution of certificates is needed to influence land reform's success. Therefore, it is necessary to establish access and facilities such as infrastructure, support, markets, finance, and technology so that local people can increase their capacity and enjoy the program's benefits.³⁹ This access arrangement aims to organize farmers in a structured manner, empower human resources, and utilize land assets already in place to enhance agricultural activities and the community's well-being. A concrete example of the implementation of access arrangements in the land reform program in Semarang district (Sumogawe Village) involves the establishment of cattle clusters for land certificate owners by providing guidance and support to develop cattle enterprise clusters.⁴⁰

Indigenous people are also targeted in the implementation of land reforms. In this regard, the Ministry of Sustainable Agrarian Management has been mandated to implement the development of indigenous territories in the Special Autonomous Territories of the provinces of Aceh, Papua, and West Papua. For example, the implementation of land reform in West Papua through the development approach of West Papua from the socio-cultural point of view, indigenous territories, and ecological zones within the framework of sustainable development and focus on the local communities of Western Papua.⁴¹ Land reform

³⁸ Nanda Sovia, Legu Karjoko, and Noor Saptanti, 'The Function Of Agrarian Reform Policy As An Instrument For Structuring Land Tenure And Ownership In The Era Of President Joko Widodo', *The Seybold Report*, 18.5 (2023), 1843–48 <https://doi.org/DOI.10.17605/OSF.IO/NX8F4>

³⁹ Dessy Ghea Herrayani, Lucky Faradila Soraya, and Oemar Moechar, 'Eksistensi Hak Komunal Masyarakat Hukum Adat Dalam Kebijakan Penataan Aset Reforma Agraria', *Jurnal Kertha Patrika*, 41.3 (2019), 286 <https://doi.org/10.24843/KP.2019.v41.i03.p07>

⁴⁰ Agung Dini Riyadi, Nazir Salim, and Mujiati Mujiati, 'Pemberdayaan Masyarakat Pasca Kegiatan Ajudikasi Di Desa Sumogawe Kecamatan Getasan Kabupaten Semarang', *Tunas Agraria*, 3.2 (2020), 20–39 <https://doi.org/10.31292/jta.v3i2.105>

⁴¹ Jesse Heber Ambuwari, Bintan R. Saragih, and Listyowati Sumanto, 'The Politics of Land Law and the Implementation of the Agrarian Reform Program in Indonesia', *International Journal of*

in West Papua has been ongoing since 2020. It continues to be promoted by the Ministry of Agriculture and Space Administration/National Farming Authority (ATR/BPN) through Presidential Instruction (*Inpress*) No. 9 Year 2020 on Accelerating Development of Papua and West Papua. Increasing legal certainty over land rights is crucial. This can be achieved through the certification of land rights, the establishment and publication of boundaries between forest and non-forest areas on the cadastral scale, and the registration of Indigenous land. Additionally, revisions can be made based on the results of a community's law inventory, customary law stockpiles, or the Special Regional Regulations Number 10 Year 2019 on Sustainable Development in the Province of West Papua.⁴²

This Constitution became the primary legal basis for recognizing and protecting the highest legal community, including the Manokwari district territory. Implement land reforms in the Manokwari district territory using former indigenous land, which consists of the North Manokwara District, the Masni District, the Prafi District, and the Sidey District, which have been liberated by custom. The Arfak Mayah tribe inhabits this region's indigenous land, which is under communal control. In line with Permendagri No. 52 Year 2014 on Guidelines for the Recognition and Protection of Indigenous Law Society, the Arfak Indigenous People broadly define the right to rule as the right dominated by the citizens of both tribes, villages, and villages, which includes the rights to use land, forests, water, hunting, and harvesting forests. It must be observed in the settlement of assets in the territory of Manokwari district that the land occupied by customary law communities is inherited successively by their ancestors and their parents, who have long occupied and built the area, so there have been the boundaries of the territories of the customary right communities.⁴³ The provision of access through the exploitation of Indigenous land for mining and planting activities must be balanced with the knowledge of common law against the fulfillment of land rights.⁴⁴ In this case, the most important step that the Government must take through the Government of the West Papua Province is to accelerate the inventory of customary law communities to obtain prompt recognition and legal certainty.

Land reforms implemented in these ten years have successfully implemented land redistribution and asset legalization. Nevertheless, the government's move to exceed the target is still far enough. The government should be able to invite the

Educational Review, Law And Social Sciences (IJERLAS), 3.5 (2023), 1443–50
<https://doi.org/10.54443/ijerlas.v3i5.1013>

⁴²Yohanis Bosko Ulukyanan, 'Implikasi Reforma Agraria Terhadap Perlindungan Hukum Hak-Hak Atas Tanah Masyarakat Hukum Adat', *Patriot*, 16.1 Juni 2023 (2023), 1–24 <https://doi.org/2808-1064>

⁴³Ulukyanan.

⁴⁴Abdul Kadir Jaelani, Reza Octavia Kusumaningtyas, and Asron Orsantinutsakul, 'The Model of Mining Environment Restoration Regulation Based on Sustainable Development Goals', *Legality: Jurnal Ilmiah Hukum*, 30.1 (2022), 131–46 <https://doi.org/10.22219/ljih.v30i1.20764>

parties concerned to be more focused and aggressive in implementing deforestation and the legalization of land transmigration to the targets set in the RPJMN.

Land reform policies are also essential to balance economic growth and environmental protection⁴⁵, as well as to prioritize sustainable natural resource management to meet the challenges of climate change and balance rural development.⁴⁶ Environmental protection and conservation of natural resources is a significant issue in Indonesia. Natural resources play an important role in a nation's prosperity, such as generating income and social well-being regarding job provision.⁴⁷ Sustainable management of natural resources is widely accepted as an essential factor in meeting the needs of present and future generations.⁴⁸ Thus, sustainable natural resource management is necessary to implement. This is done so that natural resources are not over-exploited or poorly managed.⁴⁹ It can result in environmental damage, such as deforestation, soil erosion, water pollution, and biodiversity loss.⁵⁰ Increasing environmental threats like that are critical issues for achieving sustainable development.⁵¹

Much research has been devoted to understanding the factors that enable effective and sustainable management of natural resources.⁵² However, on the

⁴⁵Haiyan Zhang and others, 'Renewable Energy and Natural Resource Protection: Unveiling the Nexus in Developing Economies', *Journal of Environmental Management*, 349.119546 (2024) <https://doi.org/https://doi.org/10.1016/j.jenvman.2023.119546>

⁴⁶Ewa Kiryluk-Dryjska, Patrycja Beba, and Walenty Poczta, 'Local Determinants of the Common Agricultural Policy Rural Development Funds' Distribution in Poland and Their Spatial Implications', *Journal of Rural Studies*, 74 (2020), 201–9 <https://doi.org/https://doi.org/10.1016/j.jrurstud.2020.01.018>

⁴⁷Massoud Moslehpour and others, 'The Moderating Impact of Government Support on the Relationship between Tourism Development and Growth, Natural Resources Depletion, Sociocultural Degradation, Economic Environment, and Pollution Reduction: Case of Indonesian Economy', *Environmental Science and Pollution Research*, 30.19 (2023), 56863–78 <https://doi.org/10.1007/s11356-023-26231-x>

⁴⁸Mahmood Ahmad and others, 'Policy Framework Considering Resource Curse, Renewable Energy Transition, and Institutional Issues: Fostering Sustainable Development and Sustainable Natural Resource Consumption Practices', *Resources Policy*, 86.Part B (2023) <https://doi.org/https://doi.org/10.1016/j.resourpol.2023.104173>

⁴⁹Fei-fei Chen and others, 'Towards Sustainable Resource Management: The Role of Governance, Natural Resource Rent and Energy Productivity', *Resources Policy*, 85 (2023), 104026 <https://doi.org/10.1016/j.resourpol.2023.104026>

⁵⁰Xiangfeng Ji and others, 'The Impact of Carbon Neutrality on the Investment Performance: Evidence from the Equity Mutual Funds in BRICS', *Journal of Environmental Management*, 297.113228 (2021) <https://doi.org/https://doi.org/10.1016/j.jenvman.2021.113228>

⁵¹Jili Liu and others, 'Sustainability and Natural Resources Management in Developed Countries: The Role of Financial Inclusion and Human Development', *Resources Policy*, 80.103143 (2023) <https://doi.org/https://doi.org/10.1016/j.resourpol.2022.103143>

⁵²Edmond Totin and others, 'Property Rights and Wrongs: Land Reforms for Sustainable Food Production in Rural Mali', *Land Use Policy*, 109.105610 (2021), 1–10 (p. 2) <https://doi.org/https://doi.org/10.1016/j.landusepol.2021.105610>

other hand, there are complex problems in the agricultural sector linked to population growth and the need for natural resources, especially land⁵³ which are challenging factors in the implementation of sustainable management of natural resources and agricultural conflicts that are currently facing, such as narrow and depleted land ownership conditions and destruction of natural resource.⁵⁴ Restricted focus on the future leads to forgotten environmental or natural resource issues, so planning needs to start over with an emphasis on the sustainable conservation of natural resources. The synergy between aggregation and resource-based management is a necessity.⁵⁵

The protection of natural resources in land reform policy has been in the government for a long time. After the post-reform, to meet the demands of reform of the agricultural law with an effort to update the UUPA, the government issued the Decree of the People's Assembly (MPR) No. IX of 2001 on Agrarian Revitalization and Management of Natural Resources. Some of the reasons underlying the provisions of this MPR include. First, natural resources, including the earth, water, space, and the natural wealth contained therein as the grace of the One God to the people of Indonesia, are a national wealth to be thanked. Therefore, it is necessary to manage and optimally utilize the lives of present and future generations in a just and prosperous society.⁵⁶ Second, the MPR has a constitutional duty to establish directions and principles for national development that can respond to various issues of poverty, inequality, and social and economic injustice of the people, as well as the destruction of natural resources.

Third, the ongoing management of natural resources has resulted in a decrease in the quality of the environment, inequalities in the structures of ownership, possession, use, and use of land and natural resources, and has caused various conflicts of interest in society.⁵⁷ Fourthly, there are many regulations relating to

⁵³Gebre W Gidey and others, 'Rapid Population Growth as Foremost Cause of Land Degradation in Ethiopia: A Review', *Journal of Environment and Earth Science*, 10.9 (2020), 1–8 <https://doi.org/10.7176/jees/11-8-02>

⁵⁴Intan Nevia Cahyana, 'Ada Apa Di Balik Belum Berhasilnya Reforma Agraria Di Indonesia?', *UNES LAW REVIEW*, 6.3 (2024), 8074–83 <https://doi.org/https://doi.org/10.31933/unesrev.v6i3>

⁵⁵Zahril Trinanda Putra, Aristiono Nugroho, and Ahmad Nashih Luthfi, 'Peran GTRA Dalam Pelaksanaan Reforma Agraria Di Kabupaten Lampung Tengah', *Widya Bhumi*, 1.1 (2021), 65–85 <https://doi.org/10.31292/wb.v1i1.10>

⁵⁶Agung Basuki, Lego Karjoko, and I Gusti Ayu Ketut Rahmi Handayani, 'Exploring Ecological Justice in the Regulatory Framework of Land Ownership, Utilization, Control, and Inventory in Indonesia', *Journal of Environmental Management and Tourism*, 14.7 (2023), 2944–53 [https://doi.org/https://doi.org/10.14505/jemt.v14.7\(71\).11](https://doi.org/https://doi.org/10.14505/jemt.v14.7(71).11)

⁵⁷Satriya Nugraha, 'Natural Resource Management Principles and the Role of Law in Realizing Good Development Governance', *Journal of Progressive Law and Legal Studies*, 2.01 (2023), 49–58 <https://doi.org/10.59653/jppls.v2i01.575>

managing natural resources whose norms overlap and are contradictory.⁵⁸ Fifth, fair, sustainable, and environmentally friendly management of natural resources must be coordinated and integrated with a view to dynamics, aspirations, roles, and societies, as well as resolving conflicts fairly and wisely. Six, to realize the noble ideals of the Indonesian nation as envisaged in the opening of the UUD 1945, a genuine political commitment is required to provide the basis and direction for agricultural renewal and the management of fair, sustainable, and environmentally friendly natural resources.⁵⁹

The Constitution stipulates that some principles in agricultural renewal can be detailed into three: first, the principle of justice, which is in the philosophical dimension of both the justice of generations and the justice between generations in the attempt to access natural resources. Second, the democratic principle represents the dimension of equality between government and people, empowerment of society, and the development of good governance in the mastery of natural resources. Third, the principles of sustainability are in the dimensions of the sustainability of functions and benefits that are abundant and useful.⁶⁰ Some of these reasons and principles state that land reforms and the management of natural resources must stick firmly to sustainability principles. It ensures that the measures implemented will benefit present and future generations by considering environmental issues and ecosystem capacity.⁶¹ Justice and sustainability of natural resources are interstitially interrelated and inseparable from the well-being of society. Sustainable development also includes efforts to fair and impartial justice for present and future generations.⁶²

The effectiveness of land reform in safeguarding natural resources still needs to be improved in its implementation. On the one hand, land reform policies have increased the area shared with local communities, potentially enhancing local livelihoods and contributing to climate change mitigation. Nevertheless, there are also obstacles, including the scheme's incomplete comprehension, ambitious objectives, hasty redistribution, and the failure to account for the capabilities of local communities and regional governments. Consequently, land redistribution

⁵⁸Nuriyanto, 'Urgensi Reforma Agraria: Menuju Penataan Penggunaan Tanah Yang Berkeadilan Sosial', *Jurnal Rontal Keilmuan PKN*, 6.1 (2020), 29–45 (p. 35) <https://doi.org/https://doi.org/10.29100/jr.v6i1.1551>

⁵⁹ Nuriyanto.

⁶⁰Habib Ferian Fajar, Julfahmi Syahputra, and Mareta Puri Nur Ayu Ningsih, 'Agrarian Reform Policy Strategy In Realizing The Welfare Of A Social Justice Community Based On The Constitution', *Jurnal Hukum Lex Generalis*, 3.9 (2022), 758–75 <https://doi.org/10.56370/jhlg.v3i9.308>

⁶¹Agung Basuki, M Zaid, and Alnour Abobaker Mohamed Musa, 'Establishing Ecological Justice in the Governance of Land Inventory, Ownership, and Utilisation in Indonesia', *Journal of Law, Environmental and Justice*, 1.2 (2023), 137–54 <https://doi.org/10.62264/jlej.v1i2.12>

⁶²Muhamad Khalif Ardi and others, 'The Imperative Is to Restrict Customary Criminal Offenses after Implementing Indonesia ' s New Criminal Code', *Wacana Hukum*, 29.2 (2023), 130–45 <https://doi.org/10.33061/wh.v29i2.9829>

must be consistent with its allocation, as changes in land use can influence ecological changes.⁶³ This problem suggests that the potential for land reform to protect natural resources and support climate commitments may only be fully realized shortly by considering the redistribution process, forest type-setting, and enforcement.⁶⁴

Furthermore, guaranteed land use rights are essential in supporting Indonesia's implementation of the Forestry and Other Land Use (FOLU) Net Sink 2030 target, which aims to strengthen environmental and forestry governance and provide the security and livelihood support people need to manage natural resources sustainably. In short, although land reform aims to protect natural resources and support climate goals, its effectiveness depends heavily on implementation, public involvement, and existing governance structures. It is a complex issue that requires continuous attention and improvement to ensure that land reform objectives align with environmental conservation and sustainable development.

The Challenges and Opportunities of Indonesia's Land Reform Policies on Sustainable Development: Evidence from Several Countries

Sustainable development is one of many reasons a country may wish to implement a land reform program.⁶⁵ Sustainable development goals aligning with the land reform vision are Goal 1 to eradicate poverty, Goal 2 to end hunger, Goal 11 for sustainable cities and communities, and Goal 17 partnerships to the goal.⁶⁶ However, implementing land reforms is only free of obstacles that may affect the success or even hinder the realization of the land reform.⁶⁷ In addition to Indonesia, the Netherlands and Australia are among the countries that encounter obstacles in implementing land reform.

In Australia, more than 20 percent of Australia's territory is owned by Indigenous peoples under original ownership and land rights schemes under the law. Most Indigenous lands are in remote areas in South Australia, the Northern Territory, and Queensland. Over the past decade, the Australian government has introduced a series of ways to own and use indigenous land. This indigenous land reform aims to increase understanding of the significant reforms. The challenge of the Australian government in implementing land reforms in this Aboriginal land

⁶³Slamet Widodo, 'A Critical Review of Indonesia's Agrarian Reform Policy', *Journal of Regional and City Planning*, 28.3 (2017), 204–18 <https://doi.org/10.5614/jrcp.2017.28.3.4>

⁶⁴ Resosudarmo and others.

⁶⁵Nwabisa Tyekela and Christopher Amoah, 'Implementation Challenges of Land Redistribution Programme in South Africa', *International Journal of Sustainable Development and Planning*, 16.7 (2021), 1329–37 <https://doi.org/10.18280/ijdsdp.160713>

⁶⁶Andi Tenrisau, 'Basic Land Management in Sustainable Agrarian Management System', *Jurnal Pertanahan*, 11.2 (2021), 103–12 <https://doi.org/10.53686/jp.v11i2.109>

⁶⁷Ari Tri Wibowo, 'The Impact of The Development of Investment and Construction on The Land Reform Years in Indonesia', *Jurnal Dinamika Hukum*, 19.3 (2020), 745 <https://doi.org/10.20884/1.jdh.2019.19.3.2597>

came from some of the communities who debated the land reform policy. This debate arose and expanded because indigenous peoples doubted whether communal ownership of customary land would hinder economic development. It was divisive and heated, led by the public and conservative politicians.⁶⁸

Over the past decade, there have been three significant periods of debate over land reform policy in Australia. The first period of the debate took place between 2004 and the end of 2007, during the last term of the Howard Coalition Government. In many ways, it was a crucial period of debate among indigenous peoples about communal land ownership. During this period, the most extensive discussion and most of the land reforms in Australia developed. The second period of debate emerged after the Labour Party government election in November 2007. Jenny Macklin, the new Minister for Indigenous Affairs, continues implementing land reforms developed before, with only peripheral changes. Macklin chose to present a different land reform policy. Macklin argued that land reform is a safe land ownership policy.

The third period was a re-debate. The government in this period promised to revive the Aboriginal land reform territory because the previous government had no desire to change the status quo and provided unfair reforms to the society. During this period, the term safe ownership is not reused. However, it has yet to fully return to the language of previous communal and individual ownership. Instead, it often refers to land reforms in more general terms or promoting the adoption of township rentals, a land reform model preferred by the Aboriginal community in the Northern Territory.⁶⁹ The debate over the rejection of Indigenous peoples' land reform over communal ownership of their land to be used as a municipal lease system continues. To date, only three municipal leases have been agreed.⁷⁰

Apart from Australia, Land reform also flourished in the Netherlands. The implementation of land reform policy in the Netherlands faces several obstacles. One of the main problems is the need to balance agricultural productivity and superior competitiveness, but on the other hand, there will be an increase in environmental problems. Moreover, the court ruled that nitrogen pollution practices were transitioning to more environmentally friendly practices. This transition is expected to be complex and controversial, requiring a solid department policy to find long-term solutions that benefit farmers, communities,

⁶⁸Leon Terrill and Sasha Boutilier, 'Indigenous Land Tenure Reform, Self-Determination, and Economic Development: Comparing Canada and Australia', *University of Western Australia Law Review*, 45.1 (2019), 34–70 <https://doi.org/10.3316/INFORMIT.528064110273974>

⁶⁹Leon Terrill, 'The Language We Use To Debate Aboriginal Land Reform in Australia', *Australian Indigenous Law Review*, 18.1 (2015), 24–43 <https://doi.org/https://www.jstor.org/stable/26423275>

⁷⁰Terrill and Boutilier.

and the environment.⁷¹ Besides, the pressure on land use in one of the cities in the Netherlands, Amsterdam, is due to the continued population growth. That creates demand for housing and commercial space. It poses a challenge for planners to adopt more flexible, responsive, and integrated land-use management practices under the new National Planning and Environmental Habitat Act.⁷² These challenges highlight the complexity of implementing land reform policies in a fair, sustainable, and conducive way to the country's long-term goals.

In Indonesia, implementing land reforms is a complex and challenging thing to do.⁷³ Efforts to implement land reforms are often faced with internal and external challenges. Prerequisites for land reform, both substantive and technical, are things that must exist. In many cases, the implementation of land reforms has impacted the deterioration of society.⁷⁴ There are some crucial issues and challenges to the implementation of land reform. *First*, the diversity of the vision of the Ministry/Agency officials. The differences in paradigms and ways of thinking of ministers in dealing with and addressing land ownership disparities constitute a significant obstacle. Sectoralism or sectoral ego is still a heavy reservoir for the realization of land reform.

Secondly, the land reform institutions must be more effective in implementing land reform activities. Referring to President's Regulation No. 86/2018, the Agrarian Reform Team led by the Minister of Economic Coordination, the head of the director, appears to be squeezed. The GTRA, led by the ATR Minister/BPN Chief and the ATR Deputy Minister /BPN Deputy Chief, focuses on developing policy concepts and minimum practical implementation in the field. *Thirdly*, the ideal concept deals with the complexity of government technocracy. Conceptually, cross-sectoral land reforms and multi-actor are challenging to synchronize and harmonize in coherent and convergent programs and activities. Technocratic design in construction planning must often include an ideal conception. *Fourthly*, the role of local governments (provinces and districts/cities) has yet to be consolidated in the land reform program between central and regional governments. Land reforms are eventually carried out in the rural areas of the district/city, where the land of the land reform object and its subjects are located.

⁷¹OECD, *Policies for the Future of Farming and Food in the Netherlands*, OECD Agriculture and Food Policy Reviews (Paris, 2023) <https://doi.org/https://doi.org/10.1787/bb16dea4-en>.

⁷²OECD, 'Land-Use Trends, Challenges and Opportunities in Amsterdam', in *The Governance of Land Use in the Netherlands: The Case of Amsterdam* (Paris: OECD Publishing, 2017), pp. 31–79 <https://doi.org/https://doi.org/10.1787/9789264274648-5-en>.

⁷³Anthony Francis Burns, Abbas Rajabifard, and Davood Shojaei, 'Undertaking Land Administration Reform: Is There a Better Way?', *Land Use Policy*, 132, July (2023), 106824 <https://doi.org/10.1016/j.landusepol.2023.106824>

⁷⁴Barid Hardiyanto, 'Politics of Land Policies in Indonesia in the Era of President Susilo Bambang Yudhoyono', *Land Use Policy*, 101 (2021), 105134 <https://doi.org/10.1016/j.landusepol.2020.105134>

The diversity of political colors of governors and mayors is a significant challenge being managed.⁷⁵

Fifthly, the objective of asset legalization or land privatization needs to be more dominant; land redistribution is minimal, and it is still a long way from repairing agricultural gaps.⁷⁶ *Six*, the difficulty of measuring between the plan and the execution marks unripe planning. This means that the implementation of land reform has yet to reach the target because the government cannot identify the obstacles to land reform. Because it is increasingly giving greater freedom and opportunity to corporations, capitalist groups, capitalists, and ultimately marginal societies. Thus, a partnership between the government, the local government, and the community is required from the planning to avoid deviations in the legalization of assets and the redistribution of land.⁷⁷ *Seventh*, the participation and emancipation of the people in land reform is also a crucial issue. With the active involvement of the public, land reform is protected from wrong or misguided targets. The people are subjects that should benefit from land reform.

In addition to the seven crucial issues, the challenges in implementing land reforms are also exacerbated by land mafia practices that result in difficulties in resolving conflicts, disputes, and land problems.⁷⁸ The practice of land mafia is a natural form of conspiracy between big investors, bureaucracy, and the law enforcement apparatus that frequently uses violence to create horizontal conflict between the land owners and other community organizations. Arguably, the most basic function of the land mafia in land acquisition is collaborating with public authorities to transform illegally acquired land into legal possession. In some cases, government officials act as the land mafia. Using their official authority and unofficial networks, such official scans mobilize their subordinates in the state apparatus and 'preman' to control the land acquisition process for private gain.⁷⁹

⁷⁵Andhyka Muchtar and M. Misbahul Mujib, 'Model Regulations for Collecting State Revenue in Registration of Sale and Purchase Land', *Journal of Sustainable Development and Regulatory Issues (JSDERI)*, 2.1 (2024), 67–85 <https://doi.org/10.53955/jsderi.v2i1.24>

⁷⁶Hariadi Kartodihardjo and Eko Cahyono, 'Agrarian Reform in Indonesia: Analyze Concepts and Their Implementation from a Governance Perspective', *Jurnal Manajemen Hutan Tropika*, 27 (2021), 1–8 <https://doi.org/10.7226/jtfm.27.te.1>

⁷⁷Jesse Heber Ambuwaru, Bintan R. Saragih, and Listyowati Sumanto, 'The Politics of Land Law and the Implementation of the Agrarian Reform Program in Indonesia', *International Journal of Educational Review, Law And Social Sciences (IJERLAS)*, 3.5 (2023), 1443–50 <https://doi.org/10.54443/ijerlas.v3i5.1013>

⁷⁸Seng Hansen, 'A Sociolegal Analysis of Land Mafia Practices in Construction Projects', *Journal of Legal Affairs and Dispute Resolution in Engineering and Construction*, 15.3 (2023) <https://doi.org/https://doi.org/10.1061/JLADAH.LADR-980>

⁷⁹Dianto Bachriadi and Edward Aspinall, 'Land Mafias in Indonesia', *Critical Asian Studies*, 55.3 (2023), 331–53 <https://doi.org/10.1080/14672715.2023.2215261>

Despite the challenges observed, this article has shown⁸⁰ that from the perspective of access to the implementation of asset management programs (land redistribution and asset legalization) and access arrangements, have an opportunity to enhance the protection of local communities over their ownership rights of land through, *first*, the distribution of land to communities, especially farmers. By providing assets, communities can improve their well-being by managing and optimizing their land. *Second*, asset legalization is the activity of land certification to guarantee the rights to land. With the legalization of the asset, the community can optimize its land as a guarantee to obtain capital to support economic activities. Their biggest challenge, however, is that they need more capital. They can legally apply for soft loans from the banking system and other financial institutions when they possess land titles. This can generate significant economic value added and growth.

Third, access arrangement. Through access arrangements, communities can develop land productivity and improve household welfare. In addition, agricultural reforms foster sustainable development in the farming sector. By giving farmers better access to land, they can implement sustainable and environmentally friendly farming practices, which will positively impact food sustainability, farmers' well-being, and the conservation of natural resources. Access can also be an opportunity to boost employment and rural development. By extending farmers' and rural communities' access to agricultural land, agricultural reform policies can increase employment in the agricultural sector and reduce pressure on the urban sector. Furthermore, rural development can be enhanced through more efficient and sustainable use of land resources.⁸¹

Robust, responsive, and contextual agri-institutional innovation can address these challenges and opportunities. Encouraging responsive, adaptive, and contextual agri-spatial and institutional innovation requires the political will of the government, the existence or interconnectivity of central-regional policies, as well as the correction of the agribusiness paradigm that restores the constitutional confidence that agri resources are for sustainability and just development for the greater prosperity of the people.⁸² A participatory and collaborative approach to planning and implementing land reform programs is critical to ensuring that the interests of all parties are met fairly and sustainably. Furthermore, strengthening the capacity of small farmers, providing more comprehensive access to education

⁸⁰Clement Chipenda, 'Revisiting Enduring Labour Questions and Social Reproduction Dynamics in Rural Zimbabwe's Post Land Reform Context: Implications on Citizen Welfare and Wellbeing', *International Journal of Community Well-Being*, 7.1 (2024), 87–119 <https://doi.org/10.1007/s42413-023-00202-z>

⁸¹ Qatrunnada and others.

⁸² Dalu Agung Darmawan and others, 'The History of Agrarian Reforms in Indonesia: A Sociological Perspective', *Journal of Law and Sustainable Development*, 11.11 (2023), 01–27 <https://doi.org/10.55908/sdgs.v11i11.2196>

and training, and developing supportive rural infrastructure are also essential factors in ensuring the long-term success of land reform efforts. Thus, successful land reform factors include comprehensive land reform, efficient law enforcement, and empowerment of public participation in land decision-making. These measures will create a stable, equitable, and sustainable societal environment.⁸³

4. Conclusion

The results of the research and discussion can conclude the answer to the problem: the implications of land reform to the protection of local communities is the right of local people on land fulfilled like the people in the village of Salama (Northern District of Luwu), the village of Legensari, Rejesari, Sinartanjung, the village of Muktisari (City of Banjar), the village of Maospati (City of Magetan), as well as customary law society in West Papua. They obtained land certificates from land redistribution and asset legalization programs. In addition, the community also got access to arrangements to boost the economy. From that point of view, the implementation of land reforms in the last ten years has successfully implemented land redistribution and asset legalization. Nevertheless, the government's move to exceed the target still needs to be able to do so. However, sustainable natural resource exploitation may only be fully realized shortly by considering the redistribution process, forest type-setting, and enforcement. Secondly, the implementation of land reforms has obstacles in the process. Indonesia, Australia, and the Netherlands are also facing obstacles to implementing land reforms. In Australia, obstacles to land reform have been the subject of debate about land reform in indigenous land for three periods. Concurrently, the Netherlands is grappling with the challenge of maintaining a balance between agricultural productivity, superior competitiveness, and escalating environmental issues. Then in Indonesia, seven crucial issues hinder the journey of land reform, among them, the diversity of the vision of officials in the Ministry/Agency; land reform institutions are not effective in implementing land reform activities; the ideal concept dealing with the complexity of government technocracy; the role of local governments (provinces and districts/cities) is not consolidated in the agrarian reform program between the central government and the local government; the goal of legalization of assets or land privatization is too dominant, the minimum of redistribution of land and is still far from re-establishing various agricultural disparities; the participation and emancipation of communities in land reform. Therefore, it is crucial to adopt a participatory and collaborative approach to planning and implementing land reform programs to guarantee that the interests of all parties are addressed sustainably and equitably.

⁸³ Natasya Aulia Putri and Jennifer Velda, 'Bridging the Gap by Exploring Inequalities in Access to Land and Disparities in Agrarian Law in Indonesia', *Jurnal Ilmu Kenotariatan*, 5.1 (2024), 1–16 <https://doi.org/10.19184/JIK.v5i1.47416>

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