

## ABANDONED LAND UTILIZATION IN AGRARIAN REFORM TO IMPROVE PEOPLE'S WELFARE

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### ABSTRACT

Land abandonment is a problem faced by every country in the world. In Indonesia, based on data from the National Land Agency, there are 7,386,290 hectares of abandoned land in 34 provinces (excluding forest areas). Land abandonment is an action that has an impact on the achievement of various targets of development programs, vulnerability to food security and national economic resilience, and closure of socio-economic access of the community, especially farmers. This research was assessed agrarian reform as one of the most effective solutions to deal with the problem. Agrarian reform is a systematic, planned and quickly carried out within a certain period of time and limited, to create welfare and social justice, especially for small people (farmers, land workers, etc.). Thus, the research objective was determined and analyzed abandoned land as an object of Agrarian Reform for the implementation of the National Agrarian Reform Program in order to realize the welfare of the wider community.

Keywords: Abandoned Land, Agrarian Reform, People's Welfare

### A. INTRODUCTION

Indonesia is one of the agrarian countries<sup>1</sup>, this was characterized by agriculture as one of the sectors which is the basis of a nation's economy. This can be understood from the empirical reality which shows that a large part of the Indonesian people has livelihoods in agriculture, both as farmers who own land and landless farmers (farm laborers)<sup>2</sup>. The problem of the availability of access to land is still an important issue in Indonesia, which was characterized by inequality in the allocation of control, use and utilization of land between sectors, especially between the agricultural and non-agricultural sectors, which results in depreciation of agricultural land, especially agricultural land crops<sup>3</sup>.

Government efforts to overcome farmers' access to agricultural land through Agrarian Reform<sup>4</sup> as mandated in the MPR Decree of the Republic of Indonesia Number IX/MPR/2001, until now it has not been realized. The Agrarian Reformation has long been proclaimed through the MPR Decree, but there is no legal umbrella to further regulate the distribution of agricultural land to poor farmers. Supposedly by utilizing abandoned lands, the distribution of agricultural land to

<sup>1</sup> An agricultural country is a country where most of the people has a livelihood as a farmer. The main livelihoods of the Indonesian people in general are farmers. Various agricultural products are seeded as the backbone of the Indonesian economy.

<sup>2</sup> Nyoman Budijaya, *Tinjauan Yuridis Tentang Redistribusi Tanah Pertanian Dalam Pelaksanaan Landreform*, Liberty, Yogyakarta, 2000, hlm.1

<sup>3</sup> As a result of the lack of improvement in land tenure as a basis for developing better agricultural activities, many failures were found in almost all lines of agricultural activity. Efforts to maintain food self-sufficiency are difficult, so that rice imports tend to increase over time. Meanwhile, agricultural activities, especially rice farming, tend to be more miserable to farmers and agricultural activities are difficult to rely on as the main foundation of farmers' main income. See: Erizal Jamal, Syahyuti dan Aten M. Harus, *Reforma dan Masa Depan Pertanian, Pusat Penelitian dan Pengembangan Sosial Ekonomi Pertanian, Jurnal Litbang Pertanian* 21 (4), Bogor, 2002, hlm.5. The phenomenon of "slowdown and instability" of rice production is more due to the narrowing of farmers' land tenure. The productivity factor which is thought to be the cause of this phenomenon is very closely related to the area of land tenure. With the limited average land acquisition by farmers, technological alternatives that are expected to spur increased productivity are also increasingly limited. See: Simatupang, P, *Anatomy of the Problems of National Rice Production and Efforts to Overcome It*, Paper at the National Seminar on "2001 Agriculture and Forestry Development Perspective in the Future", Bogor 9-10 November 2000

<sup>4</sup> Agrarian reform can be interpreted as a systematic, planned, and carried out quickly, within a certain period of time and limited, to create welfare and social justice and to pave the way for the establishment of a 'new' democratic and just society; which began with steps to rearrange the mastery, use, and utilization of land and other natural resources, then followed by a number of other supporting programs to increase farmer productivity in particular and the people's economy in general. Bachriadi Dianto, *Pembaruan Agraria (Agrarian Reform): Urgensi dan Hambatannya dalam Pemerintahan Baru di Indonesia Pasca Pemilu 1999*, the paper for the seminar on "Mendesakan Agenda Pembaruan Agraria dalam Sidang Umum (SU) MPR 1999" organized by the KPA, ELSAM, and Lab. Sosiologi-Antropologi IPB in Jakarta, 1999, p.22.

smallholders can be immediately carried out by the government to improve the economy of smallholders. Although there has been a Government Regulation Number 11 of 2010 on the Control and Utilization of Abandoned Land signed by the President on 22 January 2010, it is used as a reference for the control and utilization of abandoned land, but its application in the distribution of land through the National Agrarian Reform Program not yet effective, remembering that there is no operational basis for the implementation of Agrarian Reform.

Based on BPN data, currently there are 7,386,290 hectares of abandoned land in 34 provinces outside the forest area, of which a total of 15.32% (among them) are lands controlled by public legal entities, namely government agencies, while the rest belong to the agency private law, and covering an area of 1,935 million hectares indicated as abandoned land is HGU. The most abandoned land is in South Sumatra, which is 1,285,049 hectares, second place in Central Kalimantan is 1,140,041 hectares and Riau is in third place with an area of 1,121,716 hectares.<sup>5</sup>

The development of abandoned land, as Recapitulation of the Decree of the Indonesian National Land Agency for Abandoned Land Determination, was known in 2015 as many as 114 decree with a total area of rights 246,765.8974 ha set of 74,125,9966 as abandoned land. As for the abandoned land, 66 decree have been filed with an area of rights sued covering an area of 55,426,6027 Ha with an abandoned land area of 41,512.4446 Ha.<sup>6</sup>

To realize the sovereignty and welfare of farmers in carrying out farming business, one policy that absolutely needs to be taken by the government is to carry out Agrarian Reform. In essence, the purposes of agrarian reform implementation is to improve the welfare of poor farmers. Agrarian reform is not only understood as a policy for land redistribution, but also as a broader process such as access to natural resources, finance/capital, technology, goods and labor markets, and also the distribution of political power. The equal distribution of land tenure in the countryside as a result of agrarian reform will result in an increase in the welfare of the villagers who are generally smallholders or farm laborers. Agrarian reform plays an important role in the fight against rural poverty. The main target of agrarian reform is the creation of social justice which is characterized by the existence of agrarian justice in order to achieve social welfare<sup>7</sup>. In the Indonesian context, the direction of the legal policy that is to be built and developed is not only aimed at creating a national legal system, but also more important is the realization of public welfare. This is what Bagir Manan intended as a part of permanent legal politics<sup>8</sup>.

This dissertation research is legal research specifically emphasized on the problems formulated as follows:

1. How abandoned land utilization activities as objects of Agrarian Reform and its obstacles in the implementation of agrarian reform?
2. How to build a concept of Agrarian Reform that provides benefits to farmers to improve their welfare?

## B. RESEARCH METHODS

The research type is non-doctrinal legal research, which aims examined and analyzed influential factors in the Agrarian Reform program. This research was evaluated critically the rule of law and diagnoses the weaknesses of the rule of law which results in the Agrarian Reform not being applied nationally and in accordance with expectations. This research not only sees law as rules but as regularities that occur in everyday life or in the realm of experience,<sup>9</sup> therefore this research was required primary and secondary data. The approach method was used descriptive analytical method, which describes the applicable laws and regulations associated with legal theories in the practice of implementation concerning the problems examined in this research are the applicable laws and regulations that are used as basic reference for research.<sup>10</sup> In looking for data on various matters concerning the practice of implementing control and utilization of abandoned land associated with agrarian reform, researchers chose the research location in the area of West Java (Garut Regency) and Central Kalimantan (Palangkaraya). Data collection methods were used the Library literature data and documents. Literature data was included library materials in the form of primary material or sources.<sup>11</sup> The field data were obtained and collected using communication techniques.<sup>12</sup> [15]

<sup>5</sup> Joko Winoto, *Tanah Terlantar Untuk Rakyat*, Majalah Gatra, 19 April 2010

<sup>6</sup> Source: National Land Agency, 2016

<sup>7</sup> Rhames Mishra said that the main purpose of social welfare is that countries strive to maintain and set minimum living standards, obtain as much as possible equality, uphold common or community interests. Rames Mishra. *The Welfare State in Crisis Social thought and Social*. Canada. Havester Press. The Open University. Set Book. 1987, p.131

<sup>8</sup> Bagir said, that legal politics are permanent and some are temporary. Permanent legal politics are related to legal attitudes that will always be the basis of policy formation and law enforcement. While temporary legal politics are policies determined from time to time according to their needs. See: Bagir Manan, *Menyongsong Fajar Otonomi Daerah*. Law Faculty UII. Yogyakarta. 2001. p.180.

<sup>9</sup> Setiono, *Pemahaman Terhadap Metodologi Penelitian hukum*, Surakarta, 2002, hlm.22

<sup>10</sup> The regulations in the Indonesian national legal system that are used include Law No. 1 of 1960 on Agrarian Principles, Government Regulation Number 11 of 2010 on Control and Utilization of the Land, the Head of the National Land Agency of the Republic of Indonesia Number 5 of 2011 on The Utilizing State Land of Former Land abandoned and other related laws and regulations

<sup>11</sup> Soerjono Soekanto dan Sri Mamudji. *Penelitian Hukum Normatif-Suatu Tinjauan Singkat*. Rajawali, Jakarta. 1985. p. 34

<sup>12</sup> Hadari Nawawi. *Metode Penelitian Bidang Sosial*. Gajahmada University Press. Yogyakarta. 1995. p. 110

## C. DISCUSSION

### 1. The Obstacles of Abandoned Land Utilization as Objects of Agrarian Reform

The existence of land is significant for the welfare of the people due to "land" in the sense of the territory that lies in the territory of the Unitary State of the Republic of Indonesia which is a very important natural resource in the economic life of the Republic of Indonesia.<sup>13</sup> In this case the land can be used directly by the people of Indonesia in fulfilling their needs, so that their control can be regulated equally and fairly. Thus, land directly has a function in creating a just and prosperous society.<sup>14</sup> [https://translate.googleusercontent.com/translate\\_f\\_-\\_ftn17](https://translate.googleusercontent.com/translate_f_-_ftn17)

The problem of the availability of access to land is still an important issue in Indonesia, which is characterized by inequality in the allocation of control, use and utilization of land between sectors, especially between the agricultural and non-agricultural sectors, which results in depreciation of agricultural land, especially agricultural crops. Several research results at the micro level in several villages clarify the relationship between land ownership, poverty levels and food insecurity where the poorest and most vulnerable food groups in rural areas are smallholders and farm laborers who also indicated the poorer farmers in the countryside.

Various problems that can be identified in the framework of utilizing abandoned land as an object of Agrarian Reform, in detail can be described as follows.

#### a. The distribution of agricultural land (Agrarian Reform) and access reform (infrastructure) for poor farmers and farm laborers has not been actualized.

Agrarian Reform according to the terms of the MPR Decree Number IX/MPR/2001 are strategic and fundamental steps to realize social justice for all Indonesian people. Agrarian reform developed in Indonesia through the National Agrarian Reform Program was directed to overcoming the problems of poverty, unemployment, social inequality, vast abandoned land, and land disputes and conflicts which are of concern. Agrarian reform has not been judged by the national development pillar, so that the implementation of the National Agrarian Renewal Program found problems, such as, first, that the main problem that inhibits the implementation of Agrarian Reform, especially was related to the distribution of land ownership and control with the unavailability of complete and accurate agricultural data. For this reason, there needs to be a systematic and planned effort to perfect the diagrammatic data. Second, the Agrarian Reform implementation has only implemented the PPAAN (National Agrarian Reform Project) project, and this was related to the absence of a legal umbrella for regulation on Agrarian Reform, because the Government Regulation on Agrarian Reform is still under discussion. Third, Agrarian Reform in its implementation was faced with the policy of developing large-scale agricultural industrial estates, namely the food estate. The main objective of the agrarian reform is for agricultural land to be redistributed to cultivators and landless laborers, not to companies that have large capital, because it actually exacerbates the imbalance of land ownership in Indonesia. The agrarian policy at this time emphasizes more on the aspect of increasing production without managing the unequal agrarian structure to be more just. Because agrarian policies are more oriented towards production, the access of small farmers is very limited. Farmers become dependent on agricultural production facilities, because all types of facilities are determined by the government. Current access reform activities have not yet been integrated into the Agrarian Reform program, this is due to the National Agrarian Reform Program not running according to expectations, so that access reform activities have not been implemented optimally. The activity of access reform should be carried out at an early stage before the redistribution activity begins. The ineffectiveness of the access reforms is more due to the development paradigm that prioritizes the development of non-agricultural industries, so that infrastructure development was directed towards the interests of non-agricultural industries rather than the agricultural industry. It can be said that the problem of the lack of strengthening of access reform is the derivation of the ineffectiveness of the implementation of Agrarian Reform.

#### b. The lack of strengthening of land politics towards sustainable food agriculture land protection

The conversion of paddy fields to other uses has become a serious threat to the sustainability of food self-sufficiency. The intensity of land use change is still difficult to control, and most of the shifting rice fields that function are their productivity are in high to very high categories. These lands are technical or semi-technical irrigated rice fields and located in agricultural areas where the level of application of technology and institutions supporting the development of rice production has advanced. The conversion rate of agricultural land was influenced by external and internal factors. The influence of internal factors is land dependence, while external factors are in the form of influences from the construction of road and industrial facilities. The current land use change basically occurs due to development politics that are not clear in direction and are not integrated so that development policies tend to be pragmatic. The politics of land tends to favor the company and sacrifice the agricultural sector. Data from KPA said that around 64.2 million hectares (33.7%) of Indonesian land had been given to gas, coal and mineral mining companies in the form of concession permits<sup>15</sup>. Massive conversion of agricultural land and forests was expected to continue to occur due to weak regulations and strong political

<sup>13</sup> Iman Soetikno. *Politik Agraria Nasional*. Gajah Mada University Pers. Jogjakarta, 1994. p. 3. See also Solly Lubis. *Sistem Nasional*. Penerbit Mandar Maju. Bandung, 2002, p.79-80

<sup>14</sup> Boedi Harsono. *Menuju Penyempurnaan Hukum Tanah Nasional*. Universitas Trisakti. Jakarta, 2003. P. 29

<sup>15</sup> Bernhard Limbong, *Reforma Agraria*, Jakarta: Margaretha Pustaka, 2012, p.348

support, both from the central and regional governments. Until now, there have only been 128 out of 428 districts/cities that have issued regulations on spatial planning which are the legal basis for the establishment of sustainable food/agricultural land<sup>16</sup>.

**c. The agribusiness development area has not yet been realized in the institutional context of cooperatives and MSME**

Indonesia has a huge and diverse agribusiness potential and is spread throughout Indonesia. But unfortunately this potential still cannot be developed in such a way that the agribusiness sector has not been able to become the backbone of a strong economy. Modern agricultural development in institutions of Cooperatives and MSME in the agribusiness sector based on superior commodities (mono commodities) has not become a strategic policy choice to spur competitiveness and prosperity of farmers. Cooperatives and MSME so far have not fully revealed their form and role as referred in the 1945 Constitution. Likewise the existing laws and regulations still do not fully accommodate the things needed to support their implementation. At present the existence of Cooperative and MSME institutions still faced various obstacles and constraints, both external and internal, in the fields of production and processing, marketing, capital, human resources, and technology, and the business climate that has not supported its development. Cooperatives and MSME have difficulty running their business. The output produced does not have an established distribution line, does not have the ability to market and carry out promotions. So, the product cannot afford to gain enough market share to be able to continue run its business activities.

**d. The lack of optimal of companies role in the perspective of social and environmental responsibility (corporate social responsibility) in supporting food agriculture institutions**

Agricultural development, not only the responsibility of the government, businesses (companies) must also play a role in realizing the welfare of the community, especially farmers through empowering agricultural institutions, where the company carries out its business activities. To optimize the participation of these business actors, the order of article 74 of Act Number 40 of 2007 on Limited Liability Companies is an obligation of the company to carry out corporate social responsibility (CSR) programs. However, the implementation of social and environmental responsibilities has not yet reached all regions of Indonesia, especially in the development of agricultural empowerment. At present, there are still many companies that do not want to run CSR programs because they see this as a cost center<sup>17</sup>. The problem of the lack of CSR support in improving agricultural development, is more due to the fact that there are no provisions that regulate a clear history of CSR services and the amount of CSR funds that must be spent. The problems found above are a real condition that occurs at this time, and this condition can continue towards the weakening of food security and independence of the nation, if revitalization is not carried out to improve and simultaneously strengthen the institution of the national food center through concrete actions that support the empowerment of sustainable food agriculture.

**2. The Concept of Abandoned Land Utilization as the Object of Agrarian Reform for People's Welfare**

Agrarian reform through land reform<sup>18</sup> and access reform must be carried out by all elements, whether state or government, economic actors, and society as a whole. The state acts as an executor, facilitator, regulator, and good referee through its intervention so that public access (the poor, especially farmers and farm laborers) in the form of access to land and natural resources and access to supporting instruments is increasingly open and available well. Economic actors and the public must also take a role where they are not only beneficiaries of the state as their servants, but they must also participate and actively participate in the success of agrarian reform agendas, both as government partners and in monitoring the implementation of the agrarian reform agenda. To operationalize the concept of agrarian reform, the principles that are the foundation and direction that underlie implementation of the principles in accordance with the conception of the welfare state are needed.<sup>19</sup>

<sup>16</sup> *Ibid.* p. 450

<sup>17</sup> Timotheus Lesmana, *Corporate Social Responsibility*, Eka Tjipta Foundation. <http://www.csrindonesia.com>. Accessed on Januari 28<sup>th</sup>, 2017, 19.35 WIB

<sup>18</sup> According to Cohen the term land reform was usually used in a limited sense, namely changes in land tenure, especially the redistribution of land ownership in order to achieve equity, while agrarian reform was used in a broader sense, namely achieving equity in ownership, optimizing the use of labor, and increasing agricultural production as a result of land use and utilization. Agrarian reform in the sense of restructuring of control, ownership, use and utilization of agrarian resources has been known for a long time, although in different forms and characteristics, depending on the times and countries where the agrarian reform took place. Cohen, *Agrarian Structures and Agrarian Reform*, Martinus Nijhoff Social Sciences Division, Leiden / Boston, 1978, p. 23

<sup>19</sup> The government in a welfare state was required to play a broader and more active role, because the scope of people's welfare is increasingly widespread and includes various aspects of life. Lemaire calls such government duties as *bestuurzorg* known as public service or the implementation of public welfare carried out by the government. Lawmakers cannot regulate all kinds of rights, obligations and interests in full in a law. See: Marcus Lukman, *Eksistensi Peraturan Kebijaksanaan dalam Bidang Perencanaan dan Pelaksanaan Rencana Pembangunan di Daerah Serta Dampaknya Terhadap Pembangunan Materi Hukum Tertulis Nasional*, Dissertation Universitas Padjadjaran Bandung, 1997, p.205. Basically, it must be understood that power over the

The principle must be holistic, comprehensive and able to accommodate the main things that are the objectives of agrarian reform. In the context of land, efforts to increase production can be achieved through guarantee of the availability of agricultural land (land availability) and increased access of farmer communities to agricultural land (land accessibility).<sup>20</sup>

In an effort to realize the welfare of farmers who are based on agrarian reform that has social justice, there are several indicators that must be met to determine the level of success. The indicators of success are measurable and directed parameters that can be achieved by involving the roles and functions of the government, related institutions, the private sector (business actors), and the community, especially rural communities, as follows:

**a. The realization of the actualization of the National Agrarian Reform Program policy in the distribution of agricultural land for poor farmers and farm laborers**

The implementation of the Agrarian Reform can be successful only if it is carried out in a broader framework, that is offer poor farmers and farm workers not only access to land, but also access to credit, counseling, and other services and support. It can be concluded that the main target of Agrarian Reform is the creation of social justice which is characterized by the existence of agrarian justice, increased productivity and improving people's welfare. Agrarian justice itself can be interpreted as a condition where the structure of land tenure relatively does not show inequality, which provides an opportunity for the creation and dissemination of rural economic activities based in the countryside, and then becomes the basis for active and productive participation for the majority of the population in fact depend on agricultural activities to be involved in national development activities, both socially, economically and politically.

Agrarian reform in the institutional National Agrarian Reform Program is one of the effective tools or ways to achieve successful development. That said, because access to land is fundamental to socio-economic development, poverty reduction, and for sustainability environmental. In this perspective the redistribution of land not only results in increased economic assets owned by poor farmers, but also increases in political power and social participation. The implementation of the Agrarian Reform is not only aimed at reducing poverty and unemployment, but also in the framework of removing gaps, especially in the political and social fields. Some indicators of success for the implementation of agrarian reform including of the political will of the government, complete and thorough of agrarian data, strong people's/peasant organizations, and ruling elites that are separate from the business elite. The four indicators are also a prerequisite that is necessary and must be added to the requirement of satisfaction for an institution that specifically handles the distribution of land for poor farmers and farm laborers.

**b. The realization of access reform to improve farmers' production capabilities**

Certainty of the sustainability of benefits received by the subject of Agrarian Reform requires proper reform access management. Access reform was carried out to optimize the exploitation of the objects of Agrarian Reform by beneficiaries (subjects of Agrarian Reform). Access reform was manifested in real action, therefore a sequence of systematic access reform activities was needed. The sequence of activities starts from areas potential extracting, coordinating meetings between farmer groups, related agencies and the National Land Agency (District/City Land Office), counseling until the signing of the cooperation agreement letter. The indicator of the success of access reform activities is the existence of a cooperation agreement between farmer groups and related agencies as access providers/facilities.

Sherraden was explained that the presence of assets for the poor would have some tangible impacts on social and economic life, such as:<sup>21</sup>

- 1) Access. By following the assets accumulation program participants will get new access to institutions finance that can provide various possibilities for make changes in income, which by itself can has the potential to develop its assets;
- 2) Incentive. A definite incentive program is given because participants in the program will carry out savings activities that are getting bigger and bigger, so the incentives that are obtained will also be greater;
- 3) Information. The program assets accumulation must be done through a deep understanding of the work system and its technical. So that awareness and knowledge of access and incentives must be in place before

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State is a formulation of daily life from the principle of popular sovereignty which is the core of the republic. See: Sylvia Tiwon in Mustafa Lutfi and J. Kurniawan, *Perihal Negara, Hukum dan Kebijakan Publik : Perspektif Politik Kesejahteraan, Kearifan Lokal yang Pro Civil Society dan Gender*, Setara Press, Malang, 2012, p.48. Jimly Asshiddiqe, stated that in the concept of a welfare state, the State was required to expand its responsibilities to the socio-economic problems faced by the masses. This development gave legalization for adherents of interventionist countries in the 20th century. The state actually needs and even has to intervene in various social and economic problems to ensure the creation of mutual prosperity in the lives of the people. See: Jimly Asshiddiqe, *Gagasan Kedaulatan Rakyat dalam Konstitusi dan Pelaksanaannya di Indonesia*, Ichtiar Baru Van Hoeve, Jakarta, 1994, p.223

<sup>20</sup> Iwan Isa, *Kebijakan dan Permasalahan Penyediaan Tanah Mendukung Ketahanan Pangan*, Makalah, 2005, p 1.

<sup>21</sup> M. Sherraden, *Aset untuk Orang Miskin*. Rajawali, Jakarta, 2006

the community can act in these conditions. Here it becomes increasingly that there will be shared information that is very useful for program participants;

- 4) Facility. Of course, as a consequence of the participation of the program, the participants will get various facilities related to the success of this program. Facilities can be in the form of assistance, or other facilities that support their activities. Besides this, the accumulation of these assets will also have economic, personal, family and household impacts, community, public and political relations, and between generations. On the economic impact, can be seen in the possession of savings, own economic capital, having funds that can be guaranteed to increase opportunities, and so on. Whereas social impacts can be seen in the increasing ability to socialize inside and outside the community, and also participate in various social decisions in their environment. Psychological effects can be seen in increasing self-confidence, decreasing depression, having hope and optimism, and others.

The concept of assets accumulation is impossible if the state stands idly by. In other words, this concept can only work if the state intervenes in its social policy.

**c. The realization of sustainable food agriculture land protection efforts**

The indicator of the success of a sustainable food agriculture land protection program as mandated in Law No. 41 of 2009 on the Protection of Sustainable Food Agriculture Land, points to political will of the government. For this reason, the firmness of the government and planning in making a map of land use are in accordance with the potential and carrying capacity. Then the sustainable food agriculture land protection program must be harmonized and made the basis for the General Spatial Planning (RUTR). The General Spatial Planning will make it easier for the government to know which land is suitable for agricultural development, including in relation to development for the public interest, which can be harmonized without causing negative implications for the sustainability of agricultural land and land access for farmers.

**d. The realization of the synergy between Agribusiness Cooperatives and MSMEs and business actors in the perspective of social and environmental responsibility (corporate social responsibility)**

The success rate of the agribusiness cluster development must be measured and the parameters of its success can be seen. The goal is to make it easy to evaluate and improve in the future the programs developed to build an agribusiness cluster in Indonesia. Measuring the success rate of a cluster system can be measured by:

- 1) The creation of good partnerships and networks, marked by the existence of cooperation between companies, this becomes very important because it involved the availability of resources, funding and flexibility as well as the process of joint learning between companies.
- 2) The existence of innovation, research and development. Innovation in general concerns the development or processes of products, while research and development was concerned with the development of technology and science.
- 3) Availability of reliable human resources (labor). With reliable human resources, both capital and institutional existence can be well carried out.
- 4) The specialization of business activities of companies in the cluster (homogeneous) that help each other between sub-systems but does not cause dependence between companies because of the creation of healthy competition between similar companies.
- 5) The appropriate location, the intended cluster location is have a goal to measure the sustainability of industrial activities in that location. Factors related to this cluster location are the availability of resources (inputs: seeds, fertilizers or fodder, labor) and land, transportation costs, prices of local factors, the possibility of production and substitution, market structure, competition and information. The ultimate goal is to achieve efficiency and effectiveness as well as sustainability in management to produce superior commodities from these clusters.

Other support in determining the success or failure of a cluster is the importance of government support in the form of policy as well as guidance on developing cluster systems. The CSR program that was expected to be able to support efforts to increase optimal food security is the awareness of business people in developing sustainable natural resource potential. Business awareness is an important indicator in enhancing synergy with farmer institutions, such as agribusiness cooperatives and MSME. The CSR approach should be pursued in the form of partnerships in addition to direct guidance in developing agribusiness agriculture, so that synergic relations can be realized based on the principle of mutualism symbiosis between the two parties.

**D. CLOSING**

**1. Conclusion**

From the analysis results, can be drawn conclusions as follows.

- a. The development of the National Agrarian Reform Program was required government commitment in realizing the distribution of agricultural land to poor farmers and farm laborers. The distribution of agricultural land is an implementation of the mandate of the MPR Decree No. IX of 2001 on Agrarian Reform and Natural Resource Management. The MPR decree is not only talking about land and land sharing issues for the people, but also talking about the economic structure of a nation and civilization of a nation. In relation to the future of agriculture with the implementation of the Agrarian Reformation, the current conditions have not shown any efforts to improve the structure of land tenure in the countryside, that is a structured effort to carry out reforms in land ownership, control and use. The existence of abandoned land as an object of Agrarian Reform that will be

distributed to poor farmers is still not implemented, due to the absence of the Agrarian Reform Law. The abandoned land is land that is controlled by institutions and individuals, but was not used in accordance with permits granted or left physically displaced, and most of this land has not been regulated. Issuance of Government Regulation Number 11 of 2010 on Control and Abandoned Land Utilization can support the implementation of the distribution of agricultural land in the perspective of agrarian reform.

- b. In addition to the distribution of agricultural land to poor farmers, there is also a need for access reform in infrastructure development as a post-distribution support program. This strategy was intended to support the distribution of agricultural land by increasing farmers' access to strengthening and empowerment in utilizing and managing agricultural land in order to increase production. The history of the implementation of Agrarian Reform in various countries shown the fact that the Agrarian Reform which only focused and stopped on land redistribution was apparently not enough. Production and community welfare do not experience significant positive changes. This is because the infrastructure that supports renewal is unthinkable from the start. That supporting programs must be a package with the overall update program. With the support of post-distribution programs, beneficiaries of Agrarian Reform in this case poor farmers and farm laborers are expected to develop sustainable economic enterprises so that they can expand employment opportunities and provide decent income for poor families based on the culture of the local community. In addition, access will be as wide as possible in the form of increased expertise, provision of facilities and infrastructure such as capital, market information, technology and others. In short, it can be said that the support program for post-distribution Agrarian Reforma was aimed at strengthening the foundation for solid national development to achieve food security and national independence. Then, there is also a need for support from Agribusiness Cooperatives and MSME with business actors in the perspective of corporate social responsibility through education, mentoring and counseling methods, cooperation and facilitation so that farmers can improve their capabilities. Empowerment of farmer communities through cooperatives and MSME does not make people more dependent on charity-based programs because the ultimate goal is to empower the community and build its ability to advance towards a better life on an ongoing basis.

## 2. Recommendation

Regarding the analysis of the discussions that have been conducted, on this occasion the author conveys a contribution to his thoughts, as follows. Formulation of the direction of agrarian reform policy is needed which is more based on social justice for the people of Indonesia, especially the poor in rural areas, by doing the following:

- a. Conduct a review of various laws and regulations relating to the agrarian in order to synchronize inter-sectoral policies. In its implementation, it is necessary to optimize the restructuring of tenure, ownership, use and fair use of land by taking into account land ownership for the people, both agricultural and urban land. In addition, land data is also needed through an inventory and registration of ownership, use and utilization of land in a comprehensive and systematic manner in the context of implementing Agrarian Reform.
- b. The government must immediately resolve conflicts relating to agrarian resources that have arisen so far as well as be able to anticipate potential conflicts in the future in order to ensure the implementation of law enforcement. For this reason, it is also necessary to optimize the institutions and authorities in carrying out the implementation of agrarian reform and resolving conflicts which relates to agrarian resources that occur. Then, seek funding in implementing the agrarian reform program and resolving agrarian resource conflicts that occur.

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