

Implementation of Land Redistribution as an Effort to Increase Community Economic Revenue

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Abstract. Land reform program is a strategy to achieve justice in the acquisition and use of agricultural land. The purpose of land reform is to enhance farmers' incomes and living standards. To carry out these objectives, the government implements a land redistribution program. Land redistribution of Land Reform Objects has been carried out in Cangak and Jatiroyom Village, Bodeh Subdistrict, Pemalang Regency in 2018. The results obtained in this study are Land Reform Distillation Objects for Landreform in 2018 in Bodeh Subdistrict, Pemalang Regency with 400 fields, covering 56.6 hectares. Freehold rights are for Jatiroyom Village and Cangak Village, both are in Bodeh District. The productivity results obtained from the agricultural sector can increase farmers' economic income. In the implementation of land redistribution of land object information there are factors and supporting and inhibiting factors, both external and internal factors..

Keywords: Land Reform, Land Redistribution, Increasing Community Income.

1 Introduction

Land is one of the most important fields in the socioeconomic life of the Republic of Indonesia. To support and drive development, natural resources, both in production and land, are needed as pillars as well as the foundation of development. Along with the development of civilization, the development is needed due to technological advancements, and the economic sector activities are increasingly rapid and diverse. The dynamics of development have put land tenure becoming increasingly important and strategic.

On the one hand, the land must be utilized for the maximum welfare of the people, physically, mentally, fairly, and evenly, while on the other hand, it must also be preserved. As a gift from God as well as strategic natural resources for the nation, the state and the people, land can be used as a means to achieve the welfare of the Indonesian people so that it is necessary for the State to participate in regulating it. This is in accordance with the constitutional mandate as stated in Article 33 Paragraph (3) of the 1945 Constitution which reads "The earth, water, and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people" that means, earth, water, and the natural resources contained therein must be managed in such a way as to be able to transform society economically, culturally and ecologically. This provision becomes the philosophical foundation for the government in the framework of natural resource management (SDA) and regulates the rights to control land as outlined in Law Number 5 of 1960 concerning Basic Regulations on Basic Agrarian Resources (hereinafter referred to as UUPA).[1]

State Gazette Number 2043 is the proof that the Indonesian people have already had agrarian laws national[2]. In Law Number 5 of 1960 Article 10 paragraph (1) "Every person and legal entity possessing a right to agricultural land in principle is required to actively work on it or work on it by preventing methods of extortion." This indicates that the land functions socially. Therefore, agricultural land must be actively worked on. Since September 24, 1960, the peasant people have the legal power to fight for their rights to land, do equitable distribution of produce and cultivate their land for prosperity.

The problem of inequality in land ownership is often found by Indonesians. The farmers do not have agricultural land, while the upper economic group has many land. So, this is contrary to the objectives of the LoGA. In order to achieve the objectives of the establishment of the LoGA, efforts were made to reform the agrarian law which later came to be called Agrarian Reform with the main objective of land reform which was one of the programs, namely the redistribution of ownership and control of land.

Land redistribution is part of land reform and land reform is part of agrarian reform. Agrarian reform with the principle of justice and welfare of the people is carried out gradually and has been started since 2007. The purpose of land redistribution is to achieve equitable distribution of agricultural land, because in reality in Indonesia there are still many farmers who have land that is less balanced with the necessities of life that must be fulfilled, there are even some farmers who do not have agricultural land.

Bodeh Subdistrict is one of the regions that conducts land redistribution programs due to the expiration of the ex-land use rights (HGU). Starting from the existence of the land of Cultivation Right Number 540.2/001/1/33/92/20-10-1992 on behalf of PT. Adi Wiyata Panca Arga is located in Bodeh District, Pemalang Regency with an area of approximately 72.2770 Ha, and that was originally a plantation which is quite healthy and develops quite well with cacao, sengon, coconut, sugar cane and rubber. One of the abolition of the right to cultivate (HGU) is due to the expiration of the term, then the status of the land becomes state land. The former right-holders are required to protect the land concerned before the next recipient or land user is determined. After that period ends, then the state will regulate its management and use.

Based on data from the Central Statistics Agency (BPS) in Pemalang Regency in 2018, Bodeh District has an area of 8,598.56 hectares. With a population of 2018 of 61,728 people (BPS of Pemalang Regency in 2018). This village has a residential area of 926.61 ha, 2,587.03 ha of paddy agriculture, 660.82 ha of moor, forest area of 4,067.55 ha. From the total area, Bodeh District still has quite large rice fields.[3]

The large area of paddy fields shows that agricultural land in Bodeh District is still fertile and has the potential to be developed into an agropolitan area, which is an area whose community economy is based on the agricultural sector. To develop Bodeh District as an agropolitan area, it is necessary to control and optimize the use of agricultural land. From year to year, the area of paddy fields is decreasing, especially for rice plants, so it is feared that it could disrupt food availability in Bodeh District. Meanwhile, on the other hand, the surrounding community is the community that most do not own land.

For this reason, the Pemalang District government held a land redistribution program for land reform objects carried out in several villages in Bodeh Subdistrict. One of which was in Jatiroyom Village and Cangak Village because the locations of the former land use rights were located in both areas of the Village. The land used in this land redistribution program is land landforms covering land that was formerly used for Cultivation Rights Number 540.2/001/1/33/92/20-10-1992 on behalf of PT. Adi Wiyata Panca Arga, which had expired and later became State land. With this activity, it is expected that the legal certainty of land

rights will be guaranteed so that land productivity will increase and land utilization efforts will develop so that there is no longer an imbalance in agricultural land ownership which is detrimental to small farmers.

Based on the description above, the author is interested to find out and explore more about the matter by conducting a study entitled “Implementation of Land Redistribution of Land Object Reform as an Effort to Increase Community Economic Income (Study on Land Redistribution Activities in Bodeh District, Pemalang Regency)”.

Based on the background above, several problems can be formulated as follows:

1. How is the implementation of Land Redistribution Land Object activities in 2 (Two) Bodeh Subdistrict Villages in increasing community economic income?
2. What is the land reform policy in an effort to improve the community's economy?
3. What factors are supporting the implementation of Land Redistribution activities in Bodeh District and the obstacles behind?

2 Method

The method used in this research is a sociological juridical approach (social legal approach). The juridical research of the researcher is guided by Government Regulation No. 224 of 1961 concerning the Implementation of Land Distribution and Giving Compensation.[4] Sociological legal research aims to take measurements of certain statutory regulations regarding its effectiveness.

The research specifications used in this study are analytical descriptive. The data needed in this study the authors take from primary data and secondary data.

3 Results and Discussion

3.1 Implementation of Land Redistribution of Land Object Information in Bodeh District, Pemalang Regency

The redistribution program of TOL (Land Object Landreform) in Cangak Village and Jatiroyom Village, Bodeh District was decided by Decree of the Head of Regional Office of the National Land Agency of Central Java Province Number 11/KEP-33.14/I/2018 dated 11 February 2018 concerning the Determination of the Location of Land Redistribution Activities Object of Landreform in Central Java Province Fiscal Year 2018.[5]

The implementation of TOL redistribution in Cangak Village and Jatiroyom Village, Bodeh District covers the terms and priorities, procedures, and rights and obligations of land redistribution recipients.

Based on the results of the author's interview with Mr. Koso as the Head of Hamlet I of Cangak Village, Bodeh District, Pemalang Regency, explained that the recipient of TOL redistribution totaling 393 families, all of them were cultivators. The recipients of the TOL redistribution are spread in two villages in Bodeh sub-district namely Cangak Village and Jatiroyom Village. In total, there are 400 plots of land that have been redistributed.[6]

As regulated in Article 9 of Government Regulation No. 224 of 1961 concerning Implementation of Land Distribution and Giving Compensation, there are two conditions. These requirements are divided into two conditions, general and specific. General conditions

include Indonesian citizens; Residing in the sub-district where the relevant land is located; Strong work in agriculture.

Looking at the data in the field, the recipient of TOL redistribution in Cangak Village and Jatiroyom Village, Bodeh District, Pemalang Regency is a group member. Cultivators are farmers, who legally work or actively cultivate land that is not theirs, by taking all or part of their production risk. Cultivators here are the first priority as stated in Article 8 paragraph 1 letter a Government Regulation No. 224 of 1961 concerning the Implementation of Land Distribution and Giving Compensation.

According to the author, recipients of TOL redistribution in Cangak Village and Jatiroyom Village, Bodeh Subdistrict, Pemalang Regency have fulfilled the requirements and priorities of Article 8 jo Article 9 of Government Regulation No. 224 of 1961 concerning Implementation of Land Distribution and Distribution of Indemnity and Implementation Guidelines and Guidelines for Implementation of TOL Redistribution Activities 2018.

According to the Guidelines for the Implementation of Landreform Activities for Fiscal Year 2018, there are several procedures and stages in the implementation of land redistribution. The stages of the TOL redistribution activities are as follows:

The following are the steps in implementing Land Redistribution activities:

1. Preparation and Planning

Activities in preparation and planning consist of: Preparation of Operational Guidelines for Activities (POK), Coordination of Preparation and Planning of Activity Schedule, Determination of Location, Determination of Implementers.

2. Implementation of Activities

The implementation of Land Redistribution Activities in Pemalang Regency can be reported as follows:

- a. Location of Activity

The Redistribution of Land Objects for Landreform in Pemalang District was carried out in Cangak Village and Jatiroyom Village, Bodeh District. This location is based on the Decree of the Head of the Regional Office of the National Land Agency of Central Java Province Number 11/KEP-33.14/I/2018 dated February 11, 2018 concerning the Determination of the Location Location of the Redistribution of Land Objects in the Land of the Land of the Province of Central Java for the 2018 Budget Year.

- b. Event organiser

- c. Physical and Financial Targets

- d. Activity Stages

In the implementation of Land Re-Land Land Redistribution activities, the steps taken are:

1. Counseling

The outreach of Land Redistribution activities in Pemalang District was carried out in Cangak Village and Jatiroyom Village, Bodeh District on April 12, 2018 with Minutes Number 310.4/BA-33.27/IV/2018 and Minutes Number 310.5/BA-33.27/IV/2018.[7]

2. Inventory and Identification of Subjects and Objects

Inventory and Identification Phase of Subjects and Objects are carried out by officers to the cultivators, including:

- a. Subject Data: domicile address, subject identity in accordance with KTP or other certificate from the Village/Lurah Head, family card, photocopy of KTP, statement of physical control of the parcel of land.
 - b. Data Object: use and utilization of land (agriculture), in accordance with the Decision on Location Determination, according to the conditions set in the legislation, physically and legally clean and clear.
The results of the Inventory of Subjects and Objects in Cangak Village and Jatiroyom Village, Bodeh District are 400 fields/393 Family Cards (KK).
3. Landreform Advisory Committee
The District/City Landreform Advisory Committee was formed in accordance with Presidential Decree Number 55 of 1980 concerning the Organization and Working Procedures for the Implementation of Land Reform.[8]
 4. Affirmation of Land Landform Information
Issuance of Decree of the Head of Regional Office of the National Land Agency of Central Java Province Number 938/KEP-33.27/X/2018 Date 09-10-2018 concerning Affirmation of Land which is directly controlled by the State to become Land Object of Land Reform to land located in Pemalang Regency, Central Java Province.[9]
 5. Selection of Recipient Candidates for Land Redistribution
Selection is carried out for prospective land redistribution recipients to ensure the suitability of data on the List of Cultivators and compliance with applicable terms and conditions with the results of the Official Report on Juridical Data Collection/Selection of Land Recipient Objects in Landreform Objects in Cangak Village and Jatiroyom Village, Bodeh District Pemalang District Number 04/BA.Redis/V/2018 05-11-2018.
 6. Measurement and Mapping of Plots
The resulting output is a Map of Land and Measurement.
 7. Issuance of Decree on Land Redistribution of Land Objects
 8. Bookkeeping Rights and Issuance of Certificates
Based on the Decree of the Head of the Land Office of Pemalang Regency Number 938/KEP-33.27/X/2018 and Number 939/KEP-33.27/X/2018 concerning the Granting of Ownership Rights in the Context of Land Redistribution of Land Reform Objects in Cangak Village and Jatiroyom Village.
 9. Submission of Certificates
 10. Beneficiary Farmer Development Facilities
The activities of fostering beneficiary farmers are carried out in the Cangak Village Hall and Jatiroyom Village, Bodeh District, Pemalang Regency with the final result in the form of Minutes Number 899/BA-PEN/X/2018 on October 22, 2018.[10]
 11. Budget Realization
Land Redistribution Activity in Pemalang District in 2018 with a budget target of IDR 65,858,000.00 realization until 31 December 2018 reaching IDR 65,857,900.00 (99.99%).

Based on the results of the author's research, the implementation of land redistribution in Bodeh District itself, there are 393 Family Card recipients of land rights with a total land area of 56.5 Ha.

The effectiveness of the implementation of TOL redistribution in 2 villages of Bodeh Subdistrict, Pemalang Regency is influenced by several factors. According to Lawrence M.

Friedman in his book entitled "Law and Society", quoted by Soerjono (Soerjono Soekanto and Abdullah Mustafa, 1982: 13), the effectiveness of a law is strongly influenced by three factors, which we know as legal effectiveness, where the three factors are:

1. Legal Substance. The substance of the law is the core of the law itself.
2. Legal Structure. The legal structure is law enforcement. Law enforcers are law enforcers who are directly involved in the field of law enforcement.
3. Legal Culture. Legal culture is how the attitude of the legal community in which the law is carried out. If public awareness to comply with established regulations can be applied then the community will be a supporting factor. However, if the community does not want to comply with existing regulations, the community will be the main obstacle in enforcing the regulation in question.

From the results of the author's research on the implementation of TOL redistribution in 2 villages in Bodeh Subdistrict, Pemalang Regency, the implementation of TOL redistribution has been carried out effectively. Both in terms of substance, structure, and legal culture. Legislation regarding land redistribution is clear and can be applied well. The legal structure, specifically the National Land Agency as the organizer of TOL redistribution, has selected prospective recipients of TOL redistribution to the maximum extent possible. Meanwhile, the community has become a good supporting factor by fulfilling the criteria and conditions as a prospective recipient of TOL redistribution. So if viewed from the theory of legal effectiveness according to Lawrence M. Friedman, it can be said that the implementation of TOL redistribution in 2 Villages of Bodeh Subdistrict, Pemalang Regency has been effective.

3.2 Redistribution of Land Object Landreform Policy in Increasing Community Economic Revenue

Analysis of the increase in income of farmers receiving land redistribution in 2 villages in the Bodeh District of Pemalang Regency is presented as follows:

1. Condition of the Community Before Land Redistribution

Mr. Yasin and Mr. Lukis, farmers receiving land redistribution from Jatiroyom Village, Bodeh District, Pemalang District explained that agriculture in Jatiroyom Village is agriculture with a technical irrigation system so that it is possible to plant corn for 2 (two) times planting in 1 (one) year. The capital spent on nursery, fertilizing, medical expenses, up to the harvesting costs for 600 m² (six hundred square meters) of paddy fields is around IDR 1,330,000 (one million four hundred thirty thousand rupiah). The yield obtained for 600 m² (six hundred square meters) is 6 quintals of corn and the price of corn according to market prices in 2015 was IDR 4,000 per kg (four thousand rupiah per kilogram). Income from redistribution of land management in one harvest (once every 6 months) is IDR 1,070,000.00 (one million seventy thousand rupiah).[11], [12]

Mr. Rustani and Mrs. Casmiatun, recipients of redistribution land from Cangak Village, Bodeh District, Pemalang Regency, planted their agricultural land with corn crops. The capital required for the land area of 933 m² (nine hundred thirty-three square meters) is around IDR 1,700,000 (one million seven hundred thousand rupiah). The yield obtained for 933 m² (nine hundred thirty-three square meters) is 10 quintals of corn and the price of corn according to the market price in 2015 was IDR 4,000 per kg (four thousand rupiah per kilogram). Income from redistribution of land management in one harvest (once every 6 months) is IDR 2,300,000.00 (two million three hundred thousand rupiah).[13], [14]

Based on the results of the author's research, prior to the land redistribution activity, some recipient farmers did not yet have land or agricultural land. However, after the end of the HGU period, the community has been working on the land. Before the redistribution of the land, the smallholder farmers wanted the government to redistribute the land immediately and the smallholder farmers received certificates of ownership so that the farmers felt safe because the land was already in the form of ownership rights.

2. Community Conditions after Land Redistribution

The results of the interview with one of the redistribution recipients in Cangak Village and Jatiroyom Village, Bodeh District, Pemalang Regency are as follows:

After getting land redistribution, the tiller farmers get the same land area. Each sharecropper gets 1,151 m². The capital needed for a land area of 1,151 m² is around IDR 2,870,000 per harvest. This capital includes corn seeds, fertilizer. The yield obtained for 1,151 m² was 1.5 tons of corn and the price of corn according to market prices in 2018 was IDR 4,500 per kg (four thousand rupiah per kilogram). Income from redistribution of land management in one harvest (once every 6 months) is IDR 3,880,000.

Farmers' welfare depends on the level of income of farmers and the benefits obtained. The level of welfare of a household can be seen through the amount of income received for the household concerned. Welfare level is a concept that is used to express the quality of life of an individual or a community in an area at a certain time. The concept of welfare owned is relative, depending on how the assessment of each individual on welfare itself. Prosperity for someone with a certain level of income can not also be said to prosper for others.

Based on the results of the author's research, in the opinion of the author that the condition of the area of land controlled by the recipient of the redistribution land prior to the redistribution activity is not owning land, and instead, most of them depend on their income for other businesses such as renting land or doing business outside agriculture such as trade and some work as employees and retired civil servants. Thus, the results of land redistribution activities clearly provide increased income/income for land-receiving farmers. The price of agricultural products, especially food commodities, is also a factor that determines the income of farmers.

Based on the results of the research and analysis of the author, the authors argue that the land redistribution activities carried out in 2018 in the Cangak Village and Jatiroyom Village, Bodeh District, Pemalang Regency have an impact on farmers receiving land redistribution, namely:

- a. Farmers who previously did not own land became land, so that it had an impact on reducing poverty in rural areas and reducing inequality in land tenure and ownership;
- b. Farmers receive an increase in economic income after land redistribution activities can help to meet their daily needs;
- c. Farmers feel safe because their land is certified;
- d. The welfare of farmers has increased after the land redistribution activity.

3.3 Support and Constraints or Obstacles in the Implementation of Land Redistribution of Land Objects

3.3.1 Supporting Factors in Land Redistribution Activities

- a. Availability of data and complete information. The implementation of TOL redistribution requires valid data so that the program is right on target. Data relating to land redistribution has also been used to analyze the location of land redistribution, whether it meets the requirements to be proposed to be TOL (clean and clear), and whether the subject of the prospective recipient of land redistribution is eligible to receive the land. Based on the results of the author's research, the data needed relating to land redistribution is complete. The data such as data on land redistribution of landowners, maps, maps around land redistribution plans of land reform objects.
- b. Mature and gradual preparation. The implementation of land redistribution needs to be planned, organized and controlled carefully and thoroughly and in accordance with its stages both in the context of asset reform and access reform.
- c. Support from the surrounding government. Based on the results of the author's research, after the former land use rights have expired, the party from the Village Apparatus proposes to the Government to redistribute the land to smallholder farmers. This was agreed by Mr. Regent of Pemalang Regency. This land redistribution has become a government program in order to improve the welfare of farmers' lives and more importantly the land can play a role in the national economy.

3.3.2 Obstacles or Obstacles in the Implementation of Land Redistribution Activities

- a. Barriers and solutions faced by the Pemalang District Land Office
 - Increasing number of land redistribution objects;
 - The location requested is sporadic and quite steep, so that the measurement implementation faces obstacles;
 - Data management applications, especially in the issuance of Decree on Land Rights must be made by name (not collectively)

While the steps that need to be taken in overcoming the problems and obstacles mentioned above are as follows:

- Inventorying potential locations for Land Redistribution objects;
 - Improving coordination with the measurement survey and mapping sections in monitoring measurement results in the field;
 - Entering data carefully and accurately, so that the resulting output is valid.
- b. Constraints and solutions faced by Recipient Land Redistribution Recipients
 - Community (farmers or tenants) understanding of the use and purpose of certificates as evidence of land rights is still low;
 - There are some farmers who receive land redistribution as a result of land reforms, whose land shares are not in accordance with what has been cultivated so far;
 - At the time of measurement of the land of the land reform, the land has been planted with corn. So this inhibits measurement.

Based on the results of research and analysis of the problems faced, there are several steps in handling the problems that occur in the Land Redistribution of Land Objects in Bodeh District, Pemalang Regency, including:

- It is necessary to provide guidance to Redistribution recipient farmers, by means of developing and maintaining production facilities and infrastructure, roads, irrigation, processing of agricultural products, markets, clean water, electricity, social facilities as well as coaching subjects, namely fostering farming, learning and facilitation of access to capital and marketing.
- There needs to be supervision or monitoring carried out at every stage of the activity so that all processes are in accordance with the norms, standards and procedures specified in the legislation.

Based on the results of the author's research, supporting factors imposed in the implementation of land redistribution activities have a positive impact on the implementation of redistribution because the presence of these factors can encourage redistribution activities. The inhibiting factors that occur in this redistribution activity are factors that occur both from internal and external. The inhibiting factor did not significantly affect the implementation of the redistribution activity because the solution or the effort made to overcome the obstacle was also in accordance with the problem that occurred.

4 Conclusion

1. Implementation of Land Redistribution Activities as an Object of Land Reform in Bodeh Subdistrict Pemalang Regency in 2018 has been carried out in accordance with the procedures and mechanisms of the implementation stages of land redistribution activities based on regulations and applicable laws. The Redistribution of Land Objects for Landreform in 2018 in Bodeh Subdistrict, Pemalang Regency, amounting to 400 fields, covering an area of 56.6 Ha, with the granting of ownership rights for Jatiroyom Village and Cangak Village, Bodeh District, has been confirmed in the Decree of the Head of the Defense Office of Pemalang Regency Number: 938/KEP -33.27/X/2018 and Number: 939/KEP-33.27/X/2018
2. The policy of land redistribution of land object reforms provides economic impacts for farmers receiving land redistribution. The productivity results obtained from the agricultural sector can increase the economic income of farmers, at least to meet the daily needs of farmers, for example being able to buy rice for food for 1 month. Income contributions from farming are still deepens highly on the receiving land for redistribution in Cangak Village and Jatiroyom Village and even are still a source of income.
3. In the implementation of landreform activities, the encouragement is that all government parties support the existence of the land-reform program and the obstacle is community understanding (farmers or tenants) about the use and purpose of certificates as evidence of land rights is still low. This is proven when the officers identify subjects and objects. There are still many farmers who do not want to or even refuse to certify their land. On the other hand, which also impedes landreform activities, there are some farmers receiving land redistribution of land reformed objects whose land shares are not in accordance with what has been cultivated so far, and at the time of measurement of land reformed land, the land has been planted with corn. So this inhibits measurement.

5 Suggestion

1. For farmers receiving land redistribution. Plots of land that have become objects of land reform and that have been distributed to the community should be used according to their purpose as agricultural land. The developments that happen in society today have been an imbalance in population growth with the availability of agricultural land, so the need for agricultural land will be very significant in the future, especially in agricultural societies.
2. For the Pematang District Land Office. The problem of regulation, control and ownership of land, especially agricultural land, is still relevant and must be carried out seriously. One of the efforts is that the government should be able to carry out the landreform program seriously. In this case, it is not only carried out in the form of regulations, but also very is needed is how the implementation of these regulations, thus farmers' access to owning their own land as a prerequisite for improving their welfare can actually be realized.
3. For Cangak Village and Jatiroyom Village Officials. There must be an approach to the Pematang District Government and coordination of relevant agencies in the implementation of land redistribution activities through invitations to socialization and meetings to all parties concerned.

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