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PERFORMANCE OF THE GUNUNG JAYA AGRARIAN REFORM VILLAGE, SOUTHEAST SULAWESI: A STUDY OF THE CHALLENGES OF ACHIEVING AGRARIAN REFORM GOALS

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ABSTRACT

Agrarian Reform Village (ARV) is a pilot project in various Indonesian regions to prepare areas for the small-scale implementation of agrarian reform, including asset management and access management. The aim of this study is to know the perfomance of Agrarian Reform Village (ARV) in Gunung Jaya Village, Dangia District, Southeast Sulawesi and to know the challenges faced in implementing the program to achieve the goals of agrarian reform. Its social legal research consists of primary data obtained directly from the field or research location and elaborated with secondary data that is already available in the form of legal materials and relevant to the research topic. This study found that the performance of Gunung Jaya Agrarian Reform Village, which includes land redistribution, economic community empowerment, and reform access, was not optimal enough. There are several inhibiting factors that become challenges for the optimalization of the program, such as the planting process, maintenance, and capital problems. The local government and the Ministry of Agrarian Affairs and Spatial Planning, as organizers, continue to strive to resolve these obstacles for the implementation of the agrarian reform village in following year to realize the achievements of agrarian reform.

Keywords: Village; Reform; Agrarian.

INTRODUCTION

Agrarian conflicts and disputes continue to increase from year to year; until 2022, agrarian conflicts will reach 212, covering 1,035,613 hectares of land, and 346,402 heads of families will be affected. ¹. Agrarian conflict is an agrarian dispute between individuals, groups, classes,

¹ A. DA. (2023). *KPA: Sepanjang 2022 Terjadi* 212 "Letusan" Konflik Agraria. Https://Www.Hukumonline.Com/Berita/a/Kpa--Sepanjang-2022-Terjadi-212-Letusan-Konflik-Agraria-Lt63bc2116991c6/.

organizations, legal entities, or institutions that has a tendency or has had a broad social, political, economic, defense, or cultural impact. Agrarian disputes are agrarian disputes between individuals, legal entities, or institutions that do not have a broad impact. Agrarian disputes are agrarian disputes between individuals, legal entities, or institutions that do not have a broad impact. Indonesian society is faced with various problems related to injustice in obtaining rights to control and use agrarian resources², which causes conflicts and disputes to have the most significant impact on farmers, fishermen, and communities that have limited access.

Since 1960, after the birth of the Basic Agrarian Law, a solution has been proclaimed, namely agrarian reform, which aims to reorganize the structure of control, ownership, use, and utilization of land in a more equitable manner through asset management and access management³. Asset structuring is the restructuring of control, ownership, use, and utilization of land in order to create justice in the field of land control and ownership, while access structuring provides opportunities for access to capital and other assistance to agrarian reform subjects in the context of improving welfare based on land use, which is called community empowerment. In 2015, agrarian reform became one of the NAWACITA, or national priority programs, according to the 2015-2019 Medium-Term Development National Plan and continued in 2020-2024. The follow-up to the implementation of this program is through Presidential Regulation of the Republic of Indonesia Number 86 of 2018 concerning Agrarian Reform, which regulates the subject, object, and implementation of agrarian reform by the National Agrarian Reform Team, assisted by the Central, Provincial, and Regency/City Agrarian Reform Task Force, also known as GTRA.

The launch of Agrarian Reform Village (ARV) as a pilot project in various regions of Indonesia is intended to make these regions pilots for the implementation of agrarian reform on a scale. which includes small asset management and access management. Asset structuring is the restructuring of control, ownership, use, and utilization of land in order to create justice in the field of land control and ownership, while

² Nugroho, O. C. (2018). Konflik Agraria di Maluku Ditinjau dari Perspektif Hak Asasi Manusia. Jurnal HAM, 9(1), 87. Doi: https://doi.org/10.30641/ham.2018.9.87-101 ³ Nurlinda, I. (2018). Perolehan Tanah Obyek Reforma Agraria (Tora) yang Berasal Dari Permasalahan Kawasan Hutan: dan Pengaturannya. Veritas Et Justitia, 4 (2), 253-253.

access structuring is providing opportunities for access to capital and other assistance to subjects of agrarian reform in the context of improving welfare based on land use, which is also called community empowerment.

It is hoped that the various ARV pilot projects can become an example of equalizing the structure of control, ownership, use, and utilization of land to improve social justice and people's welfare and are supported by providing access to the community. The equalization of the structure as a whole is the aim of the implementation of agrarian reform, which has basically been around since 1960. However, until now, the aim of agrarian reform has left behind problems disputes.⁴ of conflict and agrarian Agrarian reform should become a forum for coordination with local regional governments, especially, in this research, the regional government of East Kolaka Regency. So coordination that can competitiveness increase by paying attention to democratic principles.⁵

This ARV has been implemented in several regions of Indonesia. These include ARV Mekarsari and Panimbang Banten⁶, ARV Mekar Indah Village, Kalimantan⁷, ARV Seruyan Central Sumber Klampok Village, Buleleng Bali⁸. ARV Pematang Johar Village, Labuhan Deli North Sumatra⁹, ARV Sukakiong Village, West Manggarai and ARV Mbondey Village, East Manggarai East Nusa Tenggara, Sukamulya Village and Makam Bujang Village, Indramayu West Java¹⁰ and ARV Ambulu Village, Cirebon, West Java¹¹.

KRA Gunung Jaya Village, Dangia District, East Kolaka Regency,

1/11/11/Kampung-Reforma-Agraria-Desa-

⁴ Sulistyaningsih, R. (2021). *Reforma Agraria Di Indonesia*. Perspektif, 26(1), 57. Doi; https://doi.org/10.30742/perspektif.v26i1.753

⁵ Fauzi, A. (2022). *Reformasi Agraria Dalam Kerangka Otonomi Daerah*. Jurnal Bina Mulia Hukum, 6(2), 218–233. Doi: https://doi.org/10.23920/jbmh.v6i2.678

⁶ Pemerintah Provinsi Banten. (2020). *Kampung Reforma Agraria Panimbang Jadi Percontohan di Indonesia*. Https://Penghubung.Bantenprov.Go.Id/P ublic/Index.Php/Berita/Topic/947.

 ⁷ Resti, F. A., & Wulansari, H. (2022). Peran Gugus Tugas Reforma Agraria Mewujudkan Kampung Reforma Agraria. Tunas Agraria, 5(2), 94–110. Doi: https://doi.org/10.31292/jta.v5i2.178
⁸ Direktorat Jenderal Perikanan Budidaya. (2022) Strategi Kkp Genjot Produktivitas Kampung Reforma Agraria di Buleleng. https://kkp.go.id/djpb/artikel/41833-strategi-kkpgenjot-produktivitas-kampung-reforma-agraria-dibuleleng.

⁹ Pemerintah Kabupaten Deli Serdang. (2022). Desa Pematang Johar Dicanangkan Sebagai Kampung Reforma Agraria. Https://Portal.Deliserdangkab.Go.Id/Desa-

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¹⁰ Serikat Petani Indonesia. (2022). SPI Resmikan 5 Kampung Reforma Agraria di 4 Provinsi, Potensi Ekonomi Rp26,375 Milyar per Tahun. Https://Spi.or.Id/Spi-Resmikan-5-Kampung-

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¹¹ Pemerintah Desa Ambulu. (2021). *Kampung Reforma Agraria Desa Ambulu, Wujudkan Penataan Aset Pertanahan.* Http://Ambulu.Desa.Cirebonkab.Go.Id/Artikel/202

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was inaugurated on December 28, 2022. The implementation of ARV consists of structuring assets in the form of land redistribution and structuring access in the form of mentoring and training activities for the community. But then, will the implementation of the ARV pilot project guarantee the achievement of the goals of agrarian reform? Based on the results of previous research conducted by Lukito on the Agrarian Reform Village Program in Buleleng Regency, Bali, there is a tendency for land ownership to be grouped in the same location,¹² which is a factor that determines ease of access and community welfare as the subject of land rights in asset managemen, as well an implementation of the ARV in various regions there are obstacles and problems, both technical and human resources, budget, and location. Various obstacles to the implementation of KRA in various regions make it urgent to carry out this research because it is possible that they will also be experienced in the implementation of KRA in Gunung Jaya Village.

Knowledge of obstacles and problems at the implementation level can

be a reference for the government to carry out evaluations in formulating policies for implementing the KRA Gunung Jaya program in the following year and can be a reference for implementing KRA in other regions of Indonesia.

METHOD

The type of research used in this research is empirical legal research with the study of legal norms as social phenomena related to human behavior, so the approach taken is a social science approach (*social legal research*)¹³.

The data used in this research consists of primary data and secondary data¹⁴. Primary data is data obtained directly from the field or research location in Gunung Jaya Village. As for secondary data, which is data that is available, compiled, and associated with a source of legal material, in this research, it is statutory regulations, literature, journal articles, and research results.

¹² Utomo, D. L. (2023). Analisis Spatial Autocorrelation pada Kampung Reforma Agraria di Kabupaten Buleleng. Jurnal Pertanahan, 13(2). doi: 10.53686/jp.v13i2.222.

¹³ Sonata, D. L. (2015). Metode Penelitian Hukum Normatif Dan Empiris: Karakteristik Khas Dari Metode Meneliti Hukum. Fiat Justisia:Jurnal Ilmu Hukum, 8(1). Doi: https://doi.org/10.25041/fiatjustisia.v8no1.283

¹⁴ Benuf, K. M. A., & Azhar, M. (2020). *Metodologi Penelitian Hukum sebagai Instrumen Mengurai Permasalahan Hukum Kontemporer*. Jurnal Gema Keadilan, 7(1), 20–33.

RESULTS AND ANALYSIS

The Urgency of Accelerating the Achievement of Agrarian Reform Goals in Indonesia

The Indonesian government, in an effort to concretize Pancasila as the foundation of the state, especially the 5th principle, namely social justice for all Indonesian people, has formulated various policies. Social justice is the right of all Indonesian citizens and covers all aspects of state life. One of the most important aspects is land ownership, which is the main element for starting a decent life. One of the government's policies for regulating aspects of land ownership is through the agrarian reform program, which was launched in 1948. The meaning of agrarian reform should not be understood as limited to land distribution, but as a comprehensive effort to achieve social justice.

People expect the concept of land reform to have a tangible impact on their economies. In various parts of the world, agrarian reform is an emerging answer to various agrarian structural inequalities, poverty, and various of ways agrarian implementing reform in accordance with the social, political, and economic structures and systems adopted

by each¹⁵. The effectiveness of agrarian reform in various countries such as the United States, Japan, South Korea, and South Africa, as well as countries in the Latin American region such as Venezuela and Bolivia, has been proven to be able to create agrarian justice, which has resulted in increasing the welfare of the majority of citizens¹⁶.

Performance of the Agrarian Reform Village in Gunung Jaya Village, Southeast Sulawesi

The history of agrarian reform regulation in Indonesia began based on the mandate of the 1960 Basic Agrarian Law and continues to experience policy reforms to this day. Through the Decree of the People's Consultative Assembly (TAP MPR) Number IX/MPR/2001 concerning Agrarian Reform and Natural Resource Management, Presidential Regulation Number 2 of 2015 concerning the National Medium Term Development Plan for 2015-2019. Presidential 18 of Regulation Number 2020 concerning Development Plans National 2020-2024, Medium Term and Presidential Regulation Number 86 of

¹⁵ Zein, S. (2019). *Reformasi Agraria Dari Dulu Hingga Sekarang Di Indonesia*. Jurnal Ilmiah Hukum Dirgantara, 9(2), Hlm 121–135.

¹⁶ Limbong, B. (2012). *Reforma Agraria*. Jakarta: Margaretha Pustaka. Hlm 7.

2018 concerning Agrarian Reform, efforts to accelerate the achievement of agrarian reform goals continue to be promoted through two main programs, namely, the provision of Agrarian Reform Object Land, also known as TORA, and Social Forestry.

The description of the objectives of agrarian reform is that the objectives of agrarian reform are to: (1) reduce inequality in land control and ownership in order to create justice; (2) handle agrarian disputes and conflicts; (3) create a source of agrarian-based prosperity and welfare for the community through regulating control, ownership, and use of land; (4) create jobs to reduce poverty; (5) improve community access to economic resources; (6) increase food security and sovereignty; and (7) improve and maintain environmental quality. The form of implementation of agrarian reform includes the provision of TORA, land redistribution, legalization of assets, and empowerment of TORA recipient communities.

The Agrarian Reform Organizing Institutions were formed at the Central and Regional levels, consisting of the National Agrarian Reform Task Force Team (GTRA), the Central GTRA as chairman of the ATR/BPN Minister, the Provincial GTRA as chairman of the Governor, and the Regency/City GTRA as chairman of the Regent/Mayor, where has its own each cluster daily implementation team. Therefore, the institutional structure organizing the implementation of the Gunung Jaya Village Agrarian Reform Village is led by the Regent of East Kolaka Regency, where this agrarian reform village is a form of implementing agrarian reform at the regency or city level.

The stages in implementing agrarian reform at the regency or city level consist of the preparation and planning stage, the implementation stage, and the reporting stage. The initial stage for carrying out the work is to form a Regency/City GTRA Team determined by the Regent/Mayor (East Kolaka Regent Decree Number 188.45/57/2022 concerning the East Kolaka Agrarian Reform Cluster Team) and a Regency/City GTRA Daily Implementation Team determined by the Head of the Office Regency/City Land Affairs (Decree of the Head of the East Kolaka Regency Land Office Number 72/SK-74.11.NT.02.05/II/2022)

Concerning the Implementation Team for the East Kolaka Agrarian Reform Task Force. After that, we enter the implementation stage, which consists of coordination, TORA data collection and development of reform access, integration of asset management and access management, and finally the formation of an agrarian reform village (East Kolaka Regent's Decree Number 188.45/251/2022 concerning the Designation of the 2022 Agrarian Reform Village).

The Regent's Decree above designated Gunung Jaya Village, Dangia District, as an agrarian reform village with the provisions that it fulfills the following elements:

- 1. There is asset structuring through land redistribution, asset legalization, land consolidation, and joint use of land.
- Since the declaration as an agrarian reform village, there has been a minimum of one (1) land or infrastructure arrangement, such as road construction, demonstration plots, emplacement, social facilities, and public facilities, including land use planning.
- There is a minimum of one form of community economic empowerment activity that has been implemented at the Agrarian Reform Village location.

In the process of structuring agrarian reform, there are two priority programs: asset structuring through asset legalization through the Complete Systematic Land Registration Program and redistribution. In addition to the asset structuring program, the reform program encompasses community empowerment through the utilization of land rights, known as access reform. In implementing can these two programs, it be implemented with assets following access or access following assets.

The agrarian reform village of Gunung Jaya is one of the outputs of East Kolaka GTRA activities. By establishing an institutional strengthening program and appropriate mentoring processes, we hope that the formation of this reform village will have an impact on improving the economy.

Gunung Jaya Village is one of the villages in Dangia sub-district, East Kolaka Regency, with an area of 515 ha, some of which are agricultural areas with an area of 228 ha. The community of Gunung Jaya village numbers 1751 people, with 530 heads of families divided into six hamlets, namely Sumber, Mekar, Mekar Sari, Wia-Wia, Makmur, and Makmur Tani. The majority of the people in Gunung Jaya village are Muslims and

consist of several tribes and cultures. Apart from Muslims, there are also Protestant and Hindu communities.

The tribes in Gunung Jaya village are quite heterogeneous, consisting of Javanese, Bugis, Balinese, Tolaki, Muna, Tanah Toraja. The and types of community livelihoods consist of workers, agricultural farmers/planters, livestock breeders, traders, carpenters, bricklayers, tailors, civil servants, retirees, Indonesia National Army (TNI), Police, village officials, small industries, and others. The economic level of the community in Gunung Jaya village is still dominated by communities with a poor economic level, with a percentage of 41.70%, while for communities (KK) with a poor economic level, it is only $10.19\%^{17}$.

The process of asset management involves the redistribution of land. Land redistribution is the division of land controlled by the state and has been confirmed as an object of land reform given to sharecroppers who have met the requirements as regulated with the aim of improving the socio-economic situation of the people, especially farmers¹⁸. The

arrangement of access in Gunung Jaya Village until November 2022 will reach 97 plots with 692,941 M² sourced from functional land in other utilization areas¹⁹.

Meanwhile, in terms of access arrangement (access reform). it is interpreted as everything related to the arrangement of more productive use or of land accompanied by use the arrangement of support for agricultural facilities and infrastructure, irrigation, farming roads, production marketing, farming cooperatives, and banking.²⁰. Gunung Village community Jaya receiving reform access is divided into several types of land use, namely agriculture, plantations, livestock and Micro, Small and Medium Enterprises (MSME).

Economic community empowerment activities that have been carried out at the Agrarian Reform Village location consist of three (3) programs: organic fertilizer making training, ladara marketing application socialization, and

¹⁷ Tim GTRA Kolaka Timur. (2022). Laporan Akhir Gugus Tugas Reforma Agraria Kolaka Timur.

¹⁸ Doly, D. (2017). Kewenangan Negara Dalam Penguasaan Tanah: Redistribusi Tanah Untuk

Rakyat (The Authority Of The State In Land Tenure: Redistribution Of Land To The People). Negara Hukum: Membangun Hukum Untuk Keadilan Dan Kesejahteraan, 8(2), 195–214. Doi: https://doi.org/10.22212/jnh.v8i2.1053 ¹⁹ Op.Cit.

²⁰ Ramadhani, R., Hanifah, I., & Wajdi, F. (2023). Urgensi Penataan Akses Permodalan Pasca-Redistribusi Tanah Di Provinsi Sumetera Utara. Sanksi (Seminar Nasional Hukum, Sosial Dan Ekonomi), 2(1), 101.

training to make traditional bags. The Organic Fertilizer Making Training was attended by 81 land recipients; the Ladara Marketing Application Socialization was attended by 25 land recipients; and the training on making traditional bags was attended by 5 land recipients.

Factors Inhibiting Gunung Jaya Agrarian Reform Village as the Challenges for Achieving Agrarian Reform Goals

Fundamentally, agrarian reform offers programs that can alleviate poverty in rural areas, enhance welfare through national food independence, boost productivity on the land, and recognize rights to land held by individuals, the government, and public lands used for community purposes.

In efforts to utilize existing land that the community has acquired, there are obstacles that affect the productivity of land use, including the planting and maintenance process, the training process, capital, and marketing. The figure below shows the presentation of the factors inhibiting the performance of Gunung Jaya Agrarian Reform Village.



Source: GTRA East Kolaka

a) Planting and Maintenance Process

The main obstacle for the beneficiary community is in the planting and maintenance process, namely the problem of the availability and high prices of fertilizers and grass poisons or pests. This is what causes farmers to experience a decrease in crop productivity.

b) Training Process

Lack of skills in developing new ideas for MSMEs is another obstacle the community faces. Therefore, it is crucial to engage the community to enhance their understanding and inventiveness in utilizing the newly acquired land.

c) Capital

Capital is the most crucial thing in starting a business; in this case, the community does not yet have sufficient knowledge to access capital. Therefore, the GTRA team's initiative to socialize society's business credit funds (KUR) for capital access is a right decision.

d) Marketing

People find it difficult to market MSME and agricultural products due to the long distance between Gunung Jaya Village and the Regency Capital. Apart from that, for marketing online, the internet network does not support it. Besides that, some people also do not understand marketing via social media. In this case, the right step is to help the community by facilitating collaboration with established business entities for product marketing.

At a broader level, based on the East Kolaka GTRA Team's report, the problems and obstacles in implementing GTRA in general have not been optimally coordinated between the East Kolaka district land office and the relevant regional apparatus organizations, so in this program there is still a need for synergy between the GTRA team so that it can be optimal in implementing the agrarian reform program. Coordination and cooperation between the East Kolaka Regency government and the ATR/BPN Ministry are very necessary to avoid outof-sync data.

The designation of Gunung Jaya Village as an Agrarian Reform Village is a concrete part of efforts to optimize the achievement of agrarian reform goals, which include asset legalization, access to reform, and community empowerment. Based on obstacles faced by the community, the implementation of KRA in Gunung Jaya Village was less optimal.

By focusing on the potential and capacity of regional resources based on connectivity and linkage in the economic context, namely between economic sectors and inter-regional linkages in the regional economy through forward backward linkage and linkage instruments, strategic policies are required in order to support regional and regional competitiveness for the implementation of the program for the following year.

In the framework of regional development, connections and links must be bolstered by the growth of regional infrastructure interconnectivity, which will thereafter be enhanced through regional collaboration.

CONCLUSION

The concept of land reform to positively impact the people's economy in practical terms. Implementation of the agrarian reform village in Gunung Jaya Village consists of structuring assets in the form of land redistribution and structuring access in the form of mentoring and training activities for the community. Factors impeding the implementation of the agrarian reform village include: Apart from coming from the community, the object of agrarian reform is also the lack of coordination between program organizers, which makes the implementation of KRA Gunung Jaya less optimal.

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