



MULTISECTORAL CHALLENGES IN THE IMPLEMENTATION OF LAND REDISTRIBUTION: LEGAL, SOCIAL, AND ADMINISTRATIVE PERSPECTIVES

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Abstract

Land redistribution is the main pillar of agrarian reform policy that aims to create justice in land tenure and utilization. However, its implementation in Indonesia is still faced with various interrelated multi-sectoral challenges, especially in legal, social, and administrative aspects. This study aims to critically analyze the complexity of land redistribution implementation from these three perspectives using a descriptive qualitative approach and literature study. The results show that overlapping regulations, weak legal certainty, and conflicts between regulations are the main obstacles from the legal side. Socially, low agrarian literacy, lack of public participation, and resistance from capital owner groups weaken the legitimacy of the program. On the administrative side, weaknesses in the data collection system, limited human resources, and poor coordination between institutions are significant implementation obstacles. This research emphasizes the need to reformulate the land redistribution policy with an intersectoral, participatory, and social justice-based approach. Recommendations are made to strengthen synergies between stakeholders, harmonize regulations, and increase institutional and community capacity in supporting inclusive and sustainable agrarian reform.

Keywords: *Land Redistribution, Agrarian Reform, Agrarian Justice, Land Conflict, Multisectoral Policy*

A. Introduction

Land redistribution is one of the main instruments in the implementation of agrarian reform that aims to create social justice, reduce inequality in land tenure structure, and improve the welfare of farmers and marginalized communities. As a strategic state policy, land redistribution is not only related to the legal aspects of ownership, but also to the intertwined social, economic, political and cultural dimensions. In Indonesia, this policy has long been an important agenda in efforts to

reform the national agrarian structure, which is still inherited from the colonial system that is exploitative and discriminatory against indigenous peoples and small farmers. However, the implementation of land redistribution programs in Indonesia, as mandated by the Basic Agrarian Law of 1960, is often faced with various complexities and multi-sectoral challenges that hinder the achievement of its ideal goals (Laturette, 2021). These complexities include legal obstacles, such as overlapping regulations and legal uncertainty over land rights, as well as social challenges that include resistance from stakeholders and lack of community participation (Yahya & Setiawan, 2023). Administratively, obstacles include weaknesses in data collection and limited apparatus resources, which collectively make it difficult to implement effective and equitable land redistribution (Thabrani et al., 2022).

However, the implementation of land redistribution policies often faces a variety of complex, multi-sectoral challenges. From a legal perspective, the most obvious obstacles are overlapping regulations, weak legal certainty over ownership rights, and conflicts between central and local regulations. This lack of synchronization increases the space for agrarian conflicts, especially in areas with a long history of communal or customary land tenure. On the other hand, social challenges arise in the form of resistance from interest groups, lack of public understanding of their rights, and low public participation in the process of planning and implementing land redistribution (Isnaeni, 2018).

Meanwhile, from an administrative perspective, there are still various technical problems, such as weaknesses in data collection of redistribution subjects and objects, limited capacity of land apparatus resources, and poor inter-agency coordination. Long and non-transparent bureaucratic procedures are also factors that slow down the process of legalizing land rights and increase social costs for the community. This condition is exacerbated by physical and juridical data errors in land registration, which not only harms legitimate owners, but also creates disorder in the national land administration system. This condition is exacerbated by the existence of physical and juridical data errors in land registration, which not only harms legal owners, but also creates disorder in the national land administration system (Rizqi, 2018).

This study aims to outline and critically analyze these challenges using an interdisciplinary approach, in order to formulate comprehensive and applicable policy recommendations for the achievement of equitable and sustainable land redistribution. The analysis will cover crucial aspects such as mapping legal issues in overlapping land regulations, identifying sociological factors that hinder community participation, and evaluating the efficiency and effectiveness of the land bureaucracy in supporting this program. The importance of legal certainty in land registration through certificates of

ownership is crucial to avoid future disputes, although there are several inhibiting factors such as ignorance of procedures and costs (Dewi et al., 2020) (Middin et al., 2021).

The legal foundation for the implementation of agrarian reform has actually been laid through the Basic Agrarian Law of 1960, which emphasizes the principle of land tenure for the greatest prosperity of the people. However, the reality of implementation in the field shows policy dysfunction due to weak control, elitist agrarian politics, and inconsistencies in implementation in various regions. One historical example can be found in the agrarian reorganization in Regentschap Adikarto, where modernization perpetuated unfair land tenure practices that benefited foreign companies more than local communities. This situation is exacerbated by the weakness of national agrarian regulations, which are characterized by contradictions between articles, injustice in substance, as well as the annulment of a number of regulations by the Constitutional Court, which collectively harm the community and hinder the achievement of welfare (Mahfud, 2022). In addition, the deregulation of national land policy that occurred in the late 1990s, although initially aimed at low-income communities, in practice actually expanded the loopholes for holders of larger land rights, potentially exacerbating inequality in land tenure (Rahman, 2010). This phenomenon indicates that although the initial intention of reform was for the welfare of the people, historical interventions, especially during the colonial period, often deviated from this goal and actually strengthened the existing structure of agrarian injustice (Yahya & Setiawan, 2023).

Presidential Regulation 86 of 2018 on Agrarian Reform then became the basis for reorganizing the structure of land tenure, ownership, use, and utilization by prioritizing the principles of justice, which is specifically termed as land for cultivators or farmers (Nuraeni et al., 2022). The issuance of this Presidential Regulation had experienced significant delays, considering that policies related to the criteria for agrarian reform recipients had been mentioned in the 2015-2019 RPJMN, but the implementing regulations were only promulgated more than three years later (Pradipta et al., 2022). A systematic and comprehensive realignment of legal provisions related to land registration is needed to create strong legal certainty and prevent prolonged agrarian conflicts (Roswandi et al., 2023).

This delay reflects the complexity of inter-agency coordination and the tug-of-war in formulating inclusive and sustainable agrarian policies (Martini et al., 2019). These challenges are further exacerbated by the rapid conversion of agricultural land to non-agricultural land, a phenomenon that is significant in Java and outside Java (Handayani et al., 2018). This challenge not only reduces the availability of productive land for farmers, but also exacerbates national food security issues (Septanti & Saptana, 2020). The high rate of agricultural land conversion is caused by rapid population growth,

infrastructure development, and uncontrolled urbanization, resulting in land fragmentation and difficulties for farmers to maintain their livelihoods.

The high inequality of land tenure shows that land redistribution has not fully addressed structural agrarian problems in Indonesia. Various studies show that land conflicts continue to increase every year, especially those related to customary rights and communal land of indigenous peoples. In addition to conflicts, inaccuracies in dispute resolution and the absence of a responsive legal system are also factors that hinder the realization of agrarian justice. Long-standing cases such as the land conflict in Tanjung Sari, Banggai District, are clear examples of how legal uncertainty has a direct impact on land rights and social stability at the local level. The numerous cases of land disputes that continue to emerge, including allegations of land mafia practices, show how complex land issues in Indonesia often involve conflicts over land tenure and ownership (Sihombing, 2023).

Factors such as weak oversight, corruption and lack of transparency in the land administration process contribute to this situation, creating loopholes for illegal practices and abuse of power (Octaleny et al., 2020). This condition is exacerbated by weaknesses in the distribution system, especially in the distribution of subsidized fertilizers, which are often not well-targeted or experience scarcity at the farm level, even though stocks at the producers are sufficient (Sudjono, 2016). This phenomenon results in price spikes at the retailer level and harms smallholders, which in turn can threaten national food security (Sudjono, 2016). This then causes many farmers to leave the agricultural sector and look for other jobs, which in turn worsens farmers' welfare conditions and accelerates the conversion of agricultural land into non-agricultural land (Aprildahani et al., 2021). This condition is exacerbated by a decline in the national rice harvest area and production, as well as a decrease in the area of raw paddy fields, which seriously threatens food security in the future (Purwanto & Hutomo, 2023). Climate change also plays a role in reducing agricultural yields, putting the sector at high risk of losses (Sholiha et al., 2021).

This situation is further exacerbated by difficulties in increasing farmers' income due to various thorny issues in agriculture, including changes in land ownership structures that do not benefit farming communities (Wahed et al., 2020). On the other hand, limited and uncertain data related to the subjects and objects of agrarian reform are also crucial obstacles in program planning and implementation. In urban areas, agricultural techniques such as urban farming can be an alternative solution to increase food availability amidst limited land and reduce dependence on conventional agricultural land (Lukmanul, 2021). This data limitation hinders accurate identification of smallholders and farm laborers, groups that often have land holdings below 0.5 hectares and are highly vulnerable to fluctuations in agricultural commodity prices (Rahmawati et

al., 2019). This condition is exacerbated by the lack of participation of farmer groups in accessing various business service institutions, such as financial institutions, marketing, and provision of production facilities, which weakens the position of farmers in the economy of scale (Supu et al., 2022).

This article aims to analyze the challenges of land redistribution implementation in Indonesia from legal, social, and administrative perspectives in an integrative manner. With a multidisciplinary approach, this article is expected to provide a comprehensive overview of the root of the problem and formulate policy recommendations that are more responsive, fair and applicable in supporting the success of sustainable agrarian reform. Understanding the multi-sectoral dynamics in the implementation of land redistribution is important to build a land system that is inclusive, accountable, and in favor of the interests of the people. This research will examine in depth how past colonial policies still have implications for the implementation of agrarian reform today, as well as evaluate the effectiveness of various legal and institutional efforts that have been made to overcome this legacy (Andreas et al., 2019).

In particular, this research will identify patterns of land conflicts arising from overlapping land ownership and use, and examine the impact of indigenous peoples' resistance to land redistribution programs (Rahman et al., 2018). This shows that resolving land disputes requires a comprehensive approach, not only from the juridical aspect, but also considering the social dimension and benefits for the disputing parties (Sari & Suteki, 2019). This approach will also highlight the importance of non-physical justice in any compensation for land acquisition for the public interest, given that conflicts often arise from dissatisfaction with this aspect (Dewi, 2018). In addition, this study will also outline how local and national political economy dynamics influence the redistribution process, including the role of non-state actors such as civil society organizations and international donor agencies in shaping agrarian policy (Kristiansen, 2018). Specifically, this study will discuss how legal uncertainty over land ownership rights, as is often the case in protracted disputes, hinders the process of fair and equitable land redistribution (Hipan et al., 2018). This problem is exacerbated by a lack of socialization on the importance of formal legality in land ownership, which often results in communities not fully understanding their legal rights (Rahman et al., 2021).

The analysis will also explore the potential role of village governments in agricultural development and rural poverty alleviation, and how this can contribute to the broader goals of agrarian reform (Ariyanto, 2022). The study will also evaluate how the release of customary land rights into freehold certificates creates barriers to land redistribution, and efforts to overcome these challenges (Sanjaya et al., 2022). The conversion of customary land titles to individual property rights, as in Tidore, often complicates redistribution efforts by removing the communal and historical

characteristics of traditional land tenure (Arlina, 2020). This issue underscores the urgency of strengthening legal frameworks that recognize and protect the rights of indigenous peoples, as well as the importance of integrating customary values in land dispute resolution to achieve holistic agrarian justice (Sopian, 2015).

This research will also identify regulatory and institutional gaps that allow for practices that harm marginalized communities in the land redistribution process, and propose more effective oversight and accountability mechanisms. This is exacerbated by the lack of socialization on the importance of formal legality in land ownership, which often leads to communities not fully understanding their legal rights (Masriani, 2022). In addition, this study will highlight the important role of juridical proof of land rights in the certification process, which is crucial to ensure legal certainty and prevent future disputes (Hendriyansah et al., 2022). Systematic and complete land registration has proven to be more effective in providing legal certainty of land rights than previous policies, although challenges remain in its implementation (Raturandang & Tjempaka, 2025). Nonetheless, disharmony between legal and fiscal cadastral systems, as well as corrupt bureaucratic practices, often exacerbate land dispute problems (Sujadi, 2008).

The importance of land registration as a form of legal certainty and protection of ownership rights over land becomes even more crucial in this context, although certificates of property rights do not always guarantee that the rights cannot be challenged (Matuankotta & Lakburlawal, 2022). The recognition of land ownership rights, especially for indigenous peoples, requires lengthy administrative procedures and often does not fully resolve forest management issues in their respective customary territories (Cetera, 2021). The Indonesian government, through various regulations and laws, has tried to guarantee the rights of indigenous peoples, but its implementation still faces obstacles in the field (Apricia, 2022).

B. Method

This research uses a descriptive qualitative approach to explore the multi-sectoral challenges in implementing land redistribution in Indonesia. This approach was chosen because it is able to describe in depth the various dynamics involving the legal, social and administrative dimensions of the agrarian reform policy. In this context, the researcher not only seeks to identify the existing constraints, but also analyze the pattern of inter-sectoral relations that affect the effectiveness of the land redistribution program.

The method used is documentary research, which focuses on examining various relevant and valid written sources. The main data sources include national policy documents such as the Basic Agrarian Law of 1960, Presidential Regulation No. 86/2018 on Agrarian Reform, as well as various derivative regulations and other sectoral policies related to agrarian reform. In addition, this research also uses secondary data from

reports of government institutions (Ministry of ATR/BPN, BPN, Bappenas), academic publications, scientific journal articles, previous research results, and news from credible online media.

Data collection was carried out using a systematic *literature review* method, namely by tracing and reviewing literature related to the main theme in a structured manner. The literature selected was published within the last 10 years (2014-2024) to ensure relevance to the contemporary land redistribution policy context. Researchers also accessed various annual reports and agrarian conflict data released by advocacy institutions and civil society organizations active in agrarian reform issues.

The collected data was analyzed using *content analysis* and *policy analysis* techniques. Content analysis was used to identify the main themes that emerged in the land redistribution policy discourse, such as regulatory inequality, weak governance, social resistance, and bureaucratic inefficiency. Meanwhile, policy analysis is used to evaluate the extent to which existing regulations and policy implementation are able to answer the structural agrarian challenges faced by the community.

The analysis process is carried out in stages, starting from data reduction, which is the process of sorting out important information and grouping data according to categories: legal, social and administrative. Next, the data is displayed in the form of thematic narratives that illustrate the causal and correlative relationships between the causal and consequential factors of land redistribution problems. Finally, the researcher draws conclusions based on critical interpretations of the findings, which are then used as the basis for formulating policy recommendations that are applicable and contextual.

To increase the validity and objectivity of the analysis, this research uses perspective triangulation, by examining the land redistribution policy from three main sides: (1) *legal* framework that regulates land redistribution, (2) *social* reality faced by the beneficiaries, and (3) *institutional mechanism* involved in the implementation of the program. This approach allows for a more thorough and in-depth analysis of the complexity of land redistribution implementation in the field.

The limitation of this study is that it does not include a quantitative evaluation of the area of land that has been distributed or the number of beneficiaries. The main focus is on the qualitative aspects of the structural and systemic obstacles to the implementation of the land redistribution policy, especially during the implementation period after the issuance of Presidential Regulation No. 86/2018 until 2024. A normative juridical approach is also applied to examine regional legal products, to analyze the harmonization of investment-related policies with regional regulations on regional spatial planning and environmental protection (Mustamsikin, 2013).

C. Finding and Discussion

1. Finding

The results show that the implementation of land redistribution in Indonesia still faces structural and systemic challenges, which can be classified into three main dimensions: legal, social, and administrative. These three dimensions are closely interrelated and collectively affect the effectiveness and sustainability of agrarian reform policies, especially in the context of land redistribution for marginalized communities.

a. Challenges from a Legal Perspective

From a legal perspective, the main problems found are overlapping regulations and legal uncertainty over land ownership rights. A number of regulations that apply at the national and regional levels are often out of sync, even contradicting each other. For example, discrepancies between the Basic Agrarian Law of 1960 and sectoral regulations such as the Forestry Law, Plantation Law, and Environment Law, have led to jurisdictional conflicts in land management. In addition, weak law enforcement in cases of land disputes, especially those involving indigenous peoples' customary rights, exacerbates uncertainty and lowers public confidence in the national land system. This is exacerbated by the lack of synchronization between central and local regulations, which often creates legal ambiguity and complicates the process of fair and transparent land redistribution (Herdarezki et al., 2021).

The issue of legalizing land rights is also still often constrained by long and expensive procedures. Communities, especially smallholders and vulnerable groups, find it difficult to obtain certificates of ownership due to lack of socialization, low legal literacy, and ignorance of the formal mechanisms that must be followed. This has resulted in low certification rates for redistributed land, even though the land has been physically allocated (Dewi et al., 2020).

b. Challenges from a Social Perspective

Socially, resistance from large capital owners and local stakeholders is a real obstacle to land redistribution. The implementation of redistribution is often considered to disrupt the status quo, which often leads to horizontal conflicts between the community and private companies or with state officials. Community participation in the redistribution planning and implementation process is also still low, mainly due to the lack of participatory approaches from the government and weak access to information (Isnaeni, 2018).

In addition, inequality in access to land between the elite and small communities remains high. In many cases, land redistribution mostly targets people who are administratively accessible, while marginalized groups such as indigenous peoples or sharecroppers who do not have formal documents are left behind (Rahman et al., 2018).

This social injustice exacerbates the gap in land tenure and weakens the legitimacy of the agrarian reform program.

c. Challenges from an Administrative Perspective

From the administrative side, the main obstacle lies in the weak data collection system and verification of the subjects and objects of land redistribution. Spatial and juridical data inaccuracies have led to double claims, misplacement of recipients, and a protracted land validation process. In addition, coordination between institutions implementing agrarian reform, both at the central and regional levels, is still not optimal. The lack of integration between BPN, local governments, and other sectoral agencies often hampers the process of land identification, measurement, and legalization (Thabrani et al., 2022).

Long, non-transparent bureaucratic procedures and lack of digitalization innovation also slow down the realization of administrative land redistribution. This research found that many communities face obstacles in the process of transferring or registering land rights due to high costs, lack of information, and corrupt practices at the local level (Middin et al., 2021). In some cases, the unclear legal status of land has discouraged communities from pursuing legality, as it is considered complicated and does not guarantee long-term protection. Thus, to ensure that the land redistribution program achieves its goals, serious efforts are needed to overcome these problems, including improving bureaucratic accountability and efficiency, and strengthening the capacity of human resources in relevant institutions (Siregar et al., 2022).

2. Discussion

The results of this study show that the implementation of land redistribution in Indonesia cannot be separated from the multisectoral dynamics that are interrelated and often contradictory. These findings corroborate previous studies that emphasize that agrarian reform is not merely a technical issue of asset redistribution, but also involves complex power relations, social structures, and policy governance. This study highlights that agrarian reform will be more complicated to implement with resistance from large capital owners, community ignorance of their rights, and lack of public participation in the redistribution process (Kurniawan, 2020).

From a legal perspective, overlapping regulations and weak legal certainty over land rights show that Indonesia's agrarian law system has not yet been fully harmonized. The Basic Agrarian Law of 1960 as the main legal framework has not been able to answer contemporary needs, especially in the face of the reality of legal pluralism that includes customary law, state law, and sectoral law. This lack of synchronization has triggered ambiguity in the implementation of land redistribution, especially when dealing with the

customary rights of indigenous peoples that have not been fully recognized in the national land system.

Meanwhile, the social challenges identified show that land redistribution policies often experience resistance at the local level because they are not accompanied by a participatory approach. The low level of agrarian literacy among beneficiary communities means that redistribution programs often become administrative formalities with no long-term impact.

From an administrative perspective, data collection and institutional coordination are crucial factors that affect the effectiveness of the program. The land information system that has not been integrated nationally and the lack of digital innovation in the redistribution process make the process slow, non-transparent, and vulnerable to manipulation. Coordination between agencies such as the Ministry of ATR/BPN, local governments, and other sectoral institutions has not shown optimal synergy. This indicates that the implementation of agrarian reform still faces serious obstacles in the aspects of coordination and data integration, as also highlighted by various studies on geographic information system management for arable land mapping (Nuraeni et al., 2022). Agricultural institutional innovation is an absolute prerequisite for the sustainability of technology adoption and effective farm management, taking into account government support, active involvement of members, and human resource capabilities of farming institutions (Sihombing, 2023). Institutional optimization is also not limited to formal aspects and legal legalization, but focuses on the success of farming in realizing food security (Sihombing, 2023).

A comprehensive agricultural institutional innovation strategy is needed so that efforts to achieve food security through land redistribution can be optimally realized (Sihombing, 2023). Institutional optimization is also not limited to formal aspects and legal legalization, but focuses on the success of farming in achieving food security. In this context, increasing the capacity of farmers through technological innovation and sustainable assistance is crucial to ensure that reallocated land can be utilized productively and sustainably (Swastika & Indraningsih, 2020). Agricultural extension workers as facilitators, educators, and motivators also have an important role in accelerating the adoption of innovations among farmers (Wahyuni, 2021). The strategy of institutional strengthening, training, and extension to farmers plays an important role in increasing farmers' participation in agricultural development and the sustainability of agricultural technology adoption (Noventi, 2017) ((Ashari et al., 2020Swastika & Indraningsih, 2020)). The development of web-based applications and SMS gateways can assist agricultural offices in disseminating information and receiving complaints from farmers, overcoming geographical and bureaucratic constraints in extension (Putra et al., 2024). Adoption of modern technology and participatory approaches in the land

redistribution process can improve efficiency and equity, although challenges related to data integration and cross-sector coordination still need to be fundamentally addressed. In addition, the development of farmer behavior through the preparation of timely and relevant agricultural information is crucial to support farming decision-making and improve economic productivity (Soedarto & Hendrarini, 2019). The use of mobile applications and social media platforms can also accelerate the dissemination of information related to land redistribution programs and facilitate public access to the process, although the cost of the platforms and the suitability of the features for agrarian transactions need to be considered (Tjong, 2023).

It is interesting to note that these obstacles do not stand alone, but reinforce each other and create a cycle of implementation deadlock. For example, weak legal certainty leads to social resistance, which is then exacerbated by administrative inefficiencies. This situation suggests that land redistribution requires an intersectoral approach that not only improves the legal framework and administrative system, but also strengthens the capacity of communities to collectively fight for land rights.

In this context, a multidisciplinary approach that integrates legal, social and administrative analysis is important to understand and resolve the root causes of land redistribution. In addition, the active involvement of civil society, farmers' organizations, and indigenous communities in the planning, implementation, and monitoring processes of land redistribution needs to be improved in order to create legitimacy and sustainability of the policy.

Overall, this discussion shows that land redistribution is not only seen as a technocratic program, but also as a political agenda that demands alignment with groups that have been marginalized in the agrarian structure. Therefore, the success of agrarian reform is not only measured by the number of hectares distributed, but also by the extent to which the policy is able to transform structural inequality and build substantive agrarian justice.

D. Conclusion

Land redistribution as part of the big agenda of agrarian reform in Indonesia has not been able to fully answer the problem of structural inequality in land tenure. The results of this study show that the implementation of land redistribution faces complex and interrelated challenges from three main dimensions, namely legal, social and administrative.

From the legal side, the main problem lies in overlapping regulations, weak legal certainty of land rights, and discrepancies between central and regional policies. This uncertainty not only creates loopholes for agrarian conflicts, but also lowers public confidence in the national land system.

From a social perspective, resistance from capital owners, low agrarian literacy, and lack of community participation are significant obstacles in the implementation of land redistribution. Inequality in access to agrarian information and services also reinforces entrenched structural injustices in land distribution.

Meanwhile, administrative challenges include weaknesses in data collection of redistribution subjects and objects, limited capacity of apparatus resources, and poor coordination between policy implementing agencies. Long, non-transparent bureaucratic procedures, often accompanied by maladministration practices, slow down the legalization of land rights for the community.

These findings confirm that successful land redistribution does not rely solely on the formal legal framework, but also requires improvements in social aspects and administrative governance simultaneously. A cross-sectoral and collaborative approach needs to be prioritized to create a more equitable, inclusive and sustainable land redistribution policy. True agrarian reform must be able to reach the most vulnerable groups of society, recognize the existence of communal rights, and guarantee legal certainty over land as an instrument of people's welfare.

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