

"Agrarian Reform Village" Pematang Johar Village: Access to Reform to Realize Land-Based Community Empowerment

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Abstract: The National Land Office of Deli Serdang Regency has Pematang Johar Village which is used as a location for a land-based community empowerment program. Agricultural land in Pematang Johar Village is used as a life asset and becomes the basic capital of the community to improve welfare and realize an increase in per capita income of recipients of agrarian reform access. This study analyzes the form of technical activities for managing assets and access to agrarian reform. So that it will provide an overview of the form of land-based community empowerment that has been implemented by the BPN of Deli Serdang Regency. The method used is a conceptual approach with a descriptive case study that analyzes the implementation of access reform. Based on the results of the study, Pematang Johar Village, Deli Serdang Regency is an area designed as an "Agrarian Reform Village" and is designated as a pilot project with an access reform model in the form of corporate farming. Technically, the Agrarian Reform Access Arrangement activity uses an empowerment strategy approach based on an analysis of social mapping, problems, potential, situations, and directions of needs that will be the targets of community land distribution activities.

1. Introduction

Although it has been implemented almost eight decades after the Agrarian Fundamental Act was enacted in 1960, agrarian reform remains an important agenda in putting the basic concept of renewal on the ground to realize justice and well-being of the people.¹ The Agrarian Tree Act (UUPA) introduced the term agricultural reform with the instigation of Landreform, so it can be said that UUPA is the master of the land reform program in Indonesia.²

In the consideration of UUPA Articles 1 to 19 as well as its clarification, including in the provisions of the Conversion of Land Rights, will be clearly the establishment of the Landreform

¹ Joyo Winoto, *Reforma Agraria dan Keadilan Sosial*, (Jakarta: UI, 2007), 14.

² Nurjannah, Undang-Undang Pokok Agraria (UUPA) Sebagai Induk Landreform, *Al Daulah*. Vol.3. No. 2 Desember 2014, 193-205, <https://doi.org/10.24252/ad.v3i2.1436>.

programme in Indonesia.³ As a follow-up, he enacted the Law No. 56 Prp of 1960 on Agriculture Land Settlement known as the Land Reform Act.⁴ Land reform is accepted as the term agrarian renewal or Agrarian Reform, that is, since the birth of the MPR Tap No. IX/MPR/2001 on Agrarian renewals and management of natural resources.⁵

Article 2 of MPR RI No. IX/MPR/2001 reaffirms that Agrarian Renewal is a continuous process with regard to the re-establishment of the control, ownership, use and utilization of agricultural resources, carried out in order to legal certainty and protection as well as justice and prosperity for the entire people of Indonesia. According to article 2, there are two (two) main aspects, namely the aspects of possession and ownership on the one hand and the use and use aspects on the other. The aspect of ownership and ownership is the main activity of land reform, while the aspect of use and exploitation is the activity of access reform.⁶

Agrarian reform is reinforced by the legislation of Presidential Regulation No. 86 of 2018, which states that Agrarian Reform is the re-establishment of more equitable structures of possession, ownership, use and use of land through assets and accompanied by access for the prosperity of the Indonesian people. Asset arrangement and access referred to in the Agrarian Reform is explained in Article 1 paragraphs 2 and 3 of Perpres No. 86 Year 2018. The Assessment is the reorganization of the possession, ownership, use and use of land in order to create justice in the field of possession and ownership of land, whereas the Access Declaration is the granting of access to funding or other assistance to the subject of agrarian reform to enhance the welfare based on land use, also called the empowerment of the community.⁷ Agrarian reform is in fact a land reform concept complemented by the concept of access reform and regulation reform.⁸

The implementation of agrarian reform can be successful only if it is carried out within a broader framework, namely offering not only access to land, but also access to credit, rural sanitation, and other services.⁹ The treatment of Agrarian Reform Access implemented to landowners whose land has been, has not been or is being legalized assets/certified based on the principles of participation, independence, entrepreneurship, justice, prosperity, and sustainability. The process of access management is carried out taking into account the potential, contributions, and interests of the community as well as the conditions of the area.¹⁰

Oloan Sitorus argues that the implementation of agrarian reforms with minimalist objectives remains respected and should remain preserved (and wherever possible enhanced) in order to keep the discourse about agricultural reform alive. The creations about the models to be developed can continue to be built and consolidated. The principle of “working while learning” must contin-

³ Adi Putera, *Parlindungan, Landreform di Indonesia, Suatu Studi Perbandingan*, (Bandung: Alumni, 1989), 4.

⁴ Nurjannah, *Op Cit*

⁵ Bernhard Limbong, *Reforma Agraria*, (Jakarta: Margaretha Pustaka, 2012) 26.

⁶ Muhammad Ilham Arisahputra, Access Reform dalam Kerangka Reforma Agraria untuk Mewujudkan Keadilan Sosial, *Perspektif*, Volume XXI No. 2 Tahun 2016 Edisi Mei, 83-96, <https://doi.org/10.30742/perspektif.v21i2.188>.

⁷ Onny Medaline dan Juli Moertiono, Legalisasi Aset Tanah Transmigrasi dalam Rangka Penguatan Reforma Agraria di Sumatera Utara, *Jurnal Ilmiah Penegakan Hukum*, 10 (1) Juni 2023 ISSN2355-987X (Print), ISSN2622-061X (Online), 21 – 32, DOI: [10.31289/jiph.v10i1.8862](https://doi.org/10.31289/jiph.v10i1.8862).

⁸ Bernhard Limbong., *Op Cit*.

⁹ *Ibid.*, hlm.6.

¹⁰ Direktorat Pemberdayaan Tanah Masyarakat Direktorat Jenderal Penataan Ruang Agraria Kemetrian Agraria dan Tata Ruang/ Badan Pertanahan Nasioan, *Petunjuk Teknis Penanganan Akses reforma Agraria Tahun 2023*. 4.

ue in the process of finding the best model for each area of implementation.¹¹ It therefore requires courage, honesty, new perspective and greatness of heart to see the shortcomings and limits of the implementation of the agricultural reforms that have been carried out.

National Land Office (BPN) of Deli Serdang district owns the Pematang Village of Johar, Labuhan Deli district, as the site of the land-based community empowerment program. Where the land of the community in the village of Pematang Johar is used as a living asset and as the basic capital of the society to improve the well-being as well as as an effort to realize the increase in per capita income of the beneficiaries of access to agricultural reform. This paper will then explain the results of the analysis of the forms of technical activities of asset establishment and access to agrarian reform, thus giving an overview of the existence of empowerment of land-based communities that have been implemented by the BPN district of Deli Serdang in the village of Pematang Johar.

2. Methods

Legal research, according to Peter Mahmud Marzuki, is a process for discovering legal rules, legal principles, and legal doctrine to resolve legal problems.¹² This type of research is normative juridical research in the form of a problem that aims to examine concepts from existing literature that are connected to case studies as the focus of descriptive analysis in the implementation of access to reform in the Agrarian Reform Program in North Sumatra.

The approach used is a conceptual approach with case studies in descriptive form that analyze the implementation of access reform. In the conceptual approach method analyzed, the basic concepts of access to reform are technically implemented with activities that lead to achieving the targets of the agrarian reform program. The cases in this research aim to focus attention on one particular object that is raised for in-depth study so as to reveal the reality of the phenomenon discussed in this research.

3.1. The Concept of Balanced Access to Reform in the Agrarian Reform Program

A conception is an idea or thought that is abstracted from concrete events.¹³ Understanding concepts, Kaplan¹⁴ states that concepts are knowledge. This knowledge aims to provide information about something and that information must have an empirical basis. Conceptualization is the same as conceptualizing or compiling concepts of concrete legal events, which aims to obtain views and master legal materials regarding law and policy, land control, and land management, including in the agrarian reform program.

Agrarian reform is not only understood as a policy used for land levies but is an evolving reform concept that develops to answer all the needs and demands of the times from the needs of society. Agrarian reform appears as an illustration of conceptual and systematic efforts to realize

¹¹ Oloan Sitorus, *Reforma Agraria di Indonesia (Konsep Dasar dan Implementasi)*, Makalah dipresentasikan pada Workshop "Permasalahan Tanah di Kabupaten Simalungun Tahun Anggaran 2008", pada tanggal 3 Desember 2008 di Hotel Inna, Parapat, Kabupaten Simalungun, Provinsi Sumatera Utara, 2008, 8.

¹² Peter Mahmud Marzuki. *Penelitian Hukum*, Cetakan ke 6. (Jakarta: Kencana Prenada Media Group, 2020) 35.

¹³ Rahuhandoko, I.P.M, *Terminologi Hukum Inggris-Indonesia*, (Jakarta: Sinar Grafika, 2000) 23.

¹⁴ Satjipto Raharjo, *Ilmu Hukum*, (Bandung: Citra Aditya Bakti, 2000) 58.

welfare and social justice.¹⁵ Asset reform, which is implemented with the Land Control, Ownership, Use, and Utilization Inventory program (hereinafter referred to as IP4T), as well as handling access reform, is an effort to provide opportunities for access to capital and other assistance to agrarian reform subjects in order to increase the per capita income of recipients of agrarian reform objects and improve welfare based on land use.¹⁶ Currently, Presidential Regulation Number 86 of 2018 as the basis for implementing Agrarian Reform states that access management is providing opportunities for access to capital and other assistance to subjects of Agrarian Reform in order to improve welfare based on land use, which is also called community empowerment.

In the implementation of Handling Access to Agrarian Reform, there are 3 (three) schemes that can be used, namely:¹⁷ The first scheme (access follows assets) is the Agrarian Reform Access Handling activity, which is carried out after asset structuring activities are carried out by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency; The second scheme (access followed by assets) is the Agrarian Reform Access Handling activity, which is carried out before asset structuring activities, which are then followed up with asset structuring activities by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency; The third scheme (access and assets implemented in the same year) is the Agrarian Reform Access Handling activity carried out in the same year as the asset management activity carried out by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency.

In general, the mechanism for implementing agrarian reform includes four main activities, as follows: 1) determining objects; 2) determination of the subject; 3) mechanism and delivery system; and 4) development of access reform.¹⁸ According to Xianchun and Zhuoran regarding land reform, in implementing agrarian reform activities, there should be a balance between asset reform and access reform activities.¹⁹ Harmonious implementation of assets and access to reform are absolute requirements to achieve the goals of agrarian reform.

3.2. Technical Access Arrangement in Agrarian Reform

According to Dianto Bachriadi, the core of agrarian reform is land reform in the sense of the redistribution of land ownership and control.²⁰ Meanwhile, Maria S.W. explained that agrarian reform is to overcome the imbalance in the structure of ownership and utilization of natural resources (agrarian resources), including land.²¹ According to Wiradi in KPM321: Study of Agrarian Reform, agrarian reform is the restructuring of the structure of land ownership and control along with all supporting packages in full. These supporting packages include legal guarantees for the rights granted, the availability of affordable credit, access to advocacy services, access to new in-

¹⁵ Habib Ferian Fajar, Julfahmi Syahputra, Mareta Puri Nur Ayu Ningsih, Strategi Kebijakan Reforma Agraria dalam Mewujudkan Kesejahteraan masyarakat yang berkeadilan Sosial dengan berasaskan Konstitusi. *Jurnal Hukum Lex Generalis*. Vol. 3 No. 9. September 2022. 758-775. <http://doi.org/10.56370/jhlg.v3i9.308>.

¹⁶ Ferdian Setyo Wibowo, Implementasi Pembaruan Agraria dan Pengelolaan Sumber Daya Alam Terhadap Access Reform, *Jurnal Kertha Semaya* Vol. 10 No. 9 Tahun 2022. 2027-2041. <https://doi.org/10.24843/KS.2022.v10.i09.p06>.

¹⁷ *Ibid.*

¹⁸ Joyo Winoto, *Tanah Untuk Rakyat: Risalah Tentang Reforma Agraria Sebagai Agenda Bangsa*, (Jakarta: BPN RI, 2008) 56.

¹⁹ Xianchun Z, Zhuoran S. 2012. The Research Review Of Land-Use And Land-Management Problems In The Joint Of Urban And Rural Area For The Last Two Decades. *Energy Procedia* 16: 353-358. <https://doi.org/10.1016/J.Egypro.2012.01.058>.

²⁰ Dianto Bachriadi, "Reforma Agraria Untuk Indonesia Pandangan Kritis Tentang Program Pembaruan Agraria Nasional (PPAN) Atau Redistribusi Tanah Ala Pemerintahan Sby", Makalah, Diskusi Di Fakultas Hukum Universitas Bengkulu, 2 Juni 2007.

formation and technology, education and training, and access to various production facilities and marketing assistance.²²

According to Sutarto in the KPM321 Agrarian Reform Study, agrarian reform is a broader development effort that involves multiple parties to ensure that the land assets that have been given can be developed productively and sustainably. This includes fulfilling basic rights in a broad sense, for example, education and health, as well as providing support for capital, technology, management, infrastructure, markets, and so on.

The first component is called asset reform, while the second component is called access reform. The combination of these two types of reform is what is meant by land reform plus. At the operational level, agrarian reform in Indonesia is implemented through two steps, namely:²³ Reorganization of the political system and land law based on Pancasila, the 1945 Constitution, and the Basic Agrarian Law (UUPA). The process of implementing land reform plus, namely the arrangement of land assets for the community and the arrangement of community access to economic and political resources that enable the community to make good use of their land. In implementing land reform plus, two important things are carried out, namely asset reform and access reform.

Therefore, it is clear that the issuance of Presidential Regulation Number 86 of 2018 concerning Agrarian Reform is one of the government's commitments in its national strategy program to improve community welfare. Community welfare is part of assessing the quality of life.²⁴ Improving the quality of life in the community is part of the core of sustainable planned development. Sustainable development is a human effort to improve the quality of life while still trying not to exceed the ecosystem that supports life. Nowadays, the issue of sustainable development has become an important one that needs to continue to be socialized in society.

The pillars of sustainable development include economic sustainability, social sustainability, and environmental sustainability, all three of which must develop in a balanced manner; otherwise, development will be trapped in the conventional development model, which emphasizes economic growth only and ignores social and environmental development.²⁵

The Directorate of Community Land Empowerment, Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, carries out work programs through Handling Access to Agrarian Reform (PARA) activities. These activities are carried out and designed to achieve the targets and objectives of Sustainable Development (SDGs) in the form of a global agenda containing 17 goals and 169 targets covering three dimensions, starting from environmental, social, and economic, which are realized in PARA activities in 2023. This is in line with Presidential Regulation Number 111 of 2022 concerning the implementation of the achievement of sustainable development goals.

²¹ Maria S.W. Sumardjono, *Tanah Dalam Perspektif Hak Ekonomi, Sosial dan Budaya*, (Jakarta: Kompas, 2007) 69.

²² KPM 321 - *Kajian Agraria Reforma Agraria 2010-2011*, Departemen Komunikasi & Pengembangan Masyarakat. Fakultas Ekologi Manusia Institut Pertanian Bogor, Bogor.

²³ Dahuri, Rokhmin, 2015, *Penataan Ruang Wilayah Pesisir, Pulau Kecil Dan Lautan Untuk Meningkatkan Daya Saing Dan Pertumbuhan Ekonomi Berkualitas Secara Berkelanjutan Menuju Indonesia Sebagai Poros Maritim Dunia Disampaikan Pada Rapat Fullboard Kegiatan Konsultasi Teknis Direktorat Penataan WP3WT*, (Jakarta: Direktorat Jenderal Penataan Agraria, Kementerian Agraria Dan Tata Ruang/ Badan Pertanahan Nasional, 2015) 112.

²⁴ Yuan, L.L., Yuen, B., & Low, C. (1999). *Quality of Life in Cities - Definition, Approaches and Research*. In B. L. L. Y. Yuan, & C. Low, *Urban Quality of Life: Critical Issues and Options* (pp. 1-12). Singapore: School of Building and Real Estate National University of Singapore

²⁵ Muhammad Suparmoko, Konsep Pembangunan Berkelanjutan Dalam Perencanaan Pembangunan Nasional Dan Regional, *Jurnal Ekonomika dan Manajemen* Vol. 9 No. 1 April 2020. 39-50. <http://dx.doi.org/10.36080/jem.v9i1.1112>

In 2023, the Directorate of Community Land Empowerment will develop policies for activities for handling access to agrarian reform, which will be carried out continuously (multiyears) over a period of 3 years. These activities consist of Handling Access to Agrarian Reform Activities (first year), Institutional Arrangement Activities (second year), and Business Development and Marketing Access Facilitation Activities (third year).²⁶



Picture1. Scheme for Sustainable Handling of Access to Agrarian Reform Multiyear 3 Years

Technically, the Agrarian Reform Access Arrangement activity uses an empowerment strategy approach that is based on an analysis of social mapping, problems, potential, situation, and direction of needs that will be the target of community land distribution activities. The results of this social mapping are the basis for determining a model for community land empowerment, which will later become a basic reference for activities to be more effective, focused, and efficient. The following are several models of community land empowerment in handling access to agrarian reform (PARA), including:

No	Model	Issue
1	Corporate Farming	The corporate farming system is a formula that can be applied to overcome various problems in the agricultural sector. Corporate farming (Agricultural Corporation) is a farmer's economic institution with a legal entity in the form of a cooperative or other legal entity with the majority of capital ownership owned by farmers.
2	Integrated Farming Model	<i>Integrated Farming System</i> or An integrated agricultural system is an agricultural system that integrates agricultural, crop, livestock, and fish sub-sector activities to increase efficiency and productivity of resources (land, people, and other growth factors), which supports agricultural production, economic improvement, and preservation of natural resources, as well as sustainable independence and the welfare of farmers.
3	Urban Farming Model	Urban farming is an agricultural business in urban areas that utilizes open land around the community. The average land area used is 5–50 m ² . Common commodities cultivated are short-lived plants such as various leaf and fruit vegetables, medicinal plants, and ornamental plants.

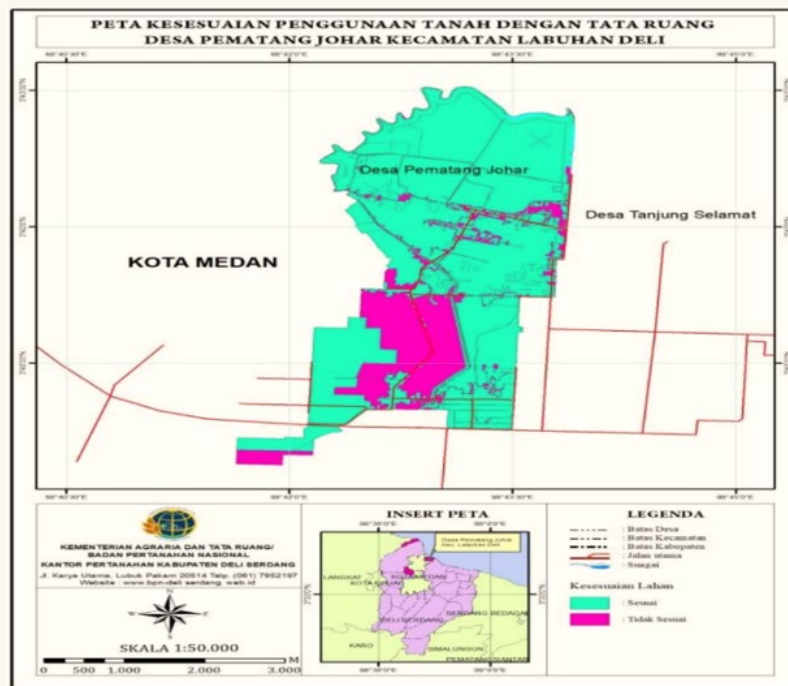
²⁶ Direktorat Pemberdayaan Tanah Masyarakat., *Op Cit.*, 5.

4	The Cross-Sector Collaboration Model	The Cross-Sector Collaboration Model is a model of cross-sector partnership empowerment between regional governments, CSOs, and/or business entities and the community in the management and utilization of natural resources and increasing the economic capacity of the communities targeted for assistance..
5	Corporate Social Responsibility Model (CSR)	The Corporate Social Responsibility Model is a form of social and environmental responsibility, which is the company's commitment to participate in sustainable economic development in order to improve the quality of life and create a beneficial environment, both for the company itself, the local community, and society in general..
6	Thematic Area Development Model	Thematic area development is area development that is not only community-based but also creates village spaces with sustainable characteristics. Thematic areas have the aim of overcoming poverty, especially the problem of meeting basic needs, encouraging the local economy by exploring community economic potential as a stimulus for regional development, and improving the quality of the community's residential environment.
7	Benefit Distribution Model or Creating Shared Value (CSV)	Creating shared value (CSV) is a new idea in business policies and practices that can support sustainability, strengthen the business world, and ensure the independence of the surrounding environment, which are mutually beneficial. The CSV concept is based on the idea of an interdependent relationship between business and the social welfare of society.
8	Integrated UMKM Development Model through the Integrated Business Service Center (PLUT)	The Integrated Business Service Center Program for Cooperatives and Micro, Small, and Medium Enterprises, hereinafter referred to as the PLUT-KUMKM program, is a program organized by the Ministry of Cooperatives and UKM in order to provide comprehensive and integrated services for the development of cooperative and UMKM. PLUT is one of the institutions that provides comprehensive and integrated UMKM assistance and coaching for UMKM activists.

3.3. “Agrarian Reform Village” in Realizing Land-Based Community Empowerment in Pematang Johar Village

Based on the research results, Pematang Johar Village in Deli Serdang Regency is an area designed as an “Agrarian Reform Village” and designated as a pilot project for implementing access reform as a form of land-based community empowerment, which will begin in 2021. Pematang Johar Village is an agricultural village whose geographical location is 3o39–3o43 North Latitude and 98o40–98o44 East Longitude, not far from Medan City, Pematang Johar Village has an area of ± 1700 ha (based on the Indicative Village Administration Map), and 80% of the area is agricultural land with a population of ± 17,185 people. Geographically, the location of Pematang Johar Village is bordered by: To the north, it borders Sungai Mati Village, Medan City. To the south, it borders Sampali Village, Kec. Percut Sei Tuan. To the west, it borders Medan Deli District. To the east, it borders Sentis Village.

The following is a map of Pematang Johar Village based on the suitability of land use with the Spatial Plan, which comes from the documentation of the Deli Serdang Regency Land Office:



Picture 1. Map of Land Use Suitability with Spatial Planning

Based on this map, it was found that part of the land in Pematang Johar Village is used as rice fields, amounting to 860.35 ha, so that the main livelihood of the residents of Pematang Johar Village is farming, both as owners and cultivators. Then the land in Pematang Johar Village is used for other sectors such as industry, ponds, plantations, and rivers. The following is a table of land use in Pematang Johar Village:

Table 1. Land suitability analysis

No	Land use	in accordance (ha)	It is not in accordance with (ha)
1	Industry	180.77	4.21
2	Village	139.17	32.04
3	Field	6.75	23.17
4	Ricefield	860.35	245.43
5	Garden	0.58	4.51
6	Pond	126.80	0.43
7	River	17.02	5.32
Total		1331.43	315.11

The large area of rice fields has great potential, so Pematang Johar Village has become a rice field tourism village that has beautiful views of the rice fields. This rice field tourist attraction is also being developed for other community potentials such as animal husbandry, creative handicrafts (woven), culinary arts, and batik crafts. All of these activities aim to create jobs and improve the economy of residents.

This activity is a form of implementing the reform access model in the form of **corporate farming**. Corporate farming is the activity of merging agricultural land that is jointly organized by

farmers and integrated into one single management.²⁷ This form is an effort to overcome farmers' problems in empowering rice fields. According to Kurnia, there are four important things that can be done to empower farmers, namely:²⁸ Considering that the area and status of agricultural land control are fundamental agricultural problems, the arrangement of the system and structure for the allocation of agrarian resources are very important. Therefore, the spirit of agrarian reform, which has land reform at its core, must remain on the agricultural development agenda. Access to information. The most important information for the public to know is their "right" as citizens to participate in determining and controlling policies issued by the legislature and executive. Inclusion and participation. Inclusion relates to the question "who?"; in this case, the answer is farmers, while participation is related to the question "how?". Increasing the capacity of local organizations

The implementation of the corporate farming system by the Deli Serdang District Land Agency (BPN) Office aims to develop marketing products and expand off-takers for product development in Pematang Johar Village. The access reform action plan is balanced with the recognition of land rights. In 2021, in the context of economic empowerment as banking collateral, land redistribution certificates for land reform objects totaling 130 plots and 90 plots of land were handed over to the community. For the 2022 fiscal year, of the 200 target families, there are still 160 respondents who have not been registered as certificate holders, and in 2022, the Pematang Johar Village Community will have 160 families participating in the land redistribution program.

Portrait of the Experience of Implementing the Assistance Program that has been received by the people of Pematang Johar Village in the form of agricultural seed assistance from the Deli Serdang Regency Agriculture and Livestock Service, namely fertilizer and rice seed assistance from 2019 to 2021. As well as assistance for laying ducks and rearing ducks totaling 1000 from 2008 to 2009 and 250 laying ducks in 2019. Including assistance from the Community Empowerment Service, Housing and Settlement Area Services in the Form of Different Houses in 2019 to 2021, the Batuan Direct Cash Social Service, and the Cooperatives and Small and Medium Enterprises Service, assistance in the form of batik training and marketing.

It is hoped that this activity will involve the involvement of universities, the business world, research institutions, as well as ministries or regional governments in improving community welfare by providing supporting infrastructure to guarantee that the economy can run well, especially in the designated location, namely Pematang Johar Village, Labuhan Deli District. Agrarian Reform Access Handling Program, which aims to improve community welfare by empowering the community in the form of increasing human resources (HR) and natural resources (SDA) in Deli Serdang Regency, especially in Pematang Johar Village, Labuhan Deli District, It is hoped that this activity can remain sustainable and requires assistance from the joint business group and the development of off-takers. There is a need for program integration between regional governments and the cooperation of all parties so that the Agrarian Reform Access Handling program runs as it should and has a good impact on the people of Pematang Johar Village.

²⁷ Iqbal Musthofa dan Ganjar Kurnia, *Prospek Penerapan Sistem Corporate Farming*, *AGRISEP* Vol. 16 No. 1 Maret 2018. 11-22. DOI 10.31186/jagrisep.17.1.11-22.

²⁸ Ganjar Ganjar. *Petani: Pejuang yang Terpinggirkan*. (Bandung: Unpad, 2004) 21.

4. Conclusion

RI MPR Decree Number IX/MPR/2001 confirms that agrarian reform includes a continuous process relating to the restructuring of control, ownership, use, and exploitation of agrarian resources, carried out in the context of achieving legal certainty and protection as well as justice and prosperity for all Indonesian people. Based on Article 2, it can be seen that there are two main parts, namely the control and ownership aspect on the one hand and the use and utilization aspect on the other hand. The control and ownership aspects are the main land reform activities, while the use and utilization aspects are access reform activities.

Agrarian Reform was strengthened by the promulgation of Presidential Regulation Number 86 of 2018, which states that Agrarian Reform is a more equitable restructuring of the structure of control, ownership, use, and utilization of land through asset management, accompanied by structuring access for the prosperity of the Indonesian people. The implementation of agrarian reform can be successful only if it is carried out within a broader framework, namely by offering not only access to land but also access to credit, rural counseling, and other services. The handling of Agrarian Reform Access implemented for land owners whose land has, has not yet, or is being legalized or certified is based on the principles of participation, independence, entrepreneurship, justice, prosperity, and sustainability. The access handling process is carried out by taking into account the potential, contribution, and interests of the community as well as regional conditions.

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