

The Impact of Shift of Agricultural Land Functions on Social and Economic Life of Farmers in *Nusa Tenggara Timur* Province Indonesia

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Abstract: The present article is about the impact of agricultural land function shift on the Socio-Economic Life of Farmers in *Nusa Tenggara Timur* Province Indonesia. This means agricultural lands shifts to non-farmers. To obtain the data is by observation and open interview to ricefields farmers in three research locations purposely selected, i.e. *Noelbaki* and *Oesao* in Kupang regency and *Waikomo* in Lembata regency. The research reports that only 4,27% of the 117 total farmers interviewed experience good economy condition because the agricultural land shift. This means that they have enough capitals to create new business. This result recommends the strict regulations and integrated control by the government to maintain the main functions of agricultural land that is to grow rice and others for the farmers' economic needs.

Keywords: Impact, Shift, Agricultural, Land Function Shift, Socio-economic Life, Farmers

1. Introduction

It is a fact that the human need for land for various purposes such as building houses, agriculture, industry, offices, and so on increases. The land area is relatively not increased, while the human area grows relatively quickly with a variety of diverse needs. Essentially, humans have desire to be more advanced, better and more comprehensive. Such desire has stimulated them to look for opportunities that can provide benefits, and land is one of the most profitable and strategic resources for the benefits.

The land has only become the object of speculation because it cannot be used objectively by the peasants, but is taken over by certain parties in the interest of non-productive speculation and infestation [1]. Groups that tend to take over agricultural lands are groups of non-farmers with well-established living conditions or economic conditions, such as employees / officials, entrepreneurs, traders, contractors, professionals, and so on. The control of agricultural lands by non-farmers is usually in areas that are strategic, prospective, fast floating, and potential to obtain large profits economically. Such practice of purchasing agricultural land does not really reflect humanity and sooner or latter will

make the people suffer from poverty, unemployment, social prolongation; and it is not even impossible to make the farmers hunt on their own land.

Based on the description above, this study is aims at (1) finding out the factors why farmers tend to sell their fertile and strategic farming lands to non-farmers, (2) analyzing patterns of agricultural land use that are controlled or owned by non-farmers; and (3) analyzing the impact caused by the transfer of agricultural land ownership by non-farmers to the socio-economic life of the farming community.

2. Research Methods

The research was conducted in three areas of ricefields, *Noelbaki* and *Oesao* in Kupang district and *Waikomo* in Lembata district. These three fields were chosen as the main location of the research based on the efficiency consideration that is the rice fields are not far from the cities that has made non-farmers easy to control and own the agricultural land in the three rice fields.

The research uses quantitative paradigm to select a number of respondent sample from those who control and own agricultural land in the three ricefield areas in both districts,

Kupang and Lembata. However, to obtain the primary data, the observation, documentation, and interview of qualitative paradigm were used. The data and the descriptions of the data are presented according to each research domain, namely the pattern of use of land for agreements, the impact grown by the transition of agricultural land to the socio-economic life of the farmers, and the reconciliation of agricultural land ownership and control.

3. Findings and Discussion

3.1. General Description of Agricultural Land in NTT

It cannot be denied that the need of farmer community for land continues to increase and becomes more complex, while the land area does not increase. The community certainly uses lands more for paddy fields and various other socio-cultural activities, while the urban society uses the lands more for settlements, industries for entrepreneurs, building for offices,

and other infrastructures. These all show that land is a basic need in the implementation of human productive activities. That is the reason why people tend to think about land [2] when talking about agrarian issues.

Indonesia as an agrarian country, certainly requires very large land for agriculture. Such land need is also faced by most people in East Nusa Tenggara (Nusa Tenggara Timur/NTT) Province. In general, the data identified in a relevant offices in the NTT Province (2007) [3] show that there are 284,802 hectares land for rice fields. Of that amount, only 126,168 hectares (44.30%) are currently being processed for paddy agriculture technically, semi-technically, traditionally, as well as with rain-fed. That means, there are still 158,634 hectares (55.70%) of land, potential for rice fields, that have not been cultivated. The calculation has not yet included lands for rice fields in four new regencies, namely: (1) Sabu Raijua, (2) Nagekeo, (3) Manggarai Timur, and (4) Sumba Barat Daya, as shown in table 1.

Table 1. Distribution of rice fields throughout districts / cities in NTT Province.

No	Regency/City	Ricefield Areas (Ha)		
		Potential	Functional	Not-yet cultivated
1.	Kupang Kota	772	456	316
2.	Kupang	28.439	12.569	15.870
3.	Rote Ndao	18.449	9.767	8.682
4.	Sabu Raijua	-	-	-
5.	TTS	16.562	6.121	10.441
6.	TTU	10.777	7.066	3.711
7.	Belu	27.487	12.049	15.438
8.	Alor	5.976	3.531	2.445
9.	Lembata	6.862	4.704	2.158
10.	Flores Timur	3.757	2.220	1.537
11.	Sikka	5.621	3.788	1.833
12.	Ende	11.234	5.152	6.002
13.	Ngada	42.310	16.442	25.868
14.	Nagekeo	-	-	-
15.	Manggarai	34.725	13.223	21.502
16.	Manggarai Barat	33.262	13.285	19.977
17.	Manggarai Timur	-	-	-
18.	Sumba Timur	24.145	6.776	17.369
19.	Sumba Barat	14.424	9.019	5.405
20.	Sumba Barat Daya	-	-	-
Total		284.802	126.168	158.634

If a comparison of the area of paddy fields in each district / city is made, it will appear that the regencies / cities that have the most extensive paddy fields are Ngada (including those in Nagekeo that have not been identified in the table above) with an area of 42,310 hectares, Manggarai (including those in East Manggarai regency) with an area of 34,725 hectares, Manggarai Barat, with an area of 33,362 hectares, Kupang with an area of 28,439 hectares, Sumba Timur with an area of 24,145 hectares, and Belu with an area of 27,487 hectares. While the regencies / cities that have the smallest potential rice field area include Kota Kupang (722 hectares), Flores Timur (3,757 hectares), Sikka (5,621 hectares), Alor (5,976 hectares), and Lembata (6,826 hectares).

The following is the description of paddy field areas located in Oesao and Noelbaki in Kupang regency and in Waikomo in Lembata regency. The total land in

Kupang regency is 28,439 hectares, but the potential land that has been used for rice field is 12,569 hectares (44.20%), while the 15,870 hectares (55.80%), has not been processed for rice fields. Meanwhile, in Lembata regency there are 6,862 hectares potential for rice fields, the 4,704 (68.55%) hectares of it has been cultivated for rice fields, while the 2,158 (31.45%) hectares have not been processed for rice farming.

3.2. Dynamics of the Shift of Agricultural Land Ownership

The accurate investigation about the land ownership status of rice field farmers and non-rice field farmers is done in the observation location, namely Noelbaki and Oesao in Kupang regency, and Waikomo in Lembata regency. The result of the overall analysis of the status in all three observation locations is shown in table 2.

Table 2. Status of rice field owners in Noelbaki, Oesao and Waikomo.

No.	Ricefield land	Land ownership Status		Total
		Farmers	Non-farmers	
1.	Noelbaki	235	84	319
2.	Oesao	112	56	168
3.	Waikomo	106	30	136
Total		453	170	623

As shown by table 2, the total number of rice field owners in the three observation locations, including 170 non-farmer status (27,28%) is 623 people. The table above shows that the largest number of non-farmer rice field owners is in Noelbaki is 84 people (13,48%), those in Oesao is 56 people (8,98%), and in Waikomo is 30 people (4,81%). Such condition is because the rice fields are in Noelbaki and Oesao are very close to the city of Kupang as the provincial capital city that provides an opportunity for non-farmers to speculate on a business basis. Likewise, the rice field areas in Waikomo are located in the capital city of Lembata, which is potential to switch ownership to non-farmers. Table 3 shows that 98,22 (18,37%) hectares in Noelbaki has been switched or shifted to non-farmers, 68,12 (12,74%) in Oesao, and 9,35 (1,74%) in Waikomo.

Table 3. The area of rice fields controlled by farmers and non-farmers.

No	Ricefield land	Area width (Ha)		Total
		Farmers	Non-farmers	
1.	Noelbaki	219,44	98,22	317,66
2.	Oesao	118,98	68,12	187,10
3.	Waikomo	20,48	9,35	29,83
Total		358,90	175,69	534,59

However, it is worth noting that the shift of the agricultural land areas in the three observation locations is relatively small if compared to the potential for rice field areas throughout the NTT province that reaches 284.802 hectares. Similarly, the shift of the paddy field function in the three observation locations is also small if compared to the total shift function throughout NTT province that reaches 126,168 hectares. So the total area which is potential for rice field in three observation locations is 0,06 and the total shift function is only 0,13% based on the data recorded in the Irrigation Office (2007) of NTT province. [3]

It is a fact that the areas controlled by non-farmers in the observation locations are still relatively small, but if the non-farmers are let to continue to develop, the potential agricultural area can be less and, even all can be converted to non-farming areas. This shows that there is a shift in the function of the land from social to economic functions. Land in this case has become one of the commodities to trade, and has even become an object of speculation for mere economic gain. Access to land acquisition is more determined by market mechanisms that leads to the emergence of land speculators. So, so many landowners are no longer farmers but non-farmers like entrepreneurs.

This phenomenon certainly arises along with the incessant development activities by the government in collaboration with investors to increase the economic value of natural resources such as the development of timber activities,

agribusiness to produce a number of plants for trading commodity, and the development of the mining sector. Likewise, the procurement of road, reservoir and other infrastructure, population equity policies through transmigration programs, and resettlement programs also have impact on the needs of land.

In addition, in recent years, the growth of the property and housing business, especially in cities and the surrounding areas has rapidly increased the need for land. Fauzi (1999: 192) [4] notes that since 1980s, large investors began to flock to the countryside which resulted in cutting the relation of farmers (including indigenous peoples) with their lands. This situation, according to Soetiknjo (1994: 69) [5], is expected to continue to grow, and non-farmers tend to look for new ways to be able to control agricultural land, namely by buying and selling illegally.

Such kind of commoditization of land, according to Lendong (2002) [6], is a milestone for the emergence of various forms of injustice for the society, especially for farmers who lost their agricultural land. The owners of capital freely expand their business by controlling large amounts of land. The rice field areas of the society is then diverted from its utilization into plantation companies and various industries. Farmers who were previously sovereign over their land, are now turning into agricultural laborers with all binding regulations. Farmers are no longer masters of themselves, but are transformed as "small screws" of a giant company machine.

3.3. Post-Transition Pattern of Agricultural Land Use

The description in the previous section shows that the agricultural lands in three observation locations have also begun to be controlled by non-farmers. The problem now is whether juridically the non-farmers are prohibited to own / control the agricultural land. According to Harsono (1996: 7) [7], what the non-farmers did can be justified legally, because principally the land is a basic need, and therefore owning / controlling the land is a human right. This is also agreeing with the article 2 of chapter 9 of Act Number 5 of 1960 about the Basic Agrarian Principles of Indonesia [8] saying that, every Indonesian citizen, both men and women have equal opportunities to obtain right on a land and to get benefits of the land for themselves and their families.

To prohibit the non-farmers to own farming areas is difficult since the chapter 10 of the Basic Agrarian Principles of Indonesia, as well as by 1960 Act number 2 about the Agreement of Product [9] Division of agricultural land allows non-farmers to freely own agricultural land. The problem now is whether the agricultural land controlled by non-farmers remains for agricultural activities, or has been fully converted to non-farming activities.

The following analysis deals with the pattern of benefitting the farming areas owned by non farmers in three observation locations. Based on the data observed, there are three patterns how the farming areas by non-farmers use namely: (1) utilization for agriculture (2) utilization for residential / residential houses; and (3) utilization for other businesses.

Looking at the pattern used by each locations,

The data show that the most farming areas owned by non-farmers in in Noelbaki dominate those in other two locations, Oesao and Waikomo. Most areas are used for farming need purposes that is about 83,62 hectares, and for non-farming need purposes is about 14,60 hectares, as shown by table 4.

Table 4. Pattern of utilization of agricultural land by non-farmers.

Observed location	The use of farming land (Ha)			Total
	Farming	Housing	Others	
Noelbaki	83,62	10,00	4,60	98,22
Oesao	63,22	4,55	0,35	68,12
Waikomo	5,30	0,73	3,32	9,35
Total	153,14	15,28	8,27	175,69
Land function shift		23,55		

Table 4 shows an interesting aspect namely the land use for agriculture. This case is becoming increasingly attractive when connected to the status of non-farmers who have other basic jobs, such as civil servants, entrepreneurs, professionals, and so on. The problem now is the strategy of using agricultural land they own to become an agricultural area. If the lands owned / controlled by professional institutions, such as politics and agricultural services, are indeed utilized for agricultural activities, more primarily for practical activities for students.

The problem arises from private ownership, in the case the owners who are non-farmers will impossibly manage by themselves. The results identified at the three observation locations show that the method often used by non-farm owners is the cultivation system. A sixty year old rice-field farmer, named Melkianus Rafael, an informant, in Oesao said some rice field owners sometimes let their rice fields to be cultivated by other farms, but should agree the three components of crop distribution systems: (1) crop for the owner of the rice field, (2) crop for the cultivator, and (3) crop for the tractor owner. This system is done after the costs for seedlings, fertilizers, and medicinal plants have been paid to anybody (the owner or the cultivator).

Another interesting thing is the matter of utilizing paddy fields by way of shifting the land function. The results of observation in three locations showed that there was a tendency for non-farmer landowners to convert paddy fields to residential areas, businesses, offices and public facilities, and so on. The following table shows that land conversion that occurred in all three observation locations was around 23.55 hectares, 14.60 hectares (62.99%) in Noelbaki, 4.90 hectares (20.82%) in Oesao, and 4.05 hectares (17.19%) in the Waikomo rice fields. Consider table 5.

Table 5. Rice fields belong to non-farmed non-farmers.

No	Observed location	Width of Land function shift	
		Hectare	Percentage
1.	Noelbaki	14,60	61,99
2.	Oesao	4,90	20,82
3.	Waikomo	4,05	17,19
Total		23,55	100

In detail, over the Noelbaki rice field area of 14.60

hectares has been and is being built a number of buildings, including: 7 residential houses, 1 NGO office building, 1 rice mill building, and 7 kiosk buildings. In addition, there are also plans to build buildings for shops and a gasoline station, which until now is being protested by farmers, so it has not been worked on until now. This condition have been very worrying and disturbing farmers. The chairperson of the farmers, Samuel D. Manafe (55 years old), said that the farmers he led were yearning the prosperous life. Then he added the land conversion was a serious threat. If the situation is allowed to continue, the Noelbaki paddy fields will be less and less.

The same reality also exists in the rice fields of Oesao in Kupang regency, where there are enough buildings for residents of the people on the rice field areas of 4.90 hectares. For the detail, there are 15 buildings for homes and businesses buildings for motorcycle workshops, kiosks, and so on. Differently from that in Noelbaki, the conversion of paddy fields in Oesao did not only take place on the roadside, but also began to penetrate into the central parts of Oesao's rice fields. Even though the converted areas are only around 4.90 hectares (20.82%), the condition is also very troubling for Oesao farmers.

One of the Oesao Senior Farmers, Melkianus Rafael (an informant), deeply regrets the actions of some farmers who sell their fields to non-farmers and switched rice field functions. One principle that is strongly stressed by Melkianus Rafael is that "selling land (rice fields) is selling life. However, it seems that the principle of life has begun to be fragile in the hearts and minds of some farmers, so it is easy for some of them to sell rice fields to others, especially to non-farmers.

The phenomenon of such a shift in the function of agricultural land has led to a number of crucial problems related to land. According to Wiranata (2006: 66-67) [2], a number of crucial problems caused by the conversion of functions of agricultural land, among others are: (a) there is a shrink of agricultural land because of business and industrial interests, although in fact, the majority of Indonesian citizens are farmers; (b) creating a crisis of land ownership, where the land ownership is in the hands of those of having capital, that causes a negative impact on the economic and social aspects of rural communities; and (c) the land eviction occurs for "development" and / or "public interest", by forcibly moving residents who are occupying or utilizing the land for agriculture. This difference in interests regarding land, potentially creates problems such as land grabbing, forcibly land acquisition, and so on. [10].

3.4. The Impact of the Transition of Agricultural Land to Conditions Farmers' Social Economy

The study found that the socio-economic conditions of farmers after the ownership shift of agricultural land to non-farmers were not always getting better, but worse and worse instead. This is a result of selling land that is more oriented towards overcoming family economic pressures and fulfilling non-profit needs, such as to pay for traditional party needs,

and so on. The field observation in Nuelbaki and Oesao (Kupang regency) and Waikomo (Lembata regency) clearly showed that 98 of the 117 farmers, as shown by table 6, have sold their ricefields because of the influence of family economic pressure and fulfillment of needs in traditional parties, while 19 others sold their rice fields for business capital and education finance of their children.

Logically, it can be assumed that farmers who sell their paddy fields for profit or non profit purposes will not make their socio-economic conditions better. The data observed from the three locations have proved the assumptions to be true. At a minimum, by observing the ability of the farmers to fulfill their basic needs - such as clothing, food, and shelter - it can be concluded that the socio-economic conditions of farmers are decreasing after the conversion of ownership of agricultural land to non-farmers, as shown in table 6.

Table 6. *Impact of the ownership shift of farming areas towards the socio-economic conditions of the farmers.*

Observed location	Sicial-economical condition of farmers			Total
	Good	Sedang	Rendah	
Noelbaki	3	medium	Low	35
Oesao	1	2	59	62
Waikomo	1	2	17	20
Total	5	8	104	117

The deterioration in the socio-economic conditions of the farmers after the transfer of ownership of agricultural land is clearly evident from the condition of houses that are relatively very simple, and even some are not habitable. The sale of agricultural land will not be possible to finance all of his family's needs for a long time if it is not managed for a profit business.

Yesekiel Moresa, an informatfor example, has sold his rice fields to Edward Aritonang, Husein Pankrasius, Hardjo Sanyoto, and John Fulbertus for Rp. 500,000,000. Some of the money is used to buy one City Transport Car, and the school student cost, and family's living needs. However, the city transportation business is totally failing so that it is unable to return capital, while the remaining money he got from selling the land less and less. This condition then made Yeskiel and his family forced to occupy a simple house.

The same condition was also experienced by Beny Lama Uran (an informant) a prominent figure in the development of the Waikomo paddy field. He is also a Landlord who distributed his land in Lewoleba City and its surroundings, including his rice fields areas in Waikomo in Lembata. Even though his fate is not so bad like YesekielMoresa, but from his house bad condition his good services for the development of the Lembata Capital City and the development of the Waikomo rice field that it was not in balance with the award he received.

A similar fate was experienced by SadrakAti in Noelbaki. He guaranteed his land certificate of 1 hectare to the Bank to borrow money amounting to Rp.67,500,000. He used the loan to finance his children who were studying in college and partly to build houses. Then he failed to repay the loan every month that made him sell the land to Jonson Dethan. Some of

the money he got was used to pay the remaining loan at the Bank, and some was used for household needs. Now, Sadrak's socio-economic conditions with his family are getting worse.

The worst fate experienced by most farmers after ownership shift of agricultural land was not experienced by JhoniDethan who sold 1,10 hectares of paddy fields in Noelbaki to Y. Soleman to build a Petrol station. The money he got (Rp. 150,000,000) was used to build houses and some are reserved for Kiosk and Photocopy businesses. From the results of observations, it was shown that the results of the sale of rice fields were utilized to develop a business that had a fairly advanced profit value. According to John Dethan's confession, he could no longer take care of his own fields because his children were already working and earning a fixed income, while John Dethan himself was getting older. From his efforts, John Dethan and his entire family were in sufficient economic condition.

The same fatewas also experienced by YosephDasi Buran who sold rice fields inherited by his late father, an area of 1 hectare. The he gave a part of the inherited land to his sister, while 0,30 of it was sold to Paulus Mujeng (a civil servant at the Kimpraswil Office in KabupatenLembata). The money he got was used to finance the education cost of his children until university level. Some of the money was used forresidence rooms to be rented, and some was for raising domestic poultry, and other businesses. What YosephDasi Buran has done has resulted with a positive impact, especially for the education of his children and his own social and economic conditions.

3.5. *Reconsolidation of Agricultural Land Ownership*

The sub-analysis for the domain of reconsolidation of control and ownership of agricultural land by non-farmers, can be done through three main strategies, namely: (1) reconsolidation through regulation; (2) reconsolidation through supervision; and (3) reconsolidation through prohibitions.

The results of the study show that the control of the ownership shift of agricultural land to non-farmers, and even to the conversion of land functions has not been done well. This is because it has not been supported by State regulations in the field of legislation that has not been well organized. One national policy that may be said to be less supportive for optimal control of agricultural land is a provision that allows conversion of cultivated land, including agricultural cultivation. Moreover, the land conversion process is carried out with very easy and looseprerequisites, which of course will make it difficult to supervise and control the conversion of agricultural land.

Land conversion for non-agricultural activities is permitted, provided that it takes into account the conditions that:(a) as far as possible avoid the reduction of arable agricultural land area; and (b) wherever possible, use land that was previously infertile or less productive. Such weaknesses in regulation at the national level will certainly have an impact on the formation of regulations at the regional

level to avoid the occurrence of conversion which will ultimately harm the State and society in general.

The results of the careful investigation in the three locations indicate that both Kupang District and Lembata District do not yet have a Definitive Regional Regulation which regulates the Regional Spatial Planning and its detailed plans. The absence of this planning regulation is also a limiting factor in controlling agricultural land in both regencies. Kupang regency made a regional regulation number 20 of 2002 to specifically regulate detailed spatial plan of the Tilong area [11]. The regulation cannot be used as a basis for controlling the overall conversion of agricultural land in Kupang regency. Only the rice field areas in Noelbaki were included in the plan.

Even though the Noelbaki area in the plan of the Tilong area has been designated as an agricultural cultivation area, in reality, the land conversion is still occurring for non-agricultural activities, such as settlements, gas station construction plans, shops, factories and so on. Indeed, the shifting function of agricultural land is not as severe as those in Java and in several other places; but if it is not anticipated very early, the rice fields in Noelbaki will disappear and change to non-agricultural activities.

In addition to the weakness of agricultural land consolidation occurring at the regulatory level both at the national and regional levels, powerlessness in conducting consolidation was also caused by weak supervision from the government. This can be observed from the by government's permission to build on paddy field areas which should not be converted to non-agricultural activities. Monitoring is actually carried out by the farmer groups themselves who lost agricultural land to support their families. All members of the farmer groups in Noelbaki strongly opposed the plan to build gas stations, shop houses, and residential houses in the Noelbaki rice fields.

The same case, the government seems to let some residents to build houses for business on their rice fields without any permission from the government. The untight supervision also occurs in the Waikomo, where the government actually allows permission to build luxury hotels and houses in potential areas for rice fields farming. If this condition continues on the owners of rice fields in both Oesao and Waikomo will experience bad fate

In principle, Pasaribu (2009) [12] says, the mechanism for supplying agricultural lands and controlling agricultural lands can be done by prioritizing two main principles, namely:

1. The land use continues to be directed towards achieving optimal *social net benefits*. It is believed that the the farming lands that has economical, social and environmental benefits that exceed the market value must receive subsidies. Thus the dimensions of food security are basically just one dimension that gives important weight to the function of paddy fields.
2. The irreversible process of land conversion process requires land use policies (land use) on various purposes by applying long-term planning.

In Indonesia, the problem of land conversion is basically

only part of the overall spatial planning problem which is very colored by the weakness of the spatial control system. According to Pasaribu (2009) [12], the weak control system comes from several things, namely:

1. The effective and integrated fiscal control instrument has not yet been developed which is supported by a strong and fundamental political economy system, especially land tax. The land tax system still functions more as a state income instrument, while as a control instrument it has not been developed adequately.
2. The weak institutional system for controlling space utilization, where the organization and the controlling apparatus have limited capacity, the scope and details of controls. On the other hand, the mechanism for sanctions for violations has not been clearly detailed, including sanctions for the government officials who neglect to carry out their control functions.
3. The quality of planning products does not rationally take into account the style of implementation and control.

Furthermore, Pasaribu (2009) [12] says, there are some fundamental obstacles that cause legislation find difficult to control land use conversions as follow.

- a) Policy coordination constraints. On the one hand the government prohibits the occurrence of functional experts in agriculture, but on the other hand, it encourages the expert to function through industrial growth policies and other non-agricultural sectors that use agricultural land.
- b) Policy implementation constraints. The legislation states that sanctions are only imposed on companies or legal entities, while individuals who shift the function of agricultural land have not been touched and are estimated to be very broad.
- c) Planning consistency constraints. The RTRW, which was then followed by a mechanism for granting location permits, was the main instrument in the control of experts in agricultural land functions. However, many RTRWs actually plan to convert agricultural land to non-agricultural.

The government through the National Land Agency has actually taken steps to control and supervise the application of the right shift permission on agricultural land mainly by non-farmer groups. The permission intended is essentially to control to avoid violation on the determination of the maximum wide and absentee of farmland. The control carried out by the government so far emphasizes only on formal legal and procedural requirements but not on substance, meaning as long as the applicant has fulfilled the requirements determined by the regulation, the transfer of rights can be permitted. Such procedure then can lead to obtaining fictitious right shift permission.

In the implementation of control over the wide and absentee agricultural land ownership, the National Land Agency can only control the right shift of the land that have been certified. While those that have not been certified is unknown. There are some agricultural land ownerships that

have not been well recorded or documented.

The weakness of the law regarding the subject of agricultural land ownership has actually made an opportunity for non-farmers to own agricultural lands in various places, which they want to benefit from selling price some time later. Then, the farmers who sell farm land legally or illegally are also supported by the same law (article 1 paragraph 9 of law number 56 of 1960) [13]. This means that what the sellers and buyers are always doing is permitted by law. They seem they ignore social justice.

The regulation and implementation of the determination of land law in the framework of implementing control and supervision of land ownership are considered to be less serious, and even are ignored by the government. This is truly very worrying, if the ownership / control of agricultural land is not effectively controlled.

Harrison (1983) [14] once reminded, that if non-farmers consider the land to be a commodity, the practice of land speculation will continue to run rampant, and is the main source of economic crisis that the world has ever experienced. Similarly, Savita (2019) [15] and Purwaningsih (2019) [16] say that land shift as such always lead to worse food supply for the society even for the country.

4. Conclusion

From all of the above descriptions some important conclusions can be drawn as follows:

- 1) Rice fields in the Noelbaki and Oesao areas in Kupang regency and Waikomoin the Lembata regency have begun to experience shifting ownership from farmers to non-farmers.
- 2) The shift of ownership of the paddy fields has begun to be followed by land function conversion for non-agricultural activities.
- 3) The most dominant factors encouraging the farmers to shift ownership of rice fields to other non-farmers among others are due to family economic pressure or difficulties, business capital needs, children's education costs, and the needs for traditional events.
- 4) Non-farmers who try to own rice fields are motivated by a number of dominant factors, including: expanding and developing business in agriculture, using land for developing non-agricultural businesses, and for other purposes such as the building houses and offices.
- 5) The shift of ownership to non-farmers has a negative impact on the socio-economic condition of the farmers.

5. Suggestions

Some strategic suggestions that need to be addressed to overcome the problem of shifting the ownership of agricultural land, among others are as follow.

Adequate regulation is needed to avoid the shift of agricultural land ownership from farmers to non-farmers, which in turn has an impact on the conversion of land functions which ultimately harms the farming community.

The intended regulation is not only at the national level, but also on a specific scale in the form of regional regulations and village regulations.

Integrated control needs to be carried out, including supervision and prohibition by tight management of land possession certificates on agricultural cultivation of rice fields farming.

The government needs to formulate policies that can support and improve agricultural management in order to increase farmers' income so that they are not encouraged to shift ownership of agricultural land to non-farmers.

It is necessary to synchronize the substance of legislation at both the national and regional levels to avoid obscurity and provide an opportunity for the conversion of functions of fertile agricultural land.

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