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GOVERNMENT REGULATIONS AND THEIR IMPACT ON LAND DIVISION AND COMPENSATION

Land tenure inequality in Indonesia remains a fundamental challenge to achieving social justice, as mandated by the 1945 Constitution. Government Regulation No. 224/1961 on the Implementation of Land Division and Compensation serves as a critical legal framework to advance agrarian reform through land redistribution to underprivileged communities. This study evaluates the effectiveness of this regulation by examining its implementation in Srimulyo Village, Dampit District, Malang Regency, using a socio-legal approach. The analysis integrates normative and empirical perspectives to explore policy performance. The implementation of land redistribution faces significant challenges, including discrepancies in inventory data, weak inter-agency coordination, and low community participation. Ownership conflicts due to inaccurate data and weak documentation systems also exacerbate the situation on the ground. The study has found that land redistribution does not often reach the target groups most in need, and the lack of adequate monitoring mechanisms has led to suboptimal implementation of the program. The findings show that despite the progress made in legalising land rights, there are still significant challenges. These include discrepancies in land inventory data, inadequate coordination among implementing agencies, and limited community engagement. The study concludes that strengthening inter-agency coordination, digitizing land information systems, and enhancing accessibility through capital, training, and infrastructure support are essential to improving policy outcomes. Strategic recommendations are provided to ensure the sustainability of agrarian reform and enhance the welfare of beneficiary communities. With an integrated approach that focuses on community empowerment, land redistribution can be an effective instrument in reducing land tenure inequality and supporting the achievement of social justice sustainably. This research contributes to identifying actionable solutions for addressing the persistent issues in land redistribution efforts in Indonesia.

Keywords: *Land Redistribution, Agrarian Reform, Policy Effectiveness, Land Inventory, Community Participation.*

Original article

INTRODUCTION. Land is one of the most fundamental natural resources for human survival. As a place to live, agricultural land, and space for socio-economic activities, land plays an irreplaceable role in daily life. In Indonesia, the urgency of managing land fairly and equitably has

been mandated by Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945), which states that “The land and water and the natural resources contained therein shall be controlled by the state and shall be used for the greatest prosperity of the people” (UUD

NRI 1945). This statement is the foundation for the government to implement agrarian policies aimed at optimizing land management and utilization for social justice (Harsono, 2007, p. 45). However, despite the constitutional provisions, land management in Indonesia still faces various challenges. One of the main problems is inequality in land ownership, where most land is controlled by a few parties, while small communities, such as tenant farmers, often lack access to land. This inequality is an obstacle in creating social justice as mandated by the constitution. Law No. 5/1960 on the Basic Regulation of Agrarian Principles (UUPA) came into existence as an attempt to address this problem by providing a legal basis for the implementation of land redistribution through the land reform policy (Kementerian ATR/BPN, 2016).

Land reform, as one part of agrarian reform, aims to reorganize the structure of land ownership in a more equitable manner. Through land redistribution, the government seeks to give ownership rights to small communities in need, such as tenant farmers and farm laborers, so that they can manage land productively to improve their economic welfare. Government Regulation No. 224/1961 on the Implementation of Land Distribution and Compensation became an important instrument in the implementation of land reform (Sunggono, 2003, p. 8). However, the implementation of this policy does not always go smoothly. One of the glaring gaps is between the theory contained in the policy and the reality on the ground. Although regulations have been designed to create equity, challenges such as inaccurate inventory data, unequal land distribution, and weak supervision from relevant agencies often hinder the achievement of land reform goals (Purnama, Makkawaru, Tira, 2020, p. 69). In Srimulyo Village, Dampit Subdistrict, Malang District, for example, cases were found where land redistribution did not meet the established criteria, such as beneficiaries who did not live in the location of the distributed land. This problem indicates a dysfunction in the data collection and monitoring system for land reform implementation (Kementerian ATR/BPN, 2016). In addition, different views or theses on the concept of agrarian reform are also an obstacle. Some argue that land redistribution is sufficient through asset structuring, which provides legal certainty to the community over the land they manage (Wahyuddin, Hasan, Rahmatullah, 2021, p. 70). However, other views emphasize the importance of structuring access, such as the provision of capital, training and infrastructure, to ensure that the redistributed land can be utilized productively (Salim, Utami, 2020, p. 103). These differences create challenges

in formulating policies that are comprehensive and in line with community needs.

In the context of legal effectiveness, Soerjono Soekanto stated that the success of a legal policy does not only depend on existing regulations, but also on law enforcement factors, society, supporting facilities, and cultural values (Soekanto, 2007a, p. 8). The effectiveness of Government Regulation No. 224/1961 in land redistribution is largely determined by coordination between the central government, the National Land Agency (BPN), and local governments, as well as community participation in the redistribution process.

Srimulyo Village, as one of the areas implementing the land redistribution program, presents a concrete picture of the challenges faced in implementing land reform. Land inventories are often hampered by invalid or overlapping data, resulting in ownership conflicts. In addition, land redistribution does not always reach the people who need it most. In some cases, beneficiaries came from outside the village, which contradicted the provisions of Government Regulation No. 224/1961¹.

Through this research, the author attempts to evaluate the effectiveness of Government Regulation No. 224/1961 in the context of land redistribution in Srimulyo Village. The research focuses on the process of land inventory and registration as the first step in land redistribution, as well as an analysis of the obstacles faced in its implementation. By using a socio-legal approach, this research not only analyzes the normative aspects of the policy, but also examines how the policy is applied in social reality.

The significance of this research lies not only in its theoretical contribution in enriching the literature on agrarian reform, but also in the practical recommendations that can support the implementation of land redistribution policies more effectively. It is hoped that the results of this study can serve as a reference for the government, the National Land Agency, and other relevant institutions in formulating better strategies to address land ownership inequality in Indonesia.

Thus, this research is expected to make an important contribution to realizing the goals of agrarian reform, namely creating social justice through more equitable, productive and sustainable management of land resources.

PURPOSE AND OBJECTIVE OF THE RESEARCH. The purpose of this research is to evaluate the effectiveness of Government Regulation

¹ Surat Keputusan Bupati Malang Nomor: 100.3.3.2/1380/35.07.013/2024 Tentang Subjek dan Objek Redistribusi Tanah Objek Lnderform di Desa Srimulyo, Kecamatan Dampit Tahun 2024.

No. 224/1961 on the Implementation of Land Division and Compensation as a foundational legal instrument in advancing agrarian reform in Indonesia. The study specifically focuses on its implementation in Srimulyo Village, Dampit District, Malang Regency, to assess the alignment between policy objectives and practical outcomes.

This research aims to analyze the effectiveness of the regulation in addressing land tenure inequality and examine the challenges encountered during its implementation, such as discrepancies in land inventory data, lack of inter-agency coordination, and low community participation. Furthermore, it seeks to evaluate the socio-economic impact of land redistribution on the welfare of beneficiaries, particularly tenant farmers and farm laborers, while identifying factors that hinder or support policy success.

Through this study, strategic recommendations will be formulated to improve the implementation of agrarian reform policies. This includes strengthening inter-agency coordination, utilizing digital technology for accurate land data management, and enhancing community participation to ensure equitable land distribution and productive utilization. By integrating normative and empirical perspectives, the research aspires to contribute to the theoretical discourse and provide practical solutions for sustainable agrarian reform in Indonesia.

METHODOLOGY. This research employs a qualitative approach with a socio-legal method, combining normative analysis and empirical studies to understand the effectiveness of Government Regulation No. 224/1961 in the context of agrarian reform in Srimulyo Village, Dampit Sub-district, Malang Regency. This approach is relevant for evaluating the implementation of law in society, including how law influences social behavior.

According to Soerjono Soekanto, socio-legal research aims to reveal the implementation of law in society and its impact on social behavior (Soekanto, 2007b, p. 11). In this context, the research focuses on the implementation of Government Regulation No. 224/1961 related to land redistribution, including the challenges encountered and its impact on community welfare. Through this approach, the research examines not only the law as a text but also as a social phenomenon that exists within society.

The sociological-juridical approach is employed to integrate normative analysis of applicable regulations with empirical studies on their implementation and impact in the field. This approach begins with a review of relevant literature and regulations (Soemitro, 2008, p. 10), including

the Basic Agrarian Law (Law No. 5 of 1960), Government Regulation No. 224 of 1961 on Land Division and Compensation, and Presidential Regulation No. 86 of 2018 on Agrarian Reform. This approach was chosen because normative analysis alone is often insufficient to reveal the extent to which regulations can be effectively implemented, especially in complex social contexts such as land redistribution.

By considering empirical dimensions, this approach enables researchers to understand the real obstacles in the process of land inventory and registration, including administrative, social, and economic constraints that are often overlooked in normative analysis. These obstacles frequently become the primary reasons for the failure of agrarian reform, even though the regulations normatively provide an ideal framework. Moreover, through sociological analysis, this research can evaluate the extent to which the regulations have a tangible impact on community welfare, rather than merely assessing compliance with the rules.

Interviews were conducted directly with informants selected using purposive sampling techniques. Respondents were chosen based on their involvement in the land redistribution program in Srimulyo Village. To ensure the relevance of the data obtained, interviews were guided by pre-formulated questions aligned with the research focus (Arikunto, 2006, p. 120). Additionally, this study also involved document analysis by examining various legal documents, agrarian policies, reports from the National Land Agency (BPN), and statistical data related to land redistribution. This document analysis aimed to reinforce the interview results and provide a normative context for the empirical data obtained, thereby producing a comprehensive understanding of the implementation of land redistribution policies in the field.

RESULTS AND DISCUSSION

Implementation of Land Redistribution in the Framework of Agrarian Reform

The implementation of land redistribution is a core element in agrarian reform efforts regulated through Government Regulation No. 224/1961. This policy aims to address inequality in land ownership and create social justice by giving land rights to the rightful people, such as tenant farmers and farm laborers. Land justice can only be realized if land redistribution is carried out by considering the right subjects and objects. This means that this policy must be able to clearly identify who is eligible to receive land and which land can be distributed, so as not to cause legal problems or agrarian conflicts (Ramadhani, 2024, p. 79).

In its implementation, land redistribution involves a land inventory and registration process that often faces administrative obstacles. One of the main challenges is overlapping land ownership data, which can trigger conflicts in the field (Yemima, Sigit, 2022, p. 82). These conflicts show that the effectiveness of land redistribution depends not only on the quality of regulations but also on the harmonization between the written law (law in book) and implementation in the field (law in action) (Neumann, Margolis, Stanchi, 2021, p. 55). In this case, a socio-legal approach is important to understand how the law is applied in society and how people respond to the policy.

In addition, the success of land redistribution is not only measured by the legalization of land ownership but also by the extent to which the redistributed land can be used productively. Land redistribution should include two main elements: asset structuring and access structuring (Sulistyaningsih, 2021, p. 60). Asset structuring involves legalizing land rights for the community, while access structuring includes the provision of supporting facilities such as business capital, training, and infrastructure. These two elements must go hand in hand so that the land that has been given can contribute to improving the welfare of the community. However, in practice, land redistribution in Indonesia still faces many obstacles. One of them is the lack of supporting facilities, such as irrigation and market access, which causes the redistributed land to not be optimally utilized. In addition, the lack of public understanding of their rights and obligations as beneficiaries is also an obstacle. As explained by Soerjono Soekanto (2007b, p. 11), the effectiveness of law is highly dependent on public legal awareness. This low level of awareness shows the need for more intensive education and socialization programs to increase public understanding of the importance of utilizing land productively.

A case study in Srimulyo Village, Dampit Sub-district, Malang District, provides a concrete picture of the implementation of land redistribution and the challenges faced. Although the land redistribution program has helped to increase land ownership by smallholders, many beneficiaries have difficulty utilizing the land due to a lack of infrastructure support and technical guidance. In some cases, there are also discrepancies between registered land data and factual conditions on the ground, which often lead to disputes.

To overcome these challenges, integrated solutions are needed, such as the use of digital technology to improve the accuracy of land data and speed up the inventory process. In addition, coordination between the National Land Agency, local

governments, and civil society organizations needs to be improved to ensure a smooth redistribution process. Furthermore, socialization and training programs for beneficiaries are very important to ensure that the redistributed land can be managed productively, thus supporting the overall success of agrarian reform.

In conclusion, the implementation of land redistribution based on Government Regulation No. 224/1961 has great potential to create land justice in Indonesia. However, the effectiveness of this policy largely depends on the government's ability to overcome challenges in the field, raise public awareness, and provide adequate supporting facilities. With an integrated approach and a focus on community empowerment, land redistribution can be an effective instrument to achieve social justice and community welfare.

Government Authority in Land Redistribution

Land redistribution is one of the main strategies of agrarian reform to address land tenure inequality in Indonesia. This policy is the responsibility of the government, which has a strategic role in ensuring that land is redistributed to subjects who are entitled and able to utilize it productively. This process includes the identification of objects and subjects of redistribution, land measurement, certification of rights, and supervision of the utilization of the land. In addition to involving the National Land Agency (BPN) as the main technical institution, land redistribution also requires synergy with local governments to ensure policy sustainability at the local level (Syailendrha, 2020, p. 42). However, the implementation of land redistribution often faces challenges in the field. One of the main obstacles is overlapping land ownership data, which triggers agrarian conflicts and legal uncertainty. Discrepancies between administrative data and factual conditions in the field indicate a weak land documentation system that requires significant updates (Istiqomah et al., 2024, p. 3885). Modernizing the land information system through digitalization is one of the solutions the government is pursuing to improve data accuracy and accelerate the land administration process. This effort is in line with international recommendations that emphasize the importance of strong land institutions and well-functioning land markets to support economic development (Deininger, Feder, 2001, p. 290).

Land redistribution also requires a participatory approach to ensure fairness in the beneficiary selection process. This approach involves local communities in determining the subjects entitled to receive land through village meetings or other mechanisms. With community involvement, land redistribution is not only a technical

policy but also part of a social solution to improve justice at the community level (Lipton, 2009, p. 39). For example, in Srimulyo Village, land redistribution involves deliberation to determine distribution priorities based on local needs, thus creating a sense of ownership among beneficiaries. However, land redistribution requires not only a technical approach but also sustainable economic and social support. Beneficiaries often face constraints such as lack of access to capital, technical training and supporting infrastructure. In fact, the success of land redistribution depends on the beneficiaries' ability to utilize the land productively. In this context, the government needs to provide additional support in the form of economic empowerment and relevant training (Deininger, Bank, 2003, p. 87), which emphasizes that effective land policy should be part of a poverty reduction strategy.

On the other hand, monitoring the implementation of land redistribution is the main responsibility of the government. One important aspect of this supervision is the application of sanctions against beneficiaries who do not comply with the provisions, such as leaving land abandoned or transferring it without official permission. Effective oversight requires inter-agency coordination and a reliable administrative system to monitor the use of land by beneficiaries. Highlighting that without strict oversight, land reform may exacerbate inequality and marginalize local communities (Beban, 2021, p. 14).

The success of land redistribution at the local level depends largely on the ability of local governments to understand the characteristics of the region and the needs of local communities. By involving communities through deliberation, land distribution priorities can be determined in a transparent and fair manner. This community-based approach allows land redistribution policies to be more responsive to the specific needs of each region, thus increasing the effectiveness of implementation on the ground (Ntsebeza, Hall, 2007, p. 220).

Despite various steps taken, land redistribution in Indonesia still faces challenges such as weak inter-agency coordination and limited administrative data. Therefore, the government should continue to strengthen the land information system and encourage inter-agency data integration to create an accurate and reliable information base. In addition, the involvement of the private sector and civil society organizations is also needed to provide additional support, such as funding and training, which can improve the sustainability of land redistribution.

Overall, land redistribution in Indonesia is a complex policy that has great potential to create

social justice and support rural economic development. The success of this policy depends not only on technical processes but also on adequate social, economic and political support. With a holistic approach, land redistribution can be an effective instrument in reducing inequality and improving people's welfare.

Analysis of the Effectiveness of Government Regulation No. 224/1961 in the Implementation of Land Reform

Government Regulation No. 224/1961 on the Implementation of Land Division and Compensation is the main legal basis for the implementation of land reform in Indonesia. This regulation serves as a guideline in the distribution of land to eligible tenant farmers, with the aim of improving the socio-economic conditions of the farming community through fair and equitable land distribution. This is in line with the Basic Agrarian Law (UUPA) Number 5 of 1960, which emphasizes the importance of limiting the size of land ownership and prohibiting absentee land ownership to achieve social justice.

One critical issue lies in the mismatch between regulations and current technological advancements and socioeconomic dynamics. Although the regulation remains rooted in the socio-economic context of the 1960s, society has undergone significant transformation, particularly with advancements in technology and shifting patterns of land use (Haikal, Bangsawan, 2023, p. 64) argue that the implementing regulations have not kept pace with these developments, creating inefficiencies and limitations in program execution. This underscores the need for a comprehensive update of regulatory frameworks to align with contemporary realities, such as the integration of advanced land surveying technologies and digital cadastral systems.

The case study in Srimulyo Village further illustrates systemic and procedural barriers. The inventory and identification process of redistribution subjects and objects is frequently undermined by invalid or overlapping data, a problem exacerbated by inadequate data management systems and the absence of integrated land registries. Such issues lead to ownership conflicts and prolonged legal uncertainty, which run counter to the intended objectives of land reform. The lack of reliable data also erodes public trust in the program, diminishing its perceived legitimacy among stakeholders (Zaenuri, Budisusanto, 2019, p. 4).

Another challenge is the limited capacity of human resources and tools, particularly in measuring land parcels. Despite the availability of modern technologies, such as GPS navigation and aerial photography, the application of these tools

often fails to meet accuracy standards (Syahyuti, 2004, p. 92). This raises questions about the adequacy of training provided to personnel and the suitability of the technologies employed. Without precise measurements, discrepancies in land parcel boundaries persist, further complicating efforts to achieve equitable distribution. From a broader perspective, the continued reliance on outdated methods and insufficiently adapted regulations reflects a lack of strategic foresight in policy design and implementation. The failure to proactively address these challenges not only hinders the realization of social justice but also risks exacerbating existing inequalities in land ownership. To move forward, policymakers must undertake a thorough review of the regulatory framework, incorporating mechanisms for technological adaptation and improving human resource capacity. This includes investments in digital land management systems, comprehensive training programs for personnel, and the adoption of participatory approaches to ensure inclusivity in decision-making processes.

Socio-Economic Implications of Land Redistribution: The Impact of Land Redistribution on Welfare Improvement and Inequality in Policy Implementation

Land redistribution is a vital instrument in efforts to improve the welfare of tenant farmers and farm laborers. By gaining legal access to land, farmers have the opportunity to increase agricultural productivity and family economic stability. A study by Harahap, Muharam, Azzahra (2023, p. 554) shows that the quality of agricultural extension plays a significant role in improving farmers' welfare, which in turn can be optimized through an effective land redistribution program. However, the effectiveness of land redistribution in improving welfare is often hampered by inconsistent implementation and lack of mentoring support for recipient farmers. In the absence of technical guidance and access to markets, farmers may find it difficult to utilize the land optimally, resulting in the expected economic impact not being achieved. Therefore, land redistribution programs should be accompanied by initiatives to increase farmers' capacity and access to other supporting resources.

The implementation of land redistribution policies in Indonesia often faces challenges of inequality, where beneficiaries do not always match the established criteria. Research by Saleh (2020, p. 33) reveals that the state's dominance in land redistribution programs can ignore the needs of local communities, so land recipients do not always come from the most needy groups.

In addition, the lack of transparency and community participation in the land redistribu-

tion process may exacerbate these inequalities. To address these issues, monitoring mechanisms involving local communities and increased accountability in the implementation of land redistribution programs are needed. This will ensure that land is distributed to those who are truly entitled and able to manage it productively.

The Role of Inter-Agency Coordination in Land Redistribution

Effective coordination between the central government, the National Land Agency (BPN), and local governments is a key element in implementing land redistribution policies. Policy fragmentation often occurs due to different priorities and lack of inter-agency communication, which results in obstacles to the optimal implementation of land redistribution. In this context, inter-agency synergy is important to ensure that the land redistribution policy runs in accordance with the desired goals. Emphasizing the importance of alliances and balance of power in achieving successful implementation of collective policies, which is relevant in building inter-agency coordination in land redistribution (Pugu, 2024, p. 27). In addition, effective monitoring of land redistribution policy implementation requires the active involvement of local communities to ensure that the redistributed land is utilized as intended. A human rights-based approach to development emphasizes the importance of community participation in the policy implementation process and increased accountability at the local level. This ensures that land redistribution becomes not only an administrative tool but also a real solution to improve the welfare of small communities. Thus, inter-agency synergy and community-based monitoring mechanisms are important components in supporting the success of land redistribution programs (Coburn, Gormally, 2017, p. 98).

An Assessment of the Concept of Agrarian Reform: Asset Structuring vs Access Structuring

Asset management through legalization of land rights is a fundamental step in agrarian reform, as it provides legal certainty to landowners and encourages productive investment. Land certification not only strengthens land rights but also provides a guarantee for access to capital through financial institutions. However, certification alone is not enough to improve the welfare of beneficiaries if it is not accompanied by access to supporting resources. Studies on agrarian reform in Thailand show that secure land tenure must be complemented with additional support, such as access to capital and infrastructure, to generate significant impact on improving productivity and community welfare (Lin, Esposito, 1976, p. 431). In addition, access arrangements that focus on

providing capital, training and infrastructure to land beneficiaries are key elements in ensuring the success of agrarian reform. The participatory approach to development emphasizes the importance of involving communities in decision-making, so that the policies implemented are more relevant to local needs. With a combination of asset structuring and access, agrarian reform can create an ecosystem that supports productivity, empowers communities, and reduces social inequality in rural areas (Puri, 2004, p. 2514).

Strategies for Improving Land Redistribution Policy

The utilization of digital technology in land data management represents a pivotal strategy for enhancing land redistribution policies. By leveraging digital systems, accuracy in land inventory can be significantly improved, minimizing ownership conflicts caused by invalid or overlapping data. Furthermore, integrating digital technologies fosters greater transparency and accessibility for all stakeholders, enhancing efficiency and accountability in land management processes (Barthwal, Sah, 2008, p. 461). This aligns with the legal expectations set forth in Government Regulation No. 224/1961, which envisioned an equitable and conflict-free land redistribution process to support socio-economic development and justice.

Another critical strategy is the promotion of community participation in planning and implementing land redistribution policies. Meaningful engagement with local communities ensures that policies are contextually relevant, addressing specific local needs while fostering a sense of ownership and responsibility among beneficiaries. Empowerment-based participation encourages inclusive decision-making spaces, allowing communities to actively contribute to and shape land redistribution initiatives. This approach directly supports the regulation's intent to improve social justice and agricultural productivity by involving those most affected in the reform process.

From a legal perspective, the regulation aimed to establish a fair and equitable system for land redistribution and compensation, ensuring that eligible tenant farmers gain access to land ownership while promoting sustainable land use. The ideal outcome envisioned by policymakers was to reduce land ownership disparities, eliminate absentee ownership, and improve the welfare of the farming community by providing them with productive resources. This also included preventing social conflicts by creating clear guidelines and mechanisms for compensation and redistribution, ensuring legal certainty and fairness. However, the findings highlight the gaps between

these legal expectations and their practical implementation. Challenges such as outdated methodologies, insufficient integration of technology, and limited stakeholder involvement have hindered the realization of these goals. To bridge this gap, it is recommended that the government, the National Land Agency (BPN), and other relevant institutions adopt a multi-faceted approach: strengthening inter-agency coordination, integrating digital technologies in land data management, and fostering participatory processes in policy implementation. Additionally, providing supplementary support such as access to capital, training programs, and infrastructure is crucial for beneficiaries to optimize the use of redistributed land.

These strategies not only aim to meet the original legal expectations of Government Regulation No. 224/1961 but also address contemporary challenges, ensuring that the regulation achieves its intended purpose of equitable land distribution and sustainable agrarian reform. By aligning policy implementation with these strategies, the government can move closer to realizing the broader goals of social justice, economic equity, and community welfare.

CONCLUSIONS. This research highlights the potential of Government Regulation No. 224/1961 in promoting social justice through land redistribution. However, its implementation in Srimulyo Village faces several challenges, including inconsistent data, weak supervision, limited infrastructure, and poor inter-agency coordination. While land rights have been legalized, the lack of access to capital, training, and infrastructure hampers beneficiaries' ability to optimize the land effectively.

To improve the effectiveness of land redistribution, regulatory updates are necessary to align with current challenges and provide clearer guidelines. Strengthening oversight mechanisms is crucial to ensure compliance and address malpractices during implementation. The integration of digital land information systems can enhance data accuracy, reduce conflicts, and improve transparency. Better coordination among agencies involved in land redistribution is also essential to streamline efforts and ensure cohesive implementation.

Community participation must be prioritized by fostering inclusive planning processes and encouraging active involvement in decision-making. Additionally, providing beneficiaries with access to credit, training, and agricultural resources is vital for maximizing the utility of redistributed land. Investments in rural infrastructure, such as irrigation systems and transportation networks, are also required to support productivity and improve economic outcomes.

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УРЯДОВІ ПОСТАНОВИ ТА ЇХ ВПЛИВ НА РОЗПОДІЛ ЗЕМЕЛЬ І КОМПЕНСАЦІЮ

Нерівність у землеволодінні в Індонезії залишається фундаментальною проблемою на шляху до досягнення соціальної справедливості, що передбачено Конституцією 1945 року. Урядова постанова № 224/1961 про здійснення земельного поділу та компенсації є важливою правовою основою для просування аграрної реформи шляхом перерозподілу землі на користь малозабезпечених верств населення. У дослідженні оцінено ефективність цієї постанови на прикладі її реалізації в селі Срімудіо, район Дампіт, регентство Маланг, використовуючи соціально-правовий підхід. Аналіз поєднує нормативну та емпіричну перспективи для вивчення ефективності політики. Здійснення перерозподілу земель стикається зі значними проблемами, включаючи розбіжності в даних інвентаризації, слабку міжвідомчу координацію та низьку участь громадськості. Конфлікти власності через неточні дані та слабкі системи документації також загострюють ситуацію на місцях. Перерозподіл земель часто не досягає цільових груп, які найбільше цього потребують, а відсутність належних механізмів моніторингу призводить до неоптимальної реалізації програми. Результати дослідження показують, що, незважаючи на прогрес, досягнутий у легалізації прав на землю, залишаються значні проблеми. До них належать розбіжності в даних інвентаризації земель, недостатня координація між виконавчими органами та обмежене залучення громадськості. Зроблено висновок, що посилення міжвідомчої координації, оцифрування земельних інформаційних систем та покращення доступу до них за допомогою капіталу, навчання та інфраструктурної підтримки є важливими для покращення результатів політики. Надано стратегічні рекомендації для забезпечення сталості аграрної реформи та підвищення добробуту громад-бенефіціарів.

За умови комплексного підходу, спрямованого на розширення прав і можливостей громад, перерозподіл земель може стати ефективним інструментом зменшення нерівності у землеволодінні та сприяти досягненню соціальної справедливості на сталому рівні. Це дослідження сприяє визначенню дієвих рішень для вирішення постійних проблем, пов'язаних із перерозподілом земель в Індонезії.

Ключові слова: перерозподіл земель, аграрна реформа, ефективність політики, інвентаризація земель, участь громади.

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