

Implementation of Food Estate for Improving The Community Welfare from The Perspective of Agrarian Reform in Indonesia

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Abstract

This study aims to analyze the implementation of food estates in improving community welfare from an agrarian reform perspective. Additionally, it seeks to identify the obstacles to implementing food estates in enhancing community welfare. A food estate aims to achieve food security for improving community welfare. In Bansari Subdistrict, Temanggung Regency, Indonesia, the Food Estate program utilizes existing land for horticulture without opening new land. However, in a broader context, several issues regarding this program have led to it being considered less implementable and potentially contradictory to the concept of welfare from an agrarian reform perspective. Answering the problem, this field study employed an empirical legal approach and theories of natural resource management, legal benefit theory, and welfare theory. The results show that implementing food estates in Bansari District, Temanggung, has improved community welfare from an agrarian reform perspective. One of the reasons for the program's success is that it is targeted and does not open new land, taking into account aspects of nature conservation and sustainability of benefits for farmer groups. The challenges faced by the food estate in Bansari District, Temanggung Regency, include internal conflicts among farmer groups due to poor communication, imbalances in the implementation of the food estate program, and a lack of information regarding data on farmer groups receiving subsidies from the food estate program.

Keywords: Food Estate; Agrarian Reform; Community Welfare.

Introduction

In 2019, a crisis emerged due to the spread of COVID-19, which spread globally and was declared a pandemic on March 11, 2020. In general, by the end of July 2020, more than 15 million people had tested positive for COVID-19, causing more than 610,000 deaths. In Indonesia, the first case of COVID-19 was reported on March 2, 2020, and the disease spread rapidly to 34



provinces. By the end of July 2020, COVID-19 in Indonesia had caused around 100,000 confirmed cases and around 5,000 deaths. Additionally, the impact of the COVID-19 pandemic includes concerns about food supply, as the pandemic has affected the food and agriculture sectors through various mechanisms, including disruptions in international trade and a decline in domestic production.¹

In Indonesia, the COVID-19 pandemic has also raised concerns about food supply. The Minister of Agriculture stated in May 2020 that rice stocks were estimated to remain at 14 million tons between April and June. This figure exceeds the estimated rice consumption of 7.6 million tons over the three months. As a result, Indonesia is projected to have a surplus of 6.4 million tons of rice in June 2020. However, based on stock and production forecasts for the second half of 2020, the government must determine how many rice imports are needed to meet domestic demand. According to World Food Programme estimates, rice production in 2020 is 13.2% lower than in the same period in 2019. Another estimate from the Coordinating Ministry for Economic Affairs shows that rice stocks will reach 4.7 million tons by the end of this year. Assuming domestic rice consumption is around 2.5 million tons per month, these estimated stocks will only cover one month of additional consumption. Therefore, the WFP further writes, "The government may need to prepare to cover the potential deficit with timely imports."² Therefore, the government is urged to implement policies in response to the food supply emergency.

Article 6 of Law Number 5 of 1960 on Basic Agrarian Regulations states that all land rights have a social function. Therefore, it is not justified if any land rights held by an individual are used solely for personal interests. The use of land must be adapted to its condition and the nature of the rights associated with it, so that it can benefit both the well-being and happiness of the landowner, the community, and the State.

Therefore, in response to the impact of the COVID-19 pandemic, the Minister of Agriculture is working to utilize agricultural land to establish food estates to ensure food security in Indonesia. This is outlined in the Minister of Agriculture's Decision No. 484/KPTS/RC.020/M/8/2021 on the Second Amendment to the Minister of Agriculture's Decision No. 259/KPTS/RC.020/M/05/2020 Regarding the Strategic Plan of the Ministry of Agriculture for the Years 2020-2024. Additionally, the Minister of Environment and Forestry responded to the impacts of the COVID-19 pandemic by issuing a ministerial regulation on food estate development,

¹ Sirajudin Arif et al., "Tinjauan Strategis Ketahanan Pangan Dan Gizi Di Indonesia," Jakarta: SMERU Research Institute, 2020.

² Arif et al.

namely Ministerial Regulation on Environment and Forestry No. 24 of 2020 on the Provision of Forest Areas for Food Estate Development.

The idea of establishing food estates emerged after the COVID-19 pandemic caused a food security emergency.³ Subsequently, regulations related to establishing food estates were issued to support urgent national food security, including maintaining national security in the food sector and ensuring that every country strengthens itself to maintain food availability, so as not to depend on other countries.

Food supply is the most strategic issue in national development because it is closely related to economic activities. Therefore, efforts to build strong food security have been the primary focus of national agricultural development since the Dutch colonial era. In building food security, greater attention is given to providing agricultural land supporting food production.⁴

Therefore, establishing food estates as agricultural land utilization for food security improves the community's welfare, especially for farmers, because farmers play a central role in achieving household food security. Welfare refers to a condition in which all needs, goods, services, and a sense of security are fulfilled. This is in line with the objectives of agrarian reform in Indonesia.⁵

The regulation regarding the utilization of natural resources is stipulated in Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which means that the constitution obliges the state to ensure that everything related to land as part of the state and all natural resources contained therein must be utilized and used to the greatest extent possible for the benefit of the people.⁶ One of the ways natural resources are utilized in Indonesia is through the utilization of land. Land is a source of nutrients for plants, a medium for the growth and development of plant roots, and a source of water. Land is an important part of the earth for every individual in social

³ Elisabeth Andrews and Angelina Sanderson Bellamy, "Putting Food in the Driver's Seat: Aligning Food-Systems Policy to Advance Sustainability, Health, and Security," *Frontiers in Sustainable Food Systems* 7 (September 28, 2023), <https://doi.org/10.3389/fsufs.2023.1204194>.

⁴ Bambang Irawan and Ening Ariningsih, "Dinamika Kebijakan Dan Ketersediaan Lahan Pertanian," in *Indonesian Agency for Agricultural Research and Development* (Indonesian Agency for Agricultural Research and Development, 2015).

⁵ B F Sihombing, "Agrarian Reform in Indonesia: A Juridical Review," *International Journal of Civil Engineering and Technology* 8, no. 11 (2017): 348–56, <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85036497581&partnerID=40&md5=aa27381337760e6dc8256e8165d7d08f>.

⁶ Anna Triningsih and Zaka Firma Aditya, "PEMBAHARUAN PENGUASAAN HAK ATAS TANAH DALAM PERSPEKTIF KONSTITUSI," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 8, no. 3 (December 11, 2019): 329, <https://doi.org/10.33331/rechtsvinding.v8i3.355>.

life, as it has a close relationship with the existence of individuals to sustain their lives.

Additionally, regulations related to agrarian reform are outlined in the Decision of the People's Consultative Assembly of the Republic of Indonesia Number IX/MPR/2001 of 2001 on Agrarian Reform and the Management of Natural Resources, which states that the management of agrarian resources or natural resources must be fair, sustainable, and environmentally friendly manner, it must be carried out in a coordinated, integrated, and inclusive manner that accommodates the dynamics, aspirations, and participation of the community, as well as resolves conflicts. This is further emphasized in Presidential Regulation of the Republic of Indonesia No. 62 of 2023 on the Acceleration of the Implementation of Agrarian Reform, which states that agrarian reform is a national strategic program with a crucial role in efforts to achieve equitable distribution of land ownership, possession, use, and utilization, as well as resolving agrarian conflicts, to realize an economy based on justice. Efforts are needed to utilize natural land resources for the agricultural sector through land use optimization. Land is a means of livelihood and sustenance for communities, particularly farmers whose presence is crucial. Therefore, land scarcity can impact the economic dynamics of farming households, affecting communities engaged in agricultural activities.⁷

Research by Yeniy et al. (2022) in the journal *Sustainability* revealed that the development of food estates on peatlands—as planned nationally—poses high risks to ecological sustainability and the well-being of local communities. The study found that large-scale agricultural practices with mechanical intensification on peatlands tend to damage biodiversity and livelihoods, suggesting mitigation through native peatland plants and sustainable farmer-based business approaches.⁸ Furthermore, Rasman et al. (2023) identified failures in implementing food estates across various phases of Indonesia's history, highlighting weaknesses in conceptual planning, land ownership conflicts, inadequate infrastructure, farmer readiness, and environmental impacts such as deforestation and carbon emissions.⁹

Juhandi, D. et al. (2023) in their paper *Farm Sustainability Assessment and Model: Achieving Food Security through the Food Estate Program in*

⁷ Enues Wanimbo, “Kehidupan Sosial Ekonomi Keluarga Petani Dalam Meningkatkan Taraf Hidup (Studi Di Desa Bapa Distrik Bogonuk Kabupaten Tolikara Propinsi Papua),” *HOLISTIK, Journal of Social and Culture*, 2019.

⁸ Irma Yeniy et al., “Examining the Socio-Economic and Natural Resource Risks of Food Estate Development on Peatlands: A Strategy for Economic Recovery and Natural Resource Sustainability,” *Sustainability* 14, no. 7 (March 27, 2022): 3961, <https://doi.org/10.3390/su14073961>.

⁹ Alsafana Rasman, Eliza Sinta Theresia, and M Fadel Aginda, “Analisis Implementasi Program Food Estate Sebagai Solusi Ketahanan Pangan Indonesia,” *Holistic: Journal of Tropical Agriculture Sciences* 1, no. 1 (July 31, 2023), <https://doi.org/10.61511/hjtas.v1i1.2023.183>.

North Sumatra Land, conducted a food estate study in North Sumatra using a multidimensional approach to assess community readiness and suitable models for food estate development so that it can become a tool for sustainable food security.¹⁰ Riptanti et al. (2022) conducted a study in East Nusa Tenggara in a paper titled The Sustainability Model of Dryland Farming in Food-Insecure Regions: Structural Equation Modeling (SEM) Approach. They did not discuss the food estate program directly but focused more broadly on food security, particularly in communities with dryland.¹¹

None of the various writings on food estates has conducted a legal study. This study examines food estates as government policies enshrined in regulations. Therefore, this study aims to analyze the implementation of regulations on food estates to improve community welfare from an agrarian reform perspective. Agrarian reform is one of the concrete steps taken by the government to support land distribution policies and curb the concentration of control, ownership, use, and utilization of land in Indonesia by providing certainty of ownership rights and collective access to land.¹² Agrarian reform is different from land reform. Agrarian reform is oriented toward land redistribution, while land reform focuses on legalizing land or assets.¹³ In addition to agrarian reform, food estates can also be studied through land stewardship, which serves as a land management framework ensuring that food estate programs align with spatial planning principles, ecological sustainability, and agrarian justice, thereby preventing land use for food security from violating environmental carrying capacity or the rights of local communities. However, this study adopts an agrarian reform perspective.¹⁴ Additionally, to identify implementation challenges of food estates, agrarian reform is employed to assess how food estates contribute to improving community

¹⁰ Dany Juhandi et al., "Farm Sustainability Assessment and Model: Achieving Food Security through the Food Estate Program in North Sumatra," *Land* 12, no. 10 (September 26, 2023): 1833, <https://doi.org/10.3390/land12101833>.

¹¹ Erlyna Wida Riptanti et al., "The Sustainability Model of Dryland Farming in Food-Insecure Regions: Structural Equation Modeling (SEM) Approach," *International Journal of Sustainable Development and Planning* 17, no. 7 (November 30, 2022): 2033–43, <https://doi.org/10.18280/ijstdp.170704>.

¹² Synthia Synthia and Iswanto Iswanto, "Pelaksanaan Asas Kontradiktur Delimitasi Dalam Pendaftaran Tanah Sistematis Lengkap Di Kabupaten Gunungkidul Tahun 2018," *Supremasi Hukum: Jurnal Kajian Ilmu Hukum* 8, no. 2 (July 13, 2020): 1–20, <https://doi.org/10.14421/sh.v8i2.2132>.

¹³ Muhammad Fikri Alan, "Deconstruction of Landreform Policy in Indonesia (Study of Regulation of President Number 86 Of 2018 about Agrarian Reforms)," *Supremasi Hukum: Jurnal Kajian Ilmu Hukum* 10, no. 2 (December 31, 2021): 169–84, <https://doi.org/10.14421/sh.v10i2.2342>.

¹⁴ Iswanto MH, "Perspektif Yuridis Pengaturan Tata Guna Tanah Dalam Implementasi Kebijakan Bidang Pertanahan," *Supremasi Hukum: Jurnal Kajian Ilmu Hukum* 3, no. 2 (November 30, 2014), <https://doi.org/10.14421/sh.v3i2.1960>.

welfare.

This study uses field research, an empirical legal approach, and theories of natural resource management, legal utility (Jeremy Bentham's utilitarianism), and welfare to answer these questions. Field research is essential to observe facts as accurate data related to implementing food estates, specifically in this study in the Temanggung region. To explain the field data, the three theories serve as one of the legal study aspects. This study examines whether the food estate program policy in Temanggung is a legal policy that balances community welfare and the sustainability of natural resources.

Discussion

Food Estate and Agrarian Reform

A food estate is a government program designed to address food security issues for the community. According to the Ministry of Food Security () of the Republic of Indonesia Law No. 18 of 2012 on Food (), food is defined as anything derived from biological sources, including agricultural products, plantation products, forestry products, fisheries products, livestock products, aquatic products, and water, whether processed or unprocessed, intended for human consumption as food or drink, including food additives, food raw materials, and other materials used in the preparation, processing, and/or production of food or drink. Food is an important and strategic commodity for Indonesia, given that food is a basic human need. Efforts to manage food are closely related to food security management.

Government Regulation No. 17 of 2015 on Food Security and Nutrition defines food security as the condition of food availability for a country down to the individual level, reflected in the availability of sufficient food in terms of quantity and quality, safety, diversity, nutritional value, equitable distribution, and affordable, and not conflicting with the religion, beliefs, and culture of the community to enable them to live healthy, active, and productive lives sustainably.

With its strategic role, food security tends to adapt to natural conditions, including during the COVID-19 pandemic, where food has become an important aspect because the mobilization of food supplies has been adjusted due to government regulations imposing regional quarantines. As a result, changes in food supply have also occurred due to government appeals. From a production perspective, almost all countries must be able to meet their own food needs because international trade routes have been disrupted due to the COVID-19 pandemic. To sustain the community, domestic production is required to produce sufficient agricultural products. This is a serious concern for the government because food commodities have traditionally relied on imports, such as red onions and garlic, which require attention due to

insufficient stock projections until May 2020.¹⁵

The government's focus on food security has prompted the Minister of Agriculture to issue regulations on the establishment of food estates, as outlined in Minister of Agriculture Decision No. 484/KPTS/RC.020/M/8/2021 on the Second Amendment to Minister of Agriculture Decision No. 259/KPTS/RC.020/M/05/2020 on the Strategic Plan of the Ministry of Agriculture for the Years 2020-2024. In this decision, the Minister of Agriculture seeks to utilize agricultural land to establish food estates to ensure food security in Indonesia in response to the COVID-19 pandemic, which has affected food productivity and could threaten food security, thereby impacting the Indonesian economy. In addition, regulations related to establishing food estates are also outlined in the Minister of Environment and Forestry Regulation No. 24 of 2020 concerning the Provision of Forest Areas for Food Estate Development. The idea behind establishing food estates is to create food security to improve the community's welfare through food self-sufficiency.

Establishing food estates is a solution to implement economic recovery programs in response to the impacts of the COVID-19 pandemic felt by the Indonesian people. Economic recovery efforts through food estates are strategic because they require the agricultural sector as a supporting program. Agriculture is one of the most important instruments in a nation's life. Agricultural development has a significant impact on many sectors, particularly the economy.¹⁶

The establishment of food estates has several objectives. 1) Improving community welfare, 2) Developing agricultural business centers for food production through land optimization activities by forming partnerships between farmers and private companies in the food sector, 3) Boosting regional economies, 4) Creating areas with flagship products in development zones by increasing the value added of agricultural products, particularly food crops.¹⁷

Regarding agrarian reform, Khrisna Gimire defines it as a significant change in the structure that improves poor farmers' access to land and provides legal certainty over land tenure for those who cultivate it. This also includes access to agricultural inputs, markets, services, and other supporting needs.¹⁸

¹⁵ Fajar B Hirawan and Akita A Verselita, *Kebijakan Pangan Di Masa Pandemi Covid-19* (Csis Indonesia, 2020).

¹⁶ Adityo Wirapranatha, Yudi Sutrasna, and Luhut Simbolon, "Strategi Pengembangan Food Estate Dalam Pemulihan Ekonomi Nasional," *Ekonomi Pertahanan* 8, no. 1 (2022): 1–13.

¹⁷ Selfira Salsabilla, George Royke Deksin, and Dyah Tribuwana Tungga Dewi, "Pengelolaan Sumber Daya Air Dan Food Estate Sebagai Faktor Pendukung Penyediaan Logistik Wilayah Untuk Pertahanan Negara," *Jurnal Kewarganegaraan* 6, no. 2 (2022): 2436–44.

¹⁸ Bernhard Limbong, *Reforma Agraria* (Jakarta: Margaretha Pustaka, 2012).

In Article 1, Paragraph (1) of Presidential Regulation No. 86 of 2018 concerning Agrarian Reform, agrarian reform is defined as the restructuring of the control, ownership, use, and utilization of land in a more equitable manner through Asset Restructuring accompanied by Access Restructuring for the prosperity of the Indonesian people. Furthermore, Presidential Regulation of the Republic of Indonesia No. 62 of 2023 on the Acceleration of the Implementation of Agrarian Reform also explains that agrarian reform is a national strategic program that plays a crucial role in efforts to achieve equitable distribution of land ownership, possession, use, and utilization, as well as resolving agrarian conflicts, to realize a just economy.

Furthermore, Law No. 5 of 1960 on the Basic Provisions of Agrarian Affairs defines agrarian reform broadly. Agrarian reform in a broad sense is referred to as *Agrarian Reform*, which encompasses three main issues, including: a) The restructuring and rebuilding of the system of ownership and control over land as stipulated in Articles 7, 10, and 17 of Law Number 5 of 1960 on Basic Provisions on Agrarian Affairs, b) The restructuring and re-establishment of the system of land use as stipulated in Articles 14 and 15 of Law No. 5 of 1960 on the Basic Provisions of Agrarian Law, c) The abolition of colonial agrarian law and the establishment of national agrarian law.¹⁹

Agrarian reform under Article 2(a) to (g) of Presidential Regulation No. 86 of 2018 has a comprehensive objective of achieving social justice and sustainable development. This program aims to reduce inequality in land ownership and control, while addressing frequent agrarian disputes and conflicts. Furthermore, agrarian reform seeks to create sources of prosperity and welfare for agrarian-based communities through better regulation of land ownership and utilization, thereby creating jobs to reduce poverty and improve access to economic resources. Finally, this initiative is also directed at enhancing the country's food security and sovereignty, improving the quality of the environment, and demonstrating a dual commitment to social justice and ecological sustainability.

Implementation of Food Estate Formation in Improving Community Welfare from an Agrarian Reform Perspective

The mandate regarding natural resource management is enshrined in the 1945 Constitution of the Republic of Indonesia in Article 33 paragraph (3), which states that the earth, water, and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people. Additionally, regulations on natural resource management are also outlined in

¹⁹ Subhan Zein, "REFORMASI AGRARIA DARI DULU HINGGA SEKARANG DI INDONESIA," *JURNAL ILMIAH HUKUM DIRGANTARA* 9, no. 2 (June 3, 2014), <https://doi.org/10.35968/jh.v9i2.357>.

Article 1, Point 18 of Law No. 32 of 2009 on the Protection and Management of the Environment, which states that natural resource conservation is the management of natural resources to ensure their wise utilization and the continuity of their availability while maintaining and enhancing their quality, value, and diversity. This demonstrates that proper and effective natural resource management is crucial for the sustainability of community life.

There are indicators for food security strategies to improve food availability, access to food, and food absorption, which include: (a) Scope: households or individuals; (b) Target: humans; (c) Strategy: improving food availability, access to food, and food absorption; (d) Output: nutritional status and economic improvement; (e) Outcomes: healthy and productive people (high life expectancy).

Therefore, to achieve food security, several things need to be considered, including: Ensuring food availability with sufficient food supply from various commodities; Ensuring food availability with guaranteed and good quality; Food is available in a fair manner, where food availability is distributed well and evenly throughout Indonesia; Food is affordable, where food availability can be easily accessed throughout Indonesia.²⁰

To achieve food security, the government must play a role in implementing the strategies and programs that will be carried out. According to Temanggung Regent Regulation Number 27 of 2021 concerning the Duties and Functions of the Food Security, Agriculture, and Fisheries Service of Temanggung Regency, Article 2 explains that the Head of the Service must assist the Regent in implementing government affairs in the fields of agricultural infrastructure, extension, food and food crops, horticulture, and plantations, Livestock, and Fisheries, which are the authority of the local government and tasks assigned to the local government. Therefore, the planning of food security strategies through the establishment of a food estate in Bansari Sub-district, Temanggung Regency, is carried out by the Food Security, Agriculture, and Fisheries Department of Temanggung Regency to control land use, prevent agricultural disasters, and mitigate agricultural risks.

The form of natural resource management applied in the Bansari Sub-district, Temanggung Regency, is establishing a food estate as the government's effort to ensure food security. The basic concept of establishing a food estate is the integration of sectors and subsectors within an agribusiness system by optimally and sustainably utilizing resources, managed professionally, supported by qualified human resources, environmentally friendly appropriate technology, and a strong institutional framework.

Mr. Sumarno, Head of the Horticulture and Plantation Division at the

²⁰ Riant Nugroho et al., *Dampak Covid 19 Pada Ekonomi: Pendekatan Strategi Ketahanan Pangan* (Rumah Reformasi Kebijakan [Institute for Policy Reform], 2020).

Temanggung District Food Security, Agriculture, and Fisheries Office, stated that the reason for establishing a food estate in Bansari Subdistrict, Temanggung Regency, is because it aligns with the topography and geography of the area and is supported by the primary contributing sector, namely agriculture, by utilizing land owned by farmer groups for the development of horticultural commodities such as red onions, white onions, and chili peppers, with a total potential for horticultural commodities in Temanggung Regency of 7,549 hectares. Temanggung Regency is one of the locations for establishing a food estate, an integrated food development concept based on horticulture, plantations, livestock, and food crops rooted in the local area.²¹

The concept of establishing a food estate in Bansari Subdistrict, Temanggung Regency, as one form of natural resource management, particularly land utilization, where the land used for the food estate is existing land or land already used for horticultural crop development, thus no new land is cleared for the establishment of the food estate. Additionally, establishing the food estate in Bansari Sub-district, Temanggung Regency, is environmentally conscious as it incorporates land conservation principles into its development framework.²²

Agricultural land conservation is a farming system that integrates soil and water conservation techniques into existing farming systems to increase farmers' income, improve farmers' welfare, reduce erosion, and maintain water balance to sustain the farming system.²³ Agricultural land conservation is the effective, efficient, and optimal management of land so that land sustainability is maintained and human needs for land are met, taking into account the ever-changing needs and desires of humans, and to drive higher economic growth. However, the unwise management of land resources that does not consider sustainability has threatened land sustainability. As a result, high-quality land resources diminish, and humans become increasingly dependent on lower-quality land resources. This leads to reduced food security, increased levels and intensity of pollution, and other environmental damages. Consequently, human activities tend to shift toward a natural resource utilization system with

²¹ Nabella Rezkika Putri, "Interview with Mr. Sumarno as Head of Horticulture Division of Agriculture and Fisheries Service of Temanggung Regency Which Was Conducted on Thursday, October 19, 2023 at 08.09 WIB at the Office of Food Security, Agriculture and Fisheries Service of Tema" (2023).

²² Nabella Rezkika Putri, "Interview with Mrs. Nidar as PPL from BPP Bansari District, Temanggung Regency, Conducted on Thursday, October 26, 2023 at 1:12 PM WIB at the Agricultural Extension Center, Bansari District, Temanggung Regency." (2023).

²³ Astrid Aryani Ndun et al., "Perencanaan Pertanian Konservasi Pada Pengelolaan Lahan Tradisional Di Kecamatan Amarasi Barat, Nusa Tenggara Timur," *Jurnal Ilmu Tanah Dan Lingkungan* 23, no. 1 (April 1, 2021): 7–17, <https://doi.org/10.29244/jitl.23.1.7-17>.

declining carrying capacity.²⁴

The selection of the Bansari Sub-district, Temanggung Regency, as the area for establishing a food estate was based on several factors, including:

First, topographically, the Bansari District of Temanggung Regency is located at an elevation of 400–1,684 meters above sea level, with an area that is part of the slopes of Mount Sindoro and Mount Sumbing. This topography makes Temanggung Regency suitable for agricultural land, as the favorable topography contributes to a moderate and cool climate with an average temperature of 22°C to 23.6°C. *Second*, from a geological and soil perspective, the Bansari Subdistrict of Temanggung Regency is located in a highland area with potential as agricultural land.²⁵

This is because the water source for the food estate in Bansari Sub-district, Temanggung Regency, comes from Bansari Reservoir, which has a storage capacity of approximately 8,588 cubic meters and an approximately 2,453 square meters. The benefits of this reservoir include water conservation, drip irrigation for plantations, water supply, and addressing water shortages during the dry season. The crops cultivated in the food estate in Bansari Sub-district, Temanggung Regency, such as red onions, garlic, and chili peppers, are developed using modern technology, thereby not only enhancing food productivity but also providing education for farmers to adopt more modern practices. Lastly, the primary livelihood of the community in Bansari Sub-district, Temanggung Regency, is farming, so the socio-economic conditions depend on crop yields. Additionally, the infrastructure in the Bansari area is well-suited for agricultural development as part of efforts to enhance food security.

Land is used as a natural resource management tool to balance population growth with food production, thereby increasing food productivity, as proposed by Robert Malthus. Enhancing food productivity by utilizing land resource management with potential and dependent on several key factors, including: (1) Topography, geology, and soil conditions; (2) Climate and water sources; (3) Types of agricultural practices and the level of technology to be developed; (4) Socio-economic conditions and infrastructure.

Based on the above, considering the potential for natural resource management through agricultural land conservation in Bansari Subdistrict, Temanggung Regency, as a food estate development area, it can be said that

²⁴ Denny Maliangkay, "PKM Pengelolaan Lahan Pertanian Hortikultura Dalam Rangka Konservasi Lahan Untuk Meningkatkan Hasil Pertanian," *ABDIMAS: JURNAL PENGABDIAN KEPADA MASYARAKAT* 13, no. 3 (2021).

²⁵ Putri, "Interview with Mr. Sumarno as Head of Horticulture Division of Agriculture and Fisheries Service of Temanggung Regency Which Was Conducted on Thursday, October 19, 2023 at 08.09 WIB at the Office of Food Security, Agriculture and Fisheries Service of Tema."

this area is potentially ideal for developing food security, taking into account factors such as food productivity that utilize land resource management for sustainable food productivity. Selecting an area with adequate potential can influence the program's success. Using land as a natural resource in Bansari District, Temanggung Regency, by taking advantage of adequate land conditions, can benefit the community, especially farmers, as the human resources who manage it. Beneficence is the goal of law creation, as Gustav Radbruch stated. Beneficence is important because law enforcement must have benefits and no unrest.

The benefits of law can be achieved in society if it provides the most significant possible benefits to the community. Based on the mandate of Article 28H of the 1945 Constitution of the Republic of Indonesia, which states that every person has the right to obtain facilities and special treatment to achieve equality and justice. This emphasizes that the creation of regulations is expected to ensure benefits for the community. The utility of law is an integral part of measuring the success of law enforcement in Indonesia. According to utilitarianism, law enforcement has specific beneficial objectives. Benefit is defined as happiness. Good law is law that brings happiness to many people.²⁶

To provide benefits to society, the government has established regulations regarding the formation of food estates as a form of government policy, particularly by the Minister of Agriculture, to respond to and anticipate the impacts of the COVID-19 pandemic, as outlined in Minister of Agriculture Decision No. 484/KPTS/RC.020/M/8/2021 on the Second Amendment to Minister of Agriculture Decision No. 259/KPTS/RC.020/M/05/2020 Regarding the Strategic Plan of the Ministry of Agriculture for the Years 2020-2024. In this decision, the Minister of Agriculture seeks to utilize agricultural land to establish food estates to ensure food security in Indonesia.

Provisions related to food security are regulated in Law No. 18 of 2012 on Food, Article 1, Point 4, which states that food security is the condition of the availability of food for the state down to the individual level, reflected in the availability of sufficient food in terms of quantity and quality, safety, diversity, nutritional value, equity, and affordable, and not contrary to the religion, beliefs, and culture of the community, to achieve a healthy, active, and productive life sustainably. This food security is the vision behind establishing food estates as the government's effort to ensure benefits for the community through regulations.

The benefits of establishing a food estate in Bansari Sub-district, Temanggung Regency, were explained by a farmers' group, as stated by Mr.

²⁶ Hasaziduhu Moho, "Penegakan Hukum Di Indonesia Menurut Aspek Kepastian Hukum, Keadilan Dan Kemanfaatan," *Warta Dharmawangsa* 13, no. 1 (2019).

Sofyan, the Chairman of the Lestari Farmers' Group, who mentioned that the food estate program in Bansari Sub-district offers numerous benefits because farmers are not only guided on land management but also taught to develop agriculture using modern technology. Additionally, the food estate program includes supporting activities such as providing goat seedlings, whose manure is used as organic fertilizer to replace chemical fertilizers frequently used by farmers.²⁷

This helps improve farmers' capabilities to bring about change. The main factors necessary for agricultural development include a market for agricultural products, advanced technology, availability of local production facilities (tools and materials), production incentives, and transportation. Additionally, facilitating factors can accelerate agricultural development, including development education, production credit, cooperative activities among farmers, agricultural land improvement and expansion, and national planning for agricultural development.²⁸

Furthermore, the benefits of establishing a food estate in Bansari Sub-district, Temanggung Regency, were also explained by Mr. Sutanto, Chairman of the Taruna Maju Farmers' Group, Mr. Ngusman, Chairman of the Sido Dadi Farmers' Group, and Mr. Anwar, Chairman of the Sari Mulyo Farmers' Group, Mr. Markodim, Chairman of the Bumi Asih Agro Farmers' Group, , who stated the same as Mr. Sofyan that the establishment of a food estate is highly beneficial for the sustainability of farmers in Bansari Sub-district, Temanggung Regency, as it not only provides assistance or subsidies such as cultivators, mulch, and fertilizers, but farmers are also given additional support from the food estate, such as livestock seedlings, whose manure can be utilized as plant fertilizer. This helps farmers become more self-reliant and cost-effective, minimizing agricultural production expenses.²⁹

The success of agrarian reform is not only measured by asset restructuring (land redistribution). However, it must also be accompanied by access reform, which involves empowering communities as the beneficiaries

²⁷ Nabella Rezkika Putri, "Interview with Mr. Sofyan as the Chair of the Lestari Farmers Group Which Was Conducted on Tuesday, October 31, 2023 at 14:59 WIB at Mr. Sofyan's House, Bansari District, Temanggung Regency." (2023).

²⁸ Abdul Mukti, "PEMBERDAYAAN PERTANIAN LOKAL DALAM MENOPANG KEBERHASILAN PROGRAM FOOD ESTATE DI KALIMANTAN TENGAH," *JOURNAL SOCIO ECONOMICS AGRICULTURAL* 15, no. 2 (October 7, 2020): 97–107, <https://doi.org/10.52850/jsea.v15i2.3375>.

²⁹ Nabella Rezkika Putri, "Interview with Mr. Sutanto as the Head of the Taruna Maju Farmers Group, Mr. Ngusman as the Head of the Sido Dadi Farmers Group, Mr. Anwar as the Head of the Sari Mulyo Farmers Group, Mr. Markodim as the Head of the Bumi Asih Agro Farmers Group Which Was " (2023).

of agrarian reform.³⁰ In Bansari Subdistrict, this form of access reform is evident and has benefited the community, particularly farmers. The benefits of establishing a food estate in Bansari District, Temanggung Regency, are inseparable from the government program outlined in a regulation regarding the urgency of establishing a food estate. Thus, the law in regulating and creating benefits for the community can be achieved due to balanced coordination between the role of the government as the regulating institution and the role of the community, especially farmers, in implementing the regulations. Therefore, the benefits of the law can create welfare for the community.

Well-being is where human life feels safe and happy because basic needs such as food, health, and income are met. Additionally, welfare is enshrined in Law Number 11 of 2009 on Social Welfare, which states that social welfare is fulfilling citizens' material, spiritual, and social needs so they can live decently and develop themselves, enabling them to fulfill their social functions. Philosophically, welfare is related to the ideals behind the enactment of Law No. 5 of 1960 on Basic Provisions of Agrarian Law, which mandates agrarian reform. In its preamble, it states that in the Republic of Indonesia, where the structure of people's lives, including the economy, is still predominantly agrarian, land, water, and airspace, as gifts from the Almighty God, have an essential function in building a just and prosperous society.

The mandate given by this legislation is an effort to reorganize land use through asset restructuring and access regulation. This aims to create welfare for the people, as mandated by the 1945 Constitution of the Republic of Indonesia in Article 33, paragraph (3). This article interprets that the state must actively participate in building social welfare.³¹ Agrarian reform was established out of a desire to achieve farmers' welfare. Farmers' welfare due to agrarian reform is measured through four indicators. The indicators used to measure people's welfare are income level, land productivity, increased land productivity, and education level.³²

Implementing the food estate in Bansari Subdistrict, Temanggung Regency, can be assessed as achieving welfare for farmers if evaluated using indicators of farmers' welfare. Based on the income generated by farmers from

³⁰ Kurnia Warman and Titin Fatimah, "Agrarian Reform in the Forests around Vernacular Settlements: Asset Reform and Access Reform in Rural West Sumatra, Indonesia," *ISVS E-Journal* 10, no. 6 (2023): 135–50.

³¹ Irfan Nur Rachman, "Politik Hukum Pengelolaan Sumber Daya Alam Menurut Pasal 33 UUD 1945," *Jurnal Konstitusi* 13, no. 1 (May 20, 2016): 195, <https://doi.org/10.31078/jk1319>.

³² Martua Sihaholo and Rai Sita, "Hubungan Reforma Agraria Dengan Peningkatan Kesejahteraan Rumah Tangga Petani," *Jurnal Sains Komunikasi Dan Pengembangan Masyarakat [JSKPM]* 5, no. 3 (2021): 433–49.

the food estate, there has been an increase, where farmers were initially provided with initial capital in the form of red onion, garlic, and chili seeds to be developed, with approximately 1 ton of seeds provided for a harvest of approximately 7 tons. This has reduced production costs for farmers as the food estate program assists them. The yield exceeded 7 tons during the harvest, significantly increasing farmers' income. Additionally, the food estate program includes supporting activities such as post-harvest warehouses where the harvested crops can be stored and used as seeds for future planting. This is a new development for farmers, particularly in Bansari Sub-district, Temanggung District, and is implementable as an effort toward food security, while also reducing initial production costs and increasing household income for farmers.

Furthermore, farmers also benefit from marketing, as there is ease in distributing their harvests due to the food estate program having *off-takers* as suppliers for industrial needs or markets. *Off-takers* play a crucial role in the food estate program by providing regular guidance during agricultural activities and purchasing farmers' harvests. This ensures that farmers do not need to worry if their harvests do not meet market criteria, as *off-takers* do not impose restrictions on the quantity of harvests purchased and do not differentiate prices from those in general markets. Regarding land productivity as a food estate development area in Bansari Sub-district, Temanggung Regency, it effectively improves the community's welfare. The land used is already productive agricultural land, so selecting an area with land ready for the food estate program considerably benefits the community, as the program disadvantages no one.

The food estate in Temanggung differs from food estates based on the Ministry of Environment and Forestry Regulation No. P.24/MENLHK/SETJEN/KUM.1/10/2020 on the Provision of Forest Areas for Food Estate Development. The difference lies in land utilization. The establishment of this food estate does not use the scheme of converting forest areas or designating forest areas for food security. The use of forests tends to be detrimental to the community due to factors such as land productivity, including topography, geology, and soil conditions; climate and water sources; types of agricultural practices and the level of technology to be developed; as well as socio-economic conditions and infrastructure, which are not suitable for agricultural purposes.

The regulations governing the establishment of food estates, as stipulated in the aforementioned regulation, which involve converting forest land into agricultural land, contradict Law No. 18 of 2012 on Food. Under Article 1, point 4, the definition of food security includes sufficient, safe, nutritious, equitable, and affordable food, as well as food that is "not contrary to the religion, beliefs, and culture of the community." Using land for food

estates in Central Kalimantan may be problematic as it can conflict with the local community's culture, which primarily relies on subsistence farming rather than large-scale food crop cultivation. This approach does not ensure the community's well-being when considering welfare from an agrarian reform perspective.

Well-being is related to economic conditions. According to Soeharsono Sagir, the type of economy adopted by Indonesia from year to year is a People's Economy System, where economic sovereignty is in the hands of the people. Therefore, the objectives of the People's Economy System are to free the poor from poverty, environmental degradation, ignorance, dependency, and anxiety about the future. Thus, national development policies should not deviate from the People's Economy System *principles*, as reflected in *the triple track development principles: pro-poor, pro-job, and pro-growth*.³³

In implementing these principles, six benchmarks can be used to assess the success or failure of a development process, namely: (1) The people are free from poverty with a high-quality economic growth rate; (2) The people are free from ignorance and empowered to become productive human resources; (3) People are free from unemployment and work creatively and productively to increase their income and that of others; (3) The country is free from dependence on foreign debt; (4) The country is free from foreign exchange shortages because the value of exports exceeds imports; (5) The country is free from ecosystem damage so that development can be carried out sustainably. Regarding the determination of economic policies and national development in general, the economy only calculates, politics decides. However, ultimately, the law determines because Indonesia is a country governed by law, not an economic or political state.³⁴

The government has responded to the issues in Indonesia by implementing the food estate program.³⁵ The establishment of a food estate in Bansari Subdistrict, Temanggung Regency, offers benefits for farmers. The main benefit for farmers is the minimal production costs with maximum results, which helps improve the household economy of farmers. Farmers also benefit from education on agricultural product management, where they are taught to save and utilize organic materials as fertilizer, which also helps reduce the economic burden on farmers when purchasing fertilizer.

Furthermore, the establishment of the food estate in Bansari Sub-

³³ Soeharsono Sagir, *Kapita Selekta Ekonomi Indonesia* (Jakarta: Prenada Media Group, 2009).

³⁴ Jimly Asshiddiqie, "Konstitusi Ekonomi, Jakarta: PT," *Kompas Media Nusantara*, 2016.

³⁵ rizkia Diffa Yuliantika, Imamulhadi Imamulhadi, And Supraba Sekarwati, "Analisis Yuridis Terhadap Program Pembangunan Food Estate Di Kawasan Hutan Ditinjau Dari Eco-Justice," *Litra: Jurnal Hukum Lingkungan, Tata Ruang, Dan Agraria* 2, no. 1 (October 31, 2022): 41–62, <https://doi.org/10.23920/litra.v2i1.1014>.

district, Temanggung Regency, using agricultural land conservation as its initial approach, is considered environmentally friendly as it does not conflict with Indonesia's agrarian reform policies, where the government utilizes productive agricultural land as part of its program implementation. Therefore, the government's asset management is targeted because it utilizes *existing* land while considering its functionality without the need for land clearance to maintain food security. As a result, no community members are disadvantaged by establishing the food estate in Bansari Sub-district, Temanggung Regency.

When measured using indicators of welfare according to agrarian reform and food security strategies, establishing the food estate in Bansari Sub-district, Temanggung Regency, is appropriate and can ensure welfare. This aligns with farmers' statements that establishing the food estate in Bansari Sub-district, Temanggung Regency, is highly beneficial and can ensure welfare for the community, particularly farmers.

However, there are shortcomings in implementing the food estate in Bansari Sub-district, Temanggung Regency, particularly regarding land ownership. Not all farmers in farming groups own land; some are tenant farmers. This has become a concern for the government, considering that one form of agrarian reform is land redistribution. Therefore, to reduce tenant farmers' dependence on landowners and improve their standard of living, the government needs to implement a land redistribution program, which involves the fair and equitable distribution of land as a source of livelihood for farmers. The government has the authority to improve the socio-economic conditions of the people by distributing land fairly and equitably to citizens. Additionally, some shortcomings could cause losses, as the program only involves farmers who are members of farming groups. In contrast, not all farmers in the area are members of such groups. As a result, the program has not been able to provide maximum and equitable welfare.

Analysis of Challenges *in* Establishing Food Estates *to* Improve Community Welfare from an Agrarian Reform Perspective

Efforts to address food security through the food estate program in Bansari Subdistrict, Temanggung Regency, face several challenges. These challenges include internal conflicts among farmer groups due to poor coordination. This is primarily caused by farmers' dissatisfaction with *off-takers' prices*, which are compared to market prices. The pricing of harvested crops in the market is differentiated based on their quality. In contrast, *off-takers' prices* do not consider quality, as *off-takers* purchase all harvested crops without any criteria. As a result, when the harvest is good and profitable in the market, some farmers choose to sell their crops to maximize profits. Additionally,

when the harvest is good, farmers often choose to sell everything, leaving no seeds for the next season.³⁶ This can hinder the food estate program, which aims to ensure food security, as the cooperative efforts of farmers are a key factor in accelerating agricultural development to ensure equitable welfare.

Second, there is an imbalance in the implementation of the food estate program due to farmers' lack of knowledge about the essence of the program. This is because farmers do not fully understand how the food crisis arose from the impact of the COVID-19 pandemic. Additionally, farmers participating in the food estate program are still considered traditional farmers. This indicates that farmers still require guidance from the Ministry of Agriculture to provide proper direction, particularly regarding the essence of food security to ensure community welfare. Thus, the programs implemented by the government can benefit not only farmers but also reach other segments of society in general. *Third*, there is a lack of information regarding the farmer groups receiving subsidies from the food estate program, as the subsidies are distributed through farmer groups. However, the distribution becomes uneven due to the presence of active and less active groups, resulting in some farmer groups not receiving subsidies from this program.

Other challenges identified include internal coordination and information distribution. These issues require attention to optimize the program in the future. This also occurs because the establishment of assets utilizes existing land and implements land conservation, which is an effective, efficient, and optimal land management approach. This ensures the sustainability of the land and meets human needs for land, enabling the food estate concept in Bansari Sub-district as a horticultural development initiative to proceed smoothly by leveraging the infrastructure and facilities provided by the government's food estate program.

Despite the challenges in its implementation, the establishment of the food estate has positively impacted community welfare. Developing natural and human resources can enhance agricultural land productivity, leading to more stable income sources. Additionally, the community can more effectively access government programs such as agricultural assistance and economic support.

Furthermore, the role of stakeholders in ensuring the implementation of the food estate in Bansari District, Temanggung Regency, has been cooperative and effective. As a result, establishing the food estate in Bansari District, Temanggung Regency, is well-suited for implementation. Additionally, the expertise of experienced farmers in Bansari District,

³⁶ Putri, "Interview with Mr. Sofyan as the Chair of the Lestari Farmers Group Which Was Conducted on Tuesday, October 31, 2023 at 14.59 WIB at Mr. Sofyan's House, Bansari District, Temanggung Regency."

Temanggung Regency, has helped minimize challenges in program implementation. One of the keys to the success of the food estate implementation is the participation of stakeholders, in the form of groups/organizations and representatives of beneficiaries such as farmers. Additionally, coordination among stakeholders in implementing the food estate is necessary to ensure that activities to achieve community welfare from an agrarian reform perspective proceed as planned.

Conclusion

Implementing the food estate program to improve community welfare from an agrarian reform perspective in Bansari Sub-district, Temanggung Regency, has been carried out reasonably well. Establishing the food estate in Bansari Sub-district, Temanggung Regency, uses agricultural land conservation as its guiding principle and uses existing land as its implementation site. This has improved farmers' welfare, reduced erosion, and maintained water balance, ensuring that the agricultural system is sustainable and does not conflict with Law Number 18 of 2012 on Food, Article 1, Point 4, which states that food security is the condition of food availability for the state down to the individual level, reflected in the availability of sufficient, both in quantity and quality, safe, diverse, nutritious, equitable, and affordable, and not conflicting with the religion, beliefs, and culture of the community, to enable healthy, active, and productive lives sustainably. Therefore, the implementation of the food estate development in Bansari Sub-district, Temanggung Regency, has brought benefits to the community, particularly farmers, by improving their well-being, taking into account the indicators used to measure the level of well-being, namely income levels, land productivity, increased land productivity, and education levels.

The establishment of a food estate in Bansari Subdistrict, Temanggung Regency, has encountered several challenges during its implementation, such as internal conflicts among farmer groups due to poor coordination, imbalances in the implementation of the food estate program due to farmers' lack of understanding about the essence of the program, insufficient information regarding the data of farmer groups receiving subsidies, as subsidies distributed through farmer groups are often unevenly distributed because some groups are less active, resulting in some farmer groups not receiving subsidies from this program.

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