The Implementation of Collaborative Governance in Indonesia's Agrarian Reform (Case Study of the 2022 Agrarian Reform Task Force)

Dony Erwan BRILIANTO, Vito Haga MURSA, Wahyu Sari SABEKTI, Sandra Maria Stephanie HUTABARAT, Ginanjar Drajat PRAKOSO, Indonesia

Keywords: Agrarian Reform; Task Force; Collaborative Governance.

SUMMARY

Agrarian reform is a national strategic program that has an important role in efforts to improve the structure of control, ownership, tenure and utilization of land as well as resolving agrarian conflicts to create a just economy and improve community welfare. In order to accelerate the fulfillment of targets for Land Objects of Agrarian Reform (TORA), whether it sourced from legalization of assets (asset reform), redistribution of land, certification for transmigration land, arrangement of access reform and other sources, an active role is needed from various parties with the goal to achieve the targets that have been set. The role of various parties/stakeholders then paved the way for the principle of Collaborative Governance, where the Government does not work alone, but can involve the participation of other parties as collaborators.

Collaborative Governance is a form of institution and government, where one or more public agencies can collaborate with non-public stakeholders in a formal decision-making process. This institution is consensus-oriented, deliberative, and can be applied in natural resource management. The implementation of Agrarian Reform in Indonesia is implemented in a task force, called the Agrarian Reform Task Force (GTRA). The GTRA is chaired by the local regional leader, consisting of technical units from various elements, such as banking institutions, non-governmental organizations and others. However, the existence of GTRA is considered to have not been able to fulfill the expected output and outcomes, until Presidential Regulation no. 62/2023 concerning the Acceleration of Implementation of Agrarian Reform was issued as an additional product, in addition to Presidential Regulation no. 86/2018

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concerning Agrarian Reform, as a legal instrument to accelerate this program.

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The aim of this research is to identify and analyze the implementation of GTRA in 34 Provinces in Indonesia, to determine whether the principles of Collaborative Governance have been implemented institutionally, the level of implementation that exists to date, and provide suggestions for improvements for implementation in the following year.

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1. INTRODUCTION

Agrarian reform is a national strategic program that has an important role in efforts to improve the structure of control, ownership, tenure and utilization of land as well as resolving agrarian conflicts to create a just economy and improve community welfare through Asset and Access Reform (Republic of Indonesia, 2023). In order to accelerate the fulfillment of targets for Land Objects of Agrarian Reform (TORA), whether it sourced from legalization of assets (asset reform), redistribution of land, certification for transmigration land, arrangement of access reform and other sources, an active role is needed from various parties with the goal to achieve the targets that have been set. Access reform programs should also prioritize capacity-building initiatives, as well as ensure adequate monitoring and evaluation mechanisms, to ensure the effectiveness and impact of collaborative governance in Agrarian Reform. By doing so, Indonesia can maximize the potential benefits of Agrarian Reform, including improved livelihoods for farmers and communities, better land management practices, and the preservation of natural resources and biodiversity.

Based on the final performance report for 2023, the implementation of Agrarian Reform in Indonesia in terms of asset reform from Complete Systematic Land Registration (PTSL) reached 235.23% and Land Redistribution (Redistribusi Tanah) reached 352.36%, both of which have exceeded the targets set, while the achievements from Transmigration Land are still at 24.77% and from Forest Area Release sources of 9.2%, both of which are still far from meeting the targets that have been given. Meanwhile, from Access Reform, of the total target of 232,100 families who received community empowerment assistance, currently only 108,850

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heads of families have been reached or around 46.9% (Direktorat Jenderal Penataan Agraria, 2023).

In order to accelerate the achievements of Agrarian Reform in Indonesia, Collaborative Governance plays a crucial role. Collaborative governance is a process and structure for public policy decision-making and management that involves multiple stakeholders across various domains. These stakeholders can include public agencies, levels of government, the private sector, and civic society coming together to address public issues and achieve common goals. This approach is often used in the context of complex, multi-faceted problems that cannot be effectively addressed by a single entity alone, and it emphasizes shared decision-making, joint activities, consensus-building, and the use of shared resources (Emerson et al., 2011). In the context of Agrarian Reform in Indonesia, collaborative governance plays the role in ensuring that the needs and concerns of various stakeholders are considered and addressed. Furthermore, collaborative governance facilitates the sharing of resources, knowledge, and expertise among different stakeholders, enabling them to work together towards common goals and overcome barriers and challenges that may arise during the Agrarian Reform process. Hence, collaborative governance in Agrarian Reform in Indonesia brings about a more comprehensive and sustainable approach to addressing land-related issues, ensuring that the interests and needs of all stakeholders are considered and that Agrarian Reform initiatives are implemented in a fair and equitable manner.

As Indonesia continues to embrace collaborative governance in Agrarian Reform, it is imperative to further strengthen the cooperation and coordination among stakeholders. This will not only enhance the implementation and monitoring of Agrarian Reform initiatives but also contribute to the sustainable and inclusive development of the country's land resources. The success of collaborative governance in Agrarian Reform in Indonesia underscores its potential to create a more just, economically sustainable, and environmentally conscious land tenure system.

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However, until now there has been no discussion regarding the extent to which Collaborative Governance has been implemented in Indonesia through the institution of the Agrarian Reform Task Force (GTRA). GTRA is an institution implementing Agrarian Reform at the Provincial and Regency/City levels throughout Indonesia, which had officially established through a decree issued by the head of the local government. GTRA mostly consists of representatives of government agencies, community organizations and parties who have the authority to assist in the provision of Land for Agrarian Reform Objects (TORA).

The aim of this research is to identify and analyze the implementation of GTRA in 34 Provinces in Indonesia, to determine whether the principles of Collaborative Governance have been implemented institutionally, the level of implementation that exists to date, and provide suggestions for improvements for implementation in the following year.

It's important to recognize that collaboration isn't just about dividing tasks, but also about creating something that wouldn't be possible individually through the combination of different resources, perspectives, and expertise (Wanna, 2008). The degree of collaboration generally refers to the extent to which participants in a collaborative process work together and the depth of their cooperation. It measures how closely organizations or individuals coordinate their efforts and integrate their work toward a common goal. Degrees of collaboration can range from low to high, characterized by various levels of engagement and integration. Each degree of collaboration requires different levels of trust, time, resources, and commitment from the parties involved, and the choice often depends on the complexity of the problem at hand and the capacity of the actors to work together.

2. RESEARCH METHOD

This qualitative study examined sociocultural and natural conditions through observation and interviews. The qualitative descriptive method is a research approach that focuses on providing a detailed and comprehensive description of a phenomenon or situation. This method involves collecting and analyzing qualitative data, such as interviews, observations, and documents, to

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gain a deeper understanding of the subject matter (Latunde, 2016). The qualitative descriptive method is particularly useful when researchers aim to describe, explain, or summarize various conditions, situations, phenomena, or research variables as they exist in their natural setting or context. Qualitative descriptive research is typically conducted using a mixture of data collection methods, such as interviews, observations, and document analysis. Researchers using the qualitative descriptive method often conduct interviews to gather information directly from participants. These interviews may be structured or semi-structured, allowing for flexibility and open-ended responses

The qualitative descriptive method is a research approach that aligns with the pentahelix model, which emphasizes the interconnectedness of academia, industry, government, society, and the environment (McGuire, 2006). This approach encourages researchers to consider the perspectives and contributions of all five sectors when conducting qualitative descriptive research. By incorporating the pentahelix approach into qualitative descriptive research, researchers can gain a more holistic understanding of the phenomenon or situation under study.

When applying the pentahelix approach to qualitative descriptive research, it is important to engage with stakeholders from academia, private/industry, government, society organisation and to gather a diverse range of perspectives. This collaborative effort can enrich the data collection process and ensure that the research findings are relevant and impactful across multiple sectors.

2.1. Location

This research was conducted at the Agrarian Reform Task Force (GTRA) throughout Indonesia, namely 34 provinces. The composition of GTRA members, which consists of various elements from the Ministry, Regional Government to academics, can be interpreted as being collaborative in nature. The 2022 GTRA implementation report used is based on the GTRA Decree at the Provincial level and the GTRA Daily Implementation Team at the same level.

The implementation year is limited to 2022 because at the time of writing, the 2023 GTRA implementation process was still ongoing in the final report implementation stage. Each report

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is reviewed to see to what extent the GTRA composition involves the pentahelix; academics, the private sector, community organizations, government and mass media.

2.2 Primary and Secondary Data Collection

Primary data were collected through interviews with the representation in the five provinces that has been selected. Meanwhile, secondary data were collected to support the analysis, including spatial data, degree of collaboration and lesson learned from best practices found during the writing.

The collection of primary data is integral to many forms of qualitative and quantitative research and is designed to provide specific insights relevant to the researcher's area of inquiry. It is considered valuable because it is current and specific to the research question, although it can also be time-consuming and costly to obtain.

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2.3. Degrees of Collaboration

The degree of collaboration refers to the extent to which partners in a collaborative arrangement work together. This can vary from low levels of cooperation to highly integrated, systemic collaboration. The degree of collaboration is influenced by numerous factors including trust, mutual goals, shared resources, and the intensity of communication among participants.

These degrees are not fixed, and collaboration might evolve, regressing or progressing depending on changes in the environment, goals, and success of the collaborative efforts. Moreover, the appropriate degree of collaboration will depend on the context, objectives to be achieved, and the nature of the tasks or issues being addressed in the table below (Wanna, 2008).

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Table 1. Degrees Of Collaboration

Degree of Collaboration	What is involved-activities
Highest level: high normative commitment to collaboration; often highest political/managerial risks	Transformative interaction between network actors; substantive engagement and empowerment; search for high degree of stakeholder and inter-actor consensus and cooperation; coalition building by government and non-government actors
Medium–high level: strong normative orientation; high level of political/managerial risk	Strong engagement of stakeholders in decisions or policy process and implementation; devolving decision-making capacities to clients; more complex innovations in policy-delivery processes
Medium– level: strong normative orientation; high level of political/managerial risk	Formal commitment to inter-agency consultation and joined government strategies; formal joint involvement joint funding initiatives
Medium-low level: operational forms of collaboration to get the job done; some political/managerial risk	Forms of co-production; technical improvements in delivery chains; assistance to comply with obligations;direct consultation with clients over delivery and compliance systems; systematic use of evaluation data; public reporting on targets informed by client preferences
Lowest level: marginal operational adjustments, low levels of political/managerial risk	Incremental adjustments using consultative processes; client discussions and feedback mechanisms; gaining information on needs/expectations of others

3. RESULT AND DISCUSSION

In Indonesia, the Agrarian Reform Task Force (GTRA) is responsible for facilitating and overseeing the implementation of agrarian reform policies, including redistribution and the resolution of land conflicts. This entity typically operates under the auspices of the government, often involving multiple agencies and ministries, such as the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, Ministry of Environment and Forestry, and others. The success of GTRA in Indonesia or any country largely hinges on its ability to coordinate across numerous government bodies, maintain transparency, and engage with local communities in a participatory manner. Effective reform requires balancing the needs for social justice and equity with economic development and environmental sustainability.

3.1 The Structure of Agrarian Reform Task Force

The structure of Agrarian Reform Task was analyzed to find out its composition. Information GTRA composition/structure in each province is presented in Table 2.
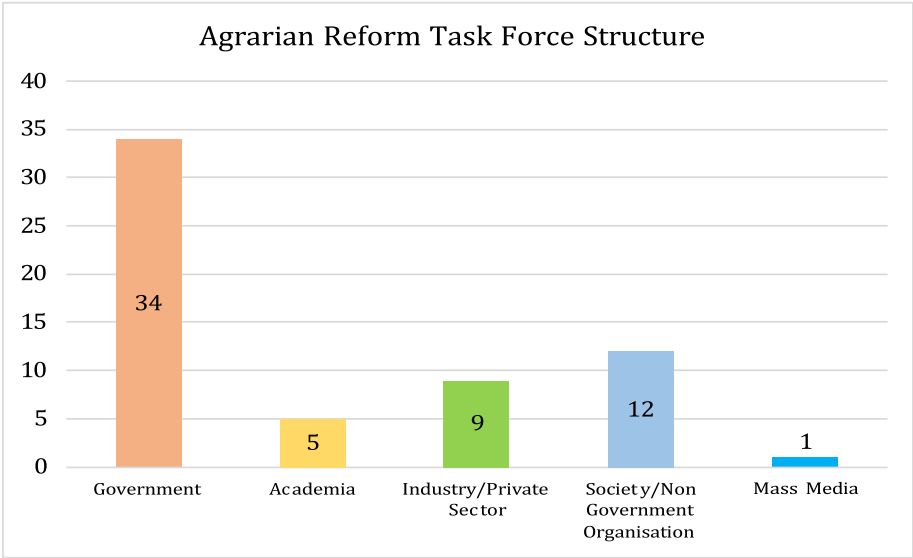
Table 2. The current GTRA structure in 34 Provinces in Indonesia

Agrarian Reform Task Force Structure

Category	Value
Government	34
Academia	5
Industry/Private Sector	9
Society/Non Government Organisation	12
Mass Media	1

Source: Team Analysis, 2023

This table shows that all GTRAs in Indonesia involve the government, especially local governments. Only 12 provinces involve societies/NGOs, 9 provinces include the private sector as members, 5 provinces collaborate with academic parties, both universities and research institutions, and only 1 province invites the mass media to collaborate.

Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN), the primary government body responsible for land management and issuance of land titles would likely play a central role in coordinating and implementing GTRA activities. Since much of the targeted land for agrarian reform is classified as forest land, the Ministry of Environment and Forestry (KLHK)is crucial for the redistributive process. Local Governments are most likely play pivotal role ensure that the needs and circumstances of local communities are taken into account, local government entities are usually involved in the process of agrarian reform. Representatives from Civil Society Organizations and NGOs can help bridge the gap between the government and local communities, offering insights from affected individuals and ensuring that reform initiatives are equitable and just. Experts and Academics are involved to provide technical expertise and advice on best practices in land management, agrarian law, and rural development.

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3.2. The Degrees of Collaboration Result

The significant number of parties involved should ideally lead to a collaborative and multi-faceted approach to agrarian reform. However, due to the challenges faced, such as rushed processes, lack of clear understanding among communities, and insufficient support and monitoring, the potential benefits of collaboration are not always achieved. Addressing these issues would require careful consideration of the processes of distribution, attentive support to foster implementation, and strict monitoring and enforcement of regulations.

The scale of collaboration can refer to the breadth and depth of a collaborative effort, indicating its size, scope, and the number of parties involved. Collaboration can range from small-scale, involving just a few entities, to large-scale, which may encompass multiple organizations, sectors, and even countries. The degree of collaboration is influenced by factors such as the nature of the problem or opportunity being addressed, availability of resources, geographic considerations, and the political, social, and economic context. Effective collaboration at any scale often requires thoughtful structure, clear communication channels, shared goals, and strong working relationships among participants.

In carrying out the degree of collaboration analysis, we read the entire 2022 GTRA final report. Observations were made using descriptive activities of each stage of Agrarian Reform from start to finish. Then we look at how big the provision of Agrarian Reform Object Land (TORA) has been on a large scale and the realization of legalization of assets and access to reform. To obtain more in-depth results, interviews were conducted with several Heads of Land Management across Indonesia to ensure correspondence between narrative descriptions and physical realization in the same year. The results of this analysis can be seen in Table 3.

There are 6 provinces at the highest level, 5 at the medium high level, 4 at the medium level, 6 at the medium low level and 13 at the lowest level. The highest-level conditions will be used as best practice as part of writing this paper, where three provinces will be selected as examples, namely West Sumatera, Banten, and Yogyakarta (Figure 1). Meanwhile, at other lower levels provinces, several improvement notes will be submitted so that they can be improved next year.
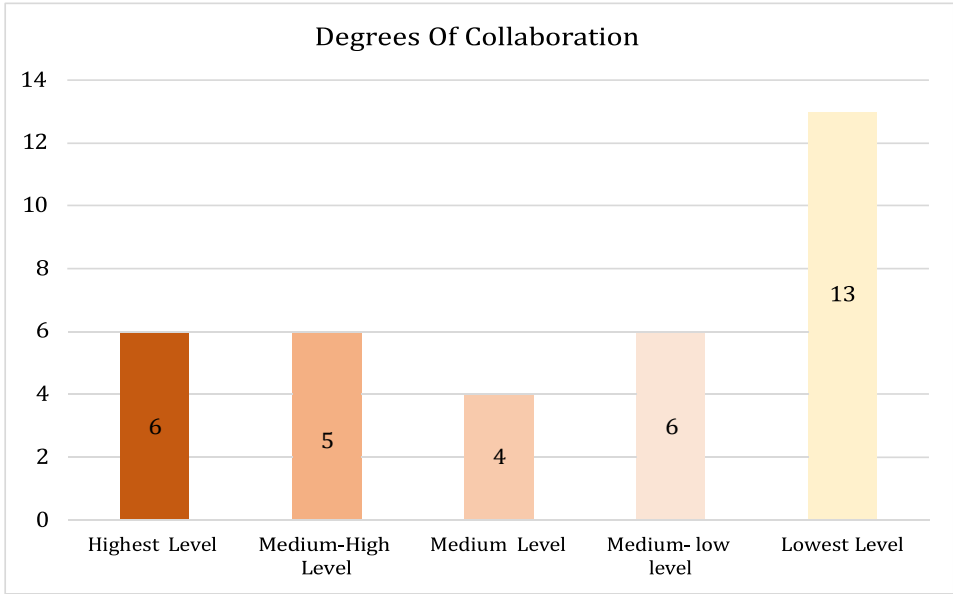
Table 3. Degrees of Collaboration

Source: Team Analysis, 2023

Figure 1. 5 Best Practices of Collaborative Governance

Source: Team Analysis, 2023

3.3. Best Practices of Collaborative Governance

One of the best practices from GTRA, especially for releasing forest areas, is West Sumatra. In 2022, there are 3 districts with a total of 6,400 hectares that are ready for land registration (Figure 2). Where most of the prospective certificate recipients are indigenous people. One of the challenges with forest area release for agrarian reform in Indonesia is the reconciliation of the redistribution with environmental objectives. While the agrarian reform policy has increased the area distributed to local people, the implementation has also faced issues. These include the partial understanding of schemes, site allocation, inadequate considerations for community capacity, and the need to improve local governance. These issues can limit the potential impact of agrarian reform on both improving livelihoods and contributing to environmental sustainability, including climate change mitigation. If not well-managed, this can have the opposite effect, leading to increased forest conversion and loss of carbon sinks.

Therefore, agrarian reform that targets forest areas must consider the balance between improving people's livelihoods and protecting the environment. To enhance the benefits and mitigate the downsides, the Indonesian government must prioritize effective planning, community engagement, capacity building, and monitoring to ensure that both social and environmental goals are met. Reallocation of Forest Lands, Part of the land targeted for agrarian reform is within forest areas managed by the KLHK. Thus, a significant amount of land for the agrarian reform program requires the release of lands from the Forest Estate managed by the KLHK. GTRA West Sumatra proves that there has been good collaboration between the Ministry of Environment and Forestry and ATR/BPN in providing TORA from Forest Area Release.

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Figure 2. Agrarian Reform in West Sumatera.
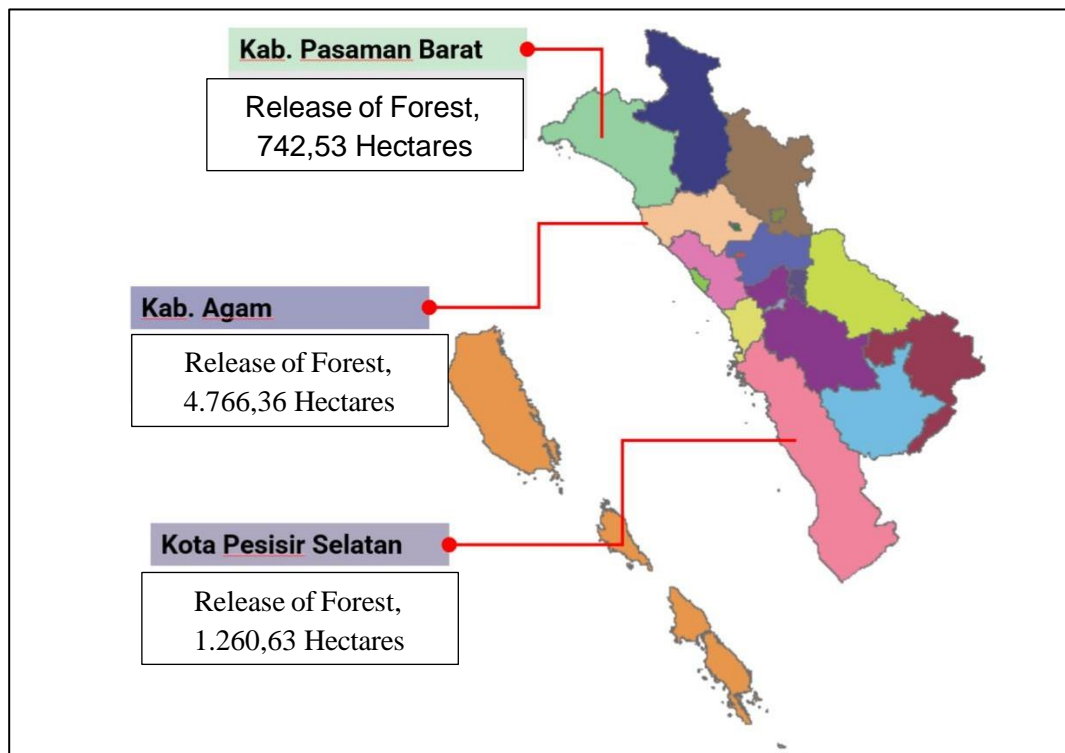
While the specifics can vary based on the actual practice and reforms over time, the general steps for the release of forest land areas typically include the following; (1) Identification, the process begins with identifying areas within the State Forest Estate that may be suitable for release. This involves assessments to determine which areas can be reallocated without significant negative impacts on the environment and conservation efforts, (2) Proposal Development, once potential areas have been identified, a proposal is developed detailing why the land should be released, the intended use, and the potential impacts. This proposal often requires input and approval from various government entities and stakeholders. The third step is Inter-Ministerial Collaboration between the Ministry of Environment and Forestry (KLHK) and the Ministry of Agrarian Affairs and Spatial Planning (ATR/BPN) are initiated. These ministries must agree on the areas to be released and ensure that the process aligns with both forestry and agrarian reform goals. All the process will lead to Land Redistribution (Redistribusi Tanah), the land can legally be distributed to individuals, communities, or entities as part of agrarian reform initiatives, with formal land rights being established.

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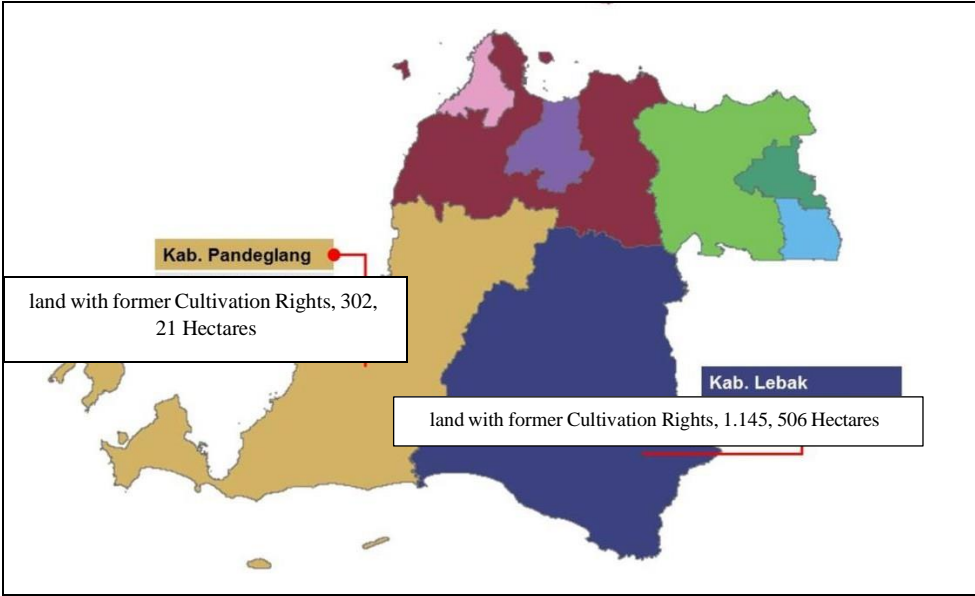Dony Erwan Brilianto, Vito Haga Mursa, Wahyu Sari Sabekti, Sandra Maria Stephanie Hutabarat and Ginanjar Drajad Prakoso (Indonesia)

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In the context of Indonesia's agrarian reform and the "non-productive cultivation right," (Figure 3), it's essential to understand that the government has aimed to redistribute land to local communities and individuals under various schemes, including what can be classified as non-productive lands or lands that are not optimally used.

Figure 3. Agrarian Reform in Banten

land with former Cultivation Rights, 302, 21 Hectares

Kab. Pandeglang

Kab. Lebak

land with former Cultivation Rights, 1.145, 506 Hectares

Cultivation rights, or Hak Guna Usaha, are typically given for state land to be used for agricultural production, often for commercial purposes. When certain lands are designated as non-productive, they might not be fulfilling their intended use under such rights, and thus could be targeted for redistribution to improve productivity and support local livelihoods. Under agrarian reform, these non-productive lands might be repurposed to enhance rural development and equity

GTRA Banten proves that there has been good collaboration between the ATR/BPN and Private Sector, in this the company who used to hold the cultivation rights. These lands become part of agrarian reform programs aimed at increasing agricultural productivity and improving the livelihoods of rural populations.

Figure 4. Agrarian Reform in Yogyakarta
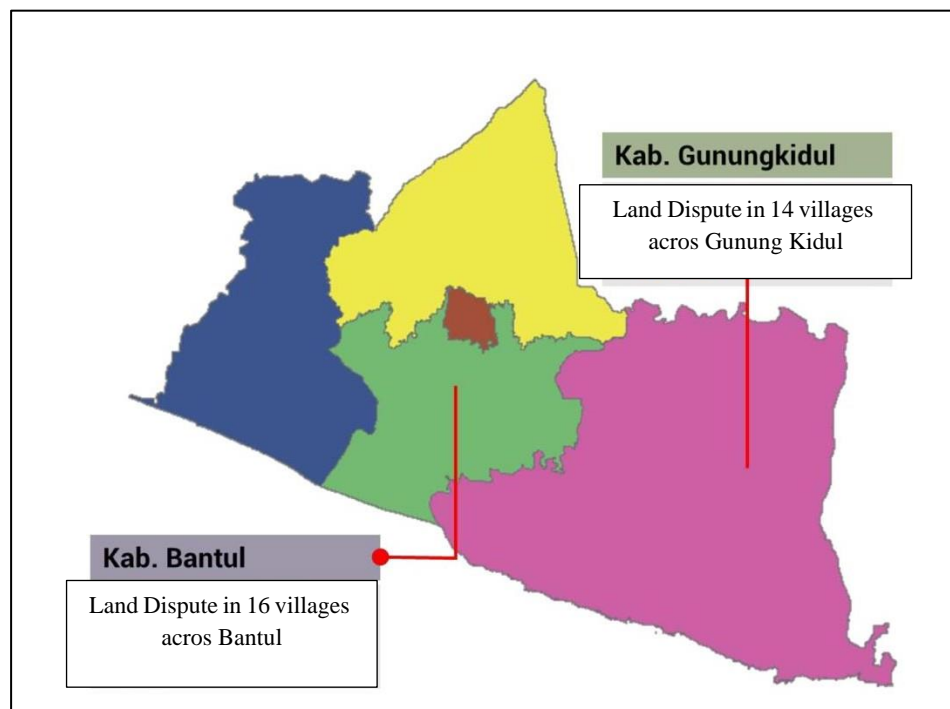
Land disputes can often be a significant issue during agrarian reform efforts since reform often involves reallocating land rights and use, which can lead to conflicts over land ownership. Agrarian reform involves redistributing land to achieve greater social justice and equity, which in itself can be a means to address and resolve existing land disputes, especially those that arise from inequitable ownership and use patterns.

The Indonesian government through GTRA Yogyakarta has acknowledged these concerns and has instituted mechanisms aimed at preventing and resolving disputes related to agrarian reform. Encouraging involvement of local communities in decision-making processes regarding land distribution to ensure that their rights and interests are taken into account. Successful agrarian reform should hence not only focus on redistribution of land but should be accompanied by support systems and clear legal frameworks that help prevent land disputes or resolve them in a fair and equitable manner. GTRA Yogyakarta proves that there has been good collaboration between the ATR/BPN and Society/NGO. Engaging local communities in the

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decision-making process and recognizing traditional rights can reduce conflicts by ensuring that local voices are heard and considered. These approaches aim to combine legal reform, institutional strengthening, community engagement, and policy alignment to resolve disputes effectively and equitably, and to make agrarian reform a tool for both social justice and sustainable development. The actual effectiveness of these mechanisms relies on their proper implementation and the political will to address the complexities and sensitivities of land-related issues in the country.

4. CONCLUSION AND RECOMMENDATION

Based on the result and discussion above, several conclusions were drawn:
- Governance plays a multi-dimensional role in society, organizations, and various levels of government. It is crucial for maintaining order, achieving collective goals, and addressing complex challenges posed by a rapidly changing in Agrarian Reform, including maintaining the level of collaboration in the future.
- The degree of collaboration is not solely dependent on the number of parties involved in agrarian reform, but also on how well these parties can communicate, align their objectives, negotiate their differences, and work together effectively towards common goals
- The case of GTRA Indonesia shows that collaborative governance are the key factors in ensuring the success of Agrarian Reform. By involving local communities, government, private and other parties in decision-making processes and providing them with the necessary resources and support, Agrarian Reform initiatives can be more sustainable and effective. It is important to address the challenges and limitations of Agrarian Reform in Indonesia, such as inadequate participation between the successful GTRA implementation and the ones that need to be prepared in the next year, regarding the partial understanding of rights and responsibilities, and as the member of GTRA.
- The commitment of governments as the leading sector in Agrarian Reform is crucial for the success of such initiatives. Governments are typically responsible for formulating policies, enacting laws, and creating programs that facilitate the equitable redistribution of

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land. They also play a key role in providing the necessary institutional support, technical assistance, and financial resources required for implementing Agrarian Reform.

Following the result of the study, following recommendations are proposed:

- Agrarian Reform is a complex and multifaceted process that aims to address issues of inequality, poverty, and environmental sustainability. The commitment of governments as the leading sector in Agrarian Reform is crucial for the success of such initiatives. Governments are typically responsible for formulating policies, enacting laws, and creating programs that facilitate the equitable redistribution of land (I.A.P.et al., 2019),. They also play a key role in providing the necessary institutional support, technical assistance, and financial resources required for implementing agrarian reform.

- It is suggested to note that the involvement of the private sector must be managed carefully to safeguard the interests of Agrarian Reform beneficiaries and prevent exploitation. Ensuring that private sector activities contribute positively to funding and investment, and it requires clear policies, regulatory oversight, and mechanisms for accountability and transparency.

- Future Agrarian Reform studies with effective use of mass media is needed in creating a supportive environment for agrarian reform and in ensuring that policy implementation aligns with the intended goals of promoting social justice, economic development, and sustainable land management practices. Mass media can disseminate information about agrarian reform policies, their objectives, and the processes involved in land redistribution. This increases public awareness and understanding, which is essential for the acceptance and legitimacy of agrarian reform efforts.

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FIG Working Week 2024
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Accra, Ghana, 19–24 May 2024

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