

Problems with Indonesia's Rice Field Management Policy

Dichotomy of Central - Regional Authorities

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ABSTRACT

This study wants to parse and to explain the problematic authority of the central and regional governments about LP2B. The method used was descriptive qualitative with a case study approach in rice-producing provinces in Indonesia which experienced conversion of paddy field. The results of this study include arguing about rice fields, which have largely not been the priority of local governments in their efforts to maintain rice productivity. In addition, the existing instruments as tools to prevent the conversion of paddy fields have not been conveyed to the farmer level, largely. The policy of determining LP2B locations in detail is suspected of not providing better benefits, compared to non-rice cultivation. On the other hand, the courage of the regional government in spatial planning with the establishment of LP2B (area and location) needs to be raised by putting aside practical interests.

Keywords: LP2B Policy, Government, Conversion of paddy field

1. INTRODUCTION

Indonesia is basically a country that has a very large area and all the natural resources contained therein, including land. With such a wide area and land coverage, Indonesia should have been categorized as a prosperous country. Unfortunately all the existing potentials have not been managed optimally. As a country with a population of 271 million [1], food supply and agricultural land are very influential.

Food is a central issue in nation and state's life; therefore food security is a top priority for the government. The main problem with the realization of food security in Indonesia today is related to the fact that food demand grows faster than the supply does. This rapidly increasing demand is the result of an increase in population. Competition for the use of land resources needs serious attention, given the series of impacts that are very large and involve life. Strengthening aimed at protecting land, especially food oriented, is urgently needed, in addition to strengthening through intensification. One form of strengthening that is currently being echoed is the establishment of Sustainable Food Agriculture Land (LP2B).

The concept of LP2B as in Law Number 41 of 2009 concerning Sustainable Food Agricultural Land states that the meaning of LP2B is a field of agricultural land that is determined to be protected and developed consistently in

order to produce staple food for national food independence, resilience, and sovereignty. The provision of food is urgent while the problem of conversion of agricultural land functions is almost impossible to make the study related to LP2B at the level of conceptual ideas and implementation interesting to study. The ongoing development (state and private) makes a lot of agricultural land converted to non-agricultural functions and it seems to occur increasingly in urban areas. Data of the Central Statistics Agency for the period 2003-2015 shows the area of rice fields in Indonesia as shown in the following graph [2].

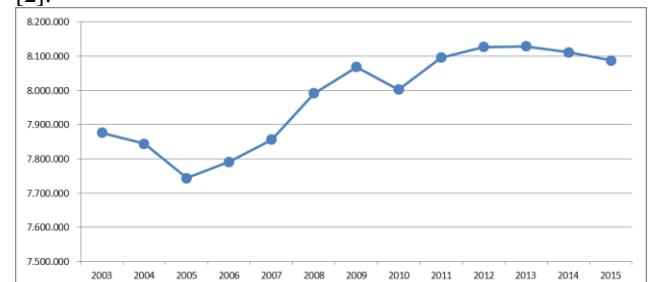


Figure 1 Indonesian Rice Field Area (2003-2015)

Paddy field data in the last few decades shows the number of paddy field conversions has, on average, reached thousands of hectares each year. For example, in the last 3 (three) decades there has been a conversion of 8,346.65 ha land/year in Java Island, while outside Java

the average is 2,269.75 ha/year. Accumulatively, the average reaches 10,616.4 ha/year. The Ministry of Agrarian Affairs and Spatial Planning/National Land Agency also noted that at least 150,000-200,000 hectares of paddy fields are shifted to non-rice fields every year. The function transfer is for industry, housing, services (restaurants, gas stations). The most massive looks are for housing. In addition, BPS also noted a decrease in the area of raw agricultural land nationally, from 7.75 million hectares (2013) to 7.1 million hectares (2018) [3]. The high land price is one of the factors triggering the farmers to relinquish their land ownership to investors for conversion. This means that economic motives are the main cause of land conversion. The farmers themselves use the proceeds from the sale of their land for various purposes (Ministry of Agriculture: 2018).

Government policies that control the conversion of agricultural land to non-agricultural functions, especially the conversion of lowland land functions have not proceeded as desired or have not been effective, so that the rate of conversion of agricultural land functions is still ongoing. According to a study conducted by the Research and Development Center, the Ministry of Agrarian Affairs and Spatial Planning/National Land Affairs Agency [4], the conversion of agricultural land is caused by:

- a. There is still a lot of paddy land that is outside the function of the wetland area in the RTRW;
- b. The legal basis of the implementation and control of RTRW functions and laws and regulations relating to the control of changes to irrigated rice fields and food crops is not enforced;
- c. Population growth and increased education leads to fewer people looking to the agricultural sector.

2. LITERATURE REVIEW

Public policy

Policy analysis emerged as a result of many policies taken but not solving the problem, instead it added to new problems. Often the expectations and reality on the ground are contradictory. Therefore, a comprehensive police analysis is needed so that a relevant method is found as a problem solving problem. Certainly, the policies taken based on optimal benefits will be acceptable to the public, not merely because of its benefit politically but also because of pressure from certain political elites. In making public policy decisions or what is known as the decision making process, there are two theories: incremental theory and comprehensive rational theory [5]. In the comprehensive rational model, it is stated that the process of formulating public policies will produce good results or impacts if it is based on a rational thought process, supported by sufficiently complete data or information.

Decentralization

Decentralization is the transfer of planning, decision-making, or administrative authority from the central government to regional organizations, regional

administrative units, semi-autonomous organizations, local governments, or non-governmental organizations [6]. Bhenyamin Hoessein explains that in the framework of decentralization, autonomous regions are outside the organizational hierarchy of the Central Government [7]. Meanwhile, in the context of deconcentration, the administrative area and field administration are in the organizational hierarchy of the Central Government. Decentralization shows a pattern of inter-organizational power relations, whereas deconcentration shows a pattern of intra-organizational power relations. Therefore, the pattern of power created in decentralization shows an element of separateness and a plurality of structures in the political system as a whole.

Indonesia adheres to a unitary state system, the application of the principles of centralization and decentralization in the organization of the nation state is not a dichotomy but is a continuum. This means that it is impossible for the Central Government to carry out all government affairs in its hands in a centralized manner or on the contrary, the Regional Government will fully carry out all the government affairs that are delegated. What can be done is that there are always a number of governmental affairs that are completely centralized and their refinement, deconcentration. However, there has never been any governmental affair which was administered in completely decentralized manner. Governmental affairs concerning the interests and survival of the nation and state are generally held in a centralized and deconcentrated manner. Meanwhile, affairs containing and concerning the local community (locality)'s interests are carried out in a decentralized manner (Bhenyamin Hoessein 2002, in the National Workshop on State Administration III, 2002).

Agricultural Land, Competition and Food Sovereignty

Agricultural land is a major factor in the production system so that its existence must exist and be fairly distributed, that is, it provides benefits and has competitive value. The perspective is long-term because it determines national statutes and the supporting resources must be affordable. Minko Georgiev reveals a discussion about the importance of agricultural land in an era of competition and its protection, food sovereignty to the constitutional framework [8]. Cultivation land in competition with the needs of other sectors is a tough challenge today. Land protection is not just a technical effort to fight for what already exists, but needs to be followed by building awareness of the importance of food sovereignty in the future. Protection of cultivated land is a priority, not to compare it with the value of profits, but to the strength of the state and its instruments to have the courage to defend and develop the land so that food sovereignty is achieved.

Agricultural land is an object that is widely used as a medium for land conversion activities. The reason is that agricultural land has a larger area and is considered potential for conversion to non-agricultural functions [9]. Another thing that can be seen is that the price of agricultural land tends to be cheaper; thus, if a certain area is required, it will be obtained easily. Low income of

farmers and incentive support that are not proportional to the needs of the agricultural sector are the driving factors for changing the function of the land. The pressure on the number of residents and settlements also contributed to this change in function [10].

3. METHODS

This study used a qualitative method with a case study approach in 6 (six) rice-producing provinces in Indonesia which have experienced a significant change of function. Coordination across government agencies and the existence of a set of rules related to LP2B facilitate the author's judgment to make empirical observations through investigating the phenomenon of function transfer in the context of maintaining real LP2B, especially when the boundaries between the phenomenon and the context do not have clear evidence. The research design is flexible, meaning that it is open to be adapted to data at the center and in the field. The research involves many variables constituting various sources of evidence useful for building theoretical propositions and supported by data collection and then analyzed. All of these things were done in order to understand the regional constraints in determining the size of LP2B. In this research, the unit of analysis is the LP2B policy, consisting of policy makers, institutions, processes, events and field facts.

The results of searches (literature), the formulation of laws and the regulations of products and interviews as well as the discussions at the central and regional levels are carried out so that the existing data can be presented in a readable and understandable form. The technique used by the author is data testing techniques using interactive models, where this research is cyclical. The mechanism includes data classification based on the intent and purpose of the data source, which is still possible to widen (unclear), then the researcher tries to arrange it based on the suitability of the predetermined flow, and if necessary it is collaborated with reinforcing arguments by experts or researchers who have the same study. The last step was verification aiming to capture the true meaning in order to answer the problem formulation.

The advantage of this model is that researchers can test data repeatedly to obtain accurate results. Data analysis was carried out during data collection, to guard against the possibility that new data was needed suddenly during the study. Evidence (data) analysis consists of testing, categorizing, tabulating, or recombining evidence to designate initial propositions.

4. RESULTS AND DISCUSSIONS

The priority of land use in each local government in determining LP2B is still limited to an approximate assumption where this figure has not been supported by accurate data and there has been no effort to take comprehensive countermeasures related to land use change

patterns. The Regional Spatial Planning Perda still does not contain spatial data and information on the exact location of the land plot designated to be LP2B; it tends to only mention districts and areas. Based on Law Number 41 of 2009 concerning the Protection of Sustainable Food Agricultural Land, it is necessary to stipulate Sustainable Food Agricultural Land (LP2B), Sustainable Food Agricultural Reserve (LCP2B), and Sustainable Food Agriculture Areas (KP2B). Efforts to protect LP2B are carried out through the establishment of an area (KP2B) consisting of LP2B and LCP2B and various supporting elements. KP2B is an integral part of Regency Spatial Planning, while LP2B and LCP2B are integrated into a detailed spatial plan, in the event that a detailed spatial plan does not yet exist, according to Government Regulation No.1 of 2011 concerning the Assignment and Transfer of LP2B Functions, LP2B is stipulated in the Layout Plan of the Regency/City Regional Spaces (RTRW).

4.1. The Division of Agricultural Authority Affairs

Food agriculture land is one of the government affairs that is concurrent in nature, referring to Law Number 23 of 2014 concerning Regional Government, the distribution of authority in the agricultural sector to the domain of local governments, but some are in the domain of the central government. This implementation of government affairs model requires the principles of accountability, efficiency, externalities, and still refers to the national interest. This LP2B affair requires openness of both parties, meaning that if there are regional government affairs that are clearly unable to be implemented, it is better to discuss more comprehensively which is the domain of the district government, and which are the domains of the provincial government and the central government. Mahwood further states "They (local representatives) have resources which, subject to the stated limits, are spent and invested at their own discretion". According to Mahwood, decentralization is not only the delegation of authority to a lower level of a government, but what is more important is the authority of the regions to use or empower financial and human resources for the public interest in their regions [11]. The principle of agricultural management in Indonesia is that sustainable agricultural management must contribute significantly to (1) Preventing the conversion of food agricultural land functions, (2) Sustainable rice production, (3) Increasing farmers' income, (4) Provision of jobs in the food crop agricultural sector, and (5) Providing incentives to farmers by local governments.

There are several inhibiting factors that cause delays in implementing LP2B in the regions, beyond the human resource capacity factor. First, LP2B is still the domain of government, where the ministry of agriculture and the agricultural office wants agricultural land to be maintained and sustainable. Meanwhile, the high competition for land use, especially on the island of Java and the absence of

effective control instruments, has resulted in a greater rate of conversion of agricultural land functions. Top-down communication has not been fully channeled to the community and farmers. There is no consensus on the compensation value for land owners designated as LP2B land. Second, the Ministry of Agriculture has not yet established a standard operating procedure on how to disseminate the planning and determination of LP2B to parties whose land has been designated as sustainable food agriculture. This has an impact on the lack of information to farmers about LP2B, including the consequences for farmers if their land is included into the LP2B program. On the other hand, it is not uncommon for farmers who support LP2B to question the clarity of the timing for determining the LP2B. Unfortunately, the LP2B budgeting tool has not been designed to address the consequences of determining LP2B. So far, the Ministry of Agriculture's assistance to the regions is still in the form of deconcentration funds, which are used to subsidize fertilizers and plant cultivation tools and engines (*alsintan*) for all farmer groups in general not specializing in the LP2B program.

4.2. Local Government Efforts in Designating Land for LP2B

Government decentralization and regional autonomy are public policies, but the concept of governmental decentralization is different from that of regional autonomy, although in various literatures the two concepts are often considered the same or mixed up. Government decentralization is a policy of devolving part of the authority and obligations of the central government to regional governments, while regional autonomy is the right, authority and responsibility of local governments to regulate their own household affairs, as a manifestation of the government decentralization policy [12]. With regard to the technical regulations for LP2B and the standard set of rules of the game to be discussed more concretely, what is the central government doing, and what are the provinces and districts doing have not been implemented in detail.

Regional autonomy is used to restructure in the framework of improving the state, essentially making improvements to the three basic elements of state life, namely: (1) System (Constitution and National Law System); (2) Government / State Administrators and (3) People / Society. System reform is needed, because the government administration system is based on the constitution.

Understanding regional autonomy in the context of agricultural land plays a very important role in human life. All forms of cyclical and permanent human intervention to fulfill their daily needs, both material and spiritual originating from the land, are included into the definition of land use. Various types of land use can be found on the surface of the earth, each type of which has its own characteristics. There are three main aspects of interest in

the use of land resources: (1) land is needed by humans for a place to live, a place to grow crops, to raise livestock, to raise fish, and so on; (2) land supports the life of various types of vegetation and animals; and (3) land contains mining materials beneficial to humans [13].

Regional autonomy era has led to the tendency of all regions to compete to increase PAD (Regional Original Income) as part of efforts to increase development in their regions. Some regions relying on PAD coming from natural resources often pay less attention to environmental aspects, sustainability aspects, and aspects of future use. Development programs (especially to increase PAD) are often carried out for short-term uses that are not environmentally sound. Changes in the number of people and the form of their activities will result in changes in land use and in turn will cause changes in environmental quality.

Competition for land use occurs mostly in the suburbs where the land rent for non-agricultural land is very high compared to the land rent for agricultural land. When compared with other sector activities, the land rent for agriculture is much lower. Based on research by Nasoetion and Winoto [14], the ratio of land rent for agricultural land in Indonesia is 1: 500 for industrial areas and 1: 622 for residential areas. Conversion of paddy fields is usually carried out by landowners for other uses with higher land rents [15].

The conflicts of interest faced by local governments in relation to changes in the function of agricultural land are quite a dilemma. On the one hand, local governments must spur economic growth through the development of the industrial, service and property sectors, but on the other hand, they must also maintain the existence and continuity of the agricultural sector (food). The government must support the implementation of settlement development policies and deregulation policies in investment and licensing. However, on the other hand, it must simultaneously prevent the occurrence of land conversion through consideration of land aspects and the application of the Regional Spatial Plan [16]. The granting of location permits is actually a balance point of control where changes in use and spatial use must consider multi-aspects as well as the multidimensional nature of land. The implementation of the delegation of 9 (nine) authorities in the land sector after the issuance of Government Regulation Number 38 of 2007 concerning the division of government affairs between the government, provincial government and district/city governments has the consequence to the location permits constituting one of the triggers and one of the keys to the easier change in land use and utilization. Local governments often interested in investment do not pay attention to the physical technical aspects of the land base. The derivative of location permit is the technical consideration of land services issued, which is often ignored by local governments. In terms of the function of land considerations, it functions as a means of controlling and monitoring changes in land use and of controlling land use in the framework of development activities, so that there is no overlapping (over-lapping) materials for technical coordination between sectors in

order to direct the location of development, as well as information materials in efforts to develop a land information system for control and evaluation in order to improve services to the public.

Referring to Government Regulation Number 30 of 2012 concerning Financing of Sustainable Food Agricultural Land as a reference for LP2B financing patterns, there should be a budget for financing activities from the initial phase of LP2B planning to the empowerment phase of farmers. However, in all phases of planning, stipulating, coaching, controlling, information systems, financing, and capacity building for farmers when asked to the Agriculture Office, sometimes the answers given are general and not specific to LP2B. This condition is quite ironic, recalling that the Agriculture Office issues a budget for fertilizers, agricultural machinery almost annually, even to the extent that no one can state that it is possible to stipulate it as LP2B the consideration and eligibility requirements being met. As an illustration, see the following figure.

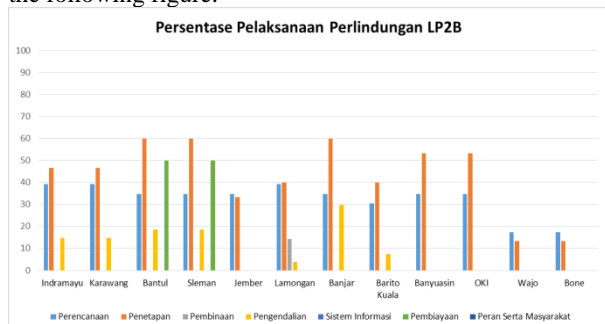


Figure 2 Percentage of LP2B Protection Implementation (data processed in 2018)

Figure 2 shows the stages in LP2B including the phases of planning, stipulating, coaching, controlling, information systems, financing, and community participation, the success of these phases is only up to 60%. Currently, there are still obstacles in each region to determine the size of LP2B. For example, although there is data on LP2B at the study sample locations, the data is only based on area and if traced this information has very poor accuracy. The trend is that more land in the area is used for non-agricultural development activities. Policy makers at the regional level view that agricultural land is not capable of providing optimal regional income so that regional potential will be reduced if they maintain their rice fields. This is of course an obstacle in implementing LP2B in the regions.

4.3. Spatial Planning as an Alternative Solution

The integration of sustainable food agriculture land into the Regency/City Spatial Planning is contained in Article 75 of Law Number 41 Year 2009 which has not stipulated yet that KP2B, LP2B and LCP2B are adjusted within 2

(two) years from the promulgation of this Law. This article is more meaningful to force local governments to plan cultivation areas, especially rice fields, in sustainable development programs in each district and city. The planning of cultivation areas, especially rice fields, can be carried out comprehensively, meaning that rice fields can be placed as the main consideration instrument for the implementation of other activity directions. The implementation of non-agricultural activities depends on the zoning of the rice field cultivation area. In addition to that, another instrument that can be used as a reference is the space utilization permit issued by the Regional Head based on the local spatial plan. The Space Utilization Permit consists of:

- Principle Permit, granted based on Regency / City RTRW;
- Location Permit, granted based on Regency / City RTRW;
- Land Utilization Use Permit, granted based on a location permit; and
- Building Construction Permit, granted based on RDTR and zoning regulations.

Spatial use permits will be easier to decide and have control over function change if the area has a spatial plan with detailed utilization directions. Therefore, it is necessary to accelerate the completion of Provincial, Regency, City RTRW and Detailed Spatial Plans that accommodate LP2B to reduce the threat of conversion of paddy fields. Zoning regulations, permits, incentives and disincentives as well as imposition of sanctions must be applied systemically and consistently in an effort to control the spatial use threatening the conversion of paddy fields. For example, the Bantul Regency's Regional Regulation Number 4 of 2011 concerning Bantul Regency Spatial Planning 2010-2030, and Regional Regulation Number 10 of 2011 concerning LP2B in Sleman Regency have also provided limitations related to the conversion of agricultural land functions but in fact, it is still difficult to reduce conversion of paddy land. Many of the permits issued by the regional governments of Sleman and Bantul are conflicting due to requests from the community directly as well as by private parties and third parties, making conditions on the ground even more complicated. The Bantul Regency Government has not been optimal in preparing the LP2B policy regulations because it can be said that from the field conditions it is not satisfactory. This requires support for regional spatial planning regulations, budget allocation for regulatory planning, interest groups, willingness of farmers, and availability of agricultural land. In addition, to strengthen regional food security, the Bantul Regency Government will conduct a review on spatial planning policies, and a law enforcement on spatial planning regulations [17].

Based on this fact, policy makers are reluctant to plan perennial agricultural lands in detail and systematically because the temptation to carry out the conversion of paddy fields is more attractive and promising. Rustiadi et al stated that in the law of market economy, land conversion takes place from activities with

lower land rent rates to activities with higher land rent rates [18]. According to Barlowe, the value of land rent has a close relationship with the allocation of land resources among various commercial and strategic sector use competitions [19]. In order to fill the legal vacuum as long as the Regional Regulation for the Protection of Sustainable Food Agricultural Land cannot be enacted, the Bantul Regency Government can establish a Sustainable Food Agriculture Area through a Regent Regulation to suppress efforts by interest groups to convert agricultural land into other uses that are considered more commercially profitable [17]. According to data from the Directorate General of Agricultural Infrastructure and Facilities, the Ministry of Agriculture, many districts/cities and provinces are currently submitting revisions to the RTRW and requesting a recommendation for approval to request reduction of rice fields (Ministry of Agriculture: 2018). This condition is contrary to the desire of the central government to increase the area of rice fields, given the strong desire to be self-sufficient in rice and the Indonesian nation to become a sovereign country over food. On the other hand, local governments need increased revenue and are oriented towards employment. As a result, the path taken is to open up investment opportunities based on non-agriculture. The speed of non-agricultural investment is considered to be better and more promising compared with agriculture, especially rice fields. However, it must also be noted that the food sector is an inevitable basic need. One way to mediate this is by examining, establishing a space that is strengthened by regulations regulating non-technical, comprehensive protection of agricultural land and subjects, making farmers more dignified and forming a more promising agricultural climate.

The more detailed layout makes the licensing easier and the control process simpler. The phenomena of conversion of agricultural land functions, which are not procedural and unpermitted (naturally), can be dealt with by providing incentives to land owners and socializing local regulations and laws on LP2B. During this socialization, the government at the lowest level will also know the consequences expected by the community if the land cannot be converted because it has been assigned to the LP2B location. Strengthening the farmers' confidence in their current profession will strengthen efforts to maintain sustainable rice field resources. In addition, innovative breakthroughs with an approach to increasing farmer income will be felt more than just binding rules without any solution that guarantees the lives of the farming community.

In addition to the development of a sustainable rice availability system in the future conducted in Java by managing sensitive attributes with an ecological dimension is also recommended to be directed to the Sumatra region by managing the sensitive attributes of the socio-cultural dimension because developing other areas in Indonesia will cost relatively much bigger [20], then the compromise of space between the interests of the (local/central) governments is the best effort by emphasizing that the area

of rice fields is guaranteed and does not reduce the development of other sectors.

5. CONCLUSION

The obstacle faced by local governments in determining sustainable food agricultural land is the lack of commitment to designating agricultural land in a thematic map which is then stipulated in regional regulations. The local government has not yet focused on implementing the agricultural sector where this condition can be seen from several sampling areas that do not have strategic readiness for programs, activities and policies. This fact is confirmed by the finding that agricultural land is considered not to have an equivalent replacement value if the land is in the form of a factory.

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