



Harmonization of Protected Agricultural Land (LSD) Policy as an Implementation of Protection for Regional Food Security

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ABSTRACT

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The agricultural sector has a very strategic role in the national and regional economy through its contribution to Gross Domestic Product (GDP), foreign exchange earnings, provision of food and industrial raw materials, poverty alleviation, provision of employment and increase in community income. The threat of food production raises concerns about the occurrence of a food crisis, as a result Indonesia will need additional food availability, especially the availability of food-supporting land. Protection of food agricultural land is an inseparable effort in order to control the function of food land which is increasing rapidly today as a result of increasing demand for land. In 2022, the Ministry of Agriculture through the Directorate General of Agricultural Infrastructure and Facilities allocated the Protected Agricultural Land Protection Recommendation activities to the District/City Agriculture Office in 51 districts/cities in 12 Provinces. The method used in this research uses normative research methods with conceptual and statutory approaches.

KEYWORDS:

Harmonization, Protected Agricultural Land s, Food Security

I. INTRODUCTION

The agricultural sector has a very strategic role in the national and regional economy through its contribution to Gross Domestic Product (GDP), foreign exchange earnings, provision of food and industrial raw materials, poverty alleviation, provision of employment and increase in community income. In addition to direct contributions, the agricultural sector also has indirect contributions in the form of multiplier effects, namely input-output linkages between industries, consumption, and investment which are also quite large. In addition, agriculture is also a resilient sector that can be relied upon as a buffer for national and regional development. During the economic crisis, the agricultural sector proved to be more resilient and able to survive and recover faster than other sectors. In 1997/1998, the national economy declined by 13.13 percent, while the agricultural

sector only declined by 0.74 percent. In the following period, the GDP of the agricultural sector began to grow again, and was able to grow faster than other sectors.

Agricultural land has a strategic role and function for Indonesian society with an agrarian character because there are a large number of Indonesians who depend on the agricultural sector, especially on food availability. Thus, land not only has economic value, but also social and even religious value. In order to realize sustainable agricultural development, land is the main resource in agricultural businesses, especially the majority of business fields still depend on land-based agricultural patterns. Currently, land is a scarce natural resource because the amount is increasingly limited and cannot increase but the need for land is always increasing.

On the other hand, the process of urbanization is increasing uncontrollably, resulting in the expansion of various kinds of urban activities that increasingly push agricultural activities in rural areas directly adjacent to urban areas. The logical consequence is the loss of livelihoods of the agrarian population with the migration of rural residents to urban areas in large numbers without being matched by the availability of employment opportunities in urban areas. The threat to food production raises concerns about the occurrence of a food crisis, as a result of which Indonesia will

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need additional food availability, especially the availability of food-supporting land. Protection of food agricultural land is an inseparable effort in order to control the rapid function of food land today as a result of the increasing need for land. In 2022, the Ministry of Agriculture through the Directorate General of Agricultural Infrastructure and Facilities allocated the Protected Agricultural Land Protection Recommendation activities to the District/City Agriculture Office in 51 districts/cities in 12 Provinces as a follow-up to the Presidential Regulation of the Republic of Indonesia Number 59 of 2019 concerning Controlling Paddy Field Conversion. In order for the implementation of Sustainable Food Agricultural Land Protection activities to run well and in accordance with regulations, it is necessary to **Harmonize Protected Agricultural Land (LSD) Policies as an Implementation of Protection of Regional Food Security.**

II. PROBLEM FORMULATION

Based on this description, the formulation of the problem to be studied is:

1. How is the Theoretical and Practical Study of Protected Agricultural Land
2. How is the harmonization of laws and regulations on Protected Agricultural Land s

III. LITERATURE REVIEW

Legal Protection

The term protection is closely related to law, as a means that has certainty and has a compelling and binding force, policies must be outlined in the rule of law, including policies on protection must also be outlined in the form of legal rules. Linguistically, the word "protection" comes from the Indonesian language, in the Kamus Besar Bahasa Indonesia, the word protection is defined as (1) a place of refuge; and (2) things or actions and so on that lead to protecting, namely making or causing something to take refuge.¹

Based on the definition of the word protection above, it can be concluded that protection is a series of actions carried out, of course, well arranged in advance, for the realization of a protection to the intended thing. This means that the series of actions is an action that has been well planned, both in the short and long term, where the goal is the realization of a protection on the desired object.

In legal terms, protection can be referred to as a series of actions that can be called policies outlined in the form of laws and regulations to achieve real protection for the object to be protected. John Locke is different from Hobbes' opinion on social contract theory. If Hobbes states that there is a social

contract because society at that time was a chaotic society with a social contract it will create an order. Meanwhile, according to John Locke, society at that time was an orderly society, a society that respected freedom, the right to life, and property ownership as innate human rights.² These rights were not handed over to the ruler when the social contract was made. Thus the ruler cannot be absolute. Therefore, according to John Locke, the existence of power is precisely to protect the natural rights referred to above from dangers that may threaten, both from within and from outside.³

Apart from John Locke, who stated that law is the protector of natural rights is Immanuel Kant. According to Kant, human beings are creatures of reason and free will. The state is tasked with upholding the rights and freedoms of its citizens. The prosperity and happiness of the people is the goal of the state and the law. therefore, basic human rights should not be violated by the authorities. Even the exercise of these basic rights must not be obstructed by the state.⁴ If the law is the guarantor of the protection of basic human rights, then how is the existing law or the formulated law directed towards the protection of these basic rights? According to John Locke, it is the people who must formulate the law independently so that the law truly protects the basic rights of the people. The legislature has an important role in formulating laws that lead to the protection of the basic rights of the people.⁵

Based on the Preamble of the 1945 Constitution, the fourth paragraph states that "Then than that to form an Indonesian State Government that protects the entire Indonesian nation and all Indonesian blood spills and to advance the general welfare, educate the nation's life, and participate in carrying out world order based on independence, eternal peace and social justice,.....". It is a philosophical basis that Indonesia, which was established by the founding fathers, has a great purpose, namely: (1) to protect all Indonesian people; (2) to prosper all Indonesian people; (3) to educate the nation's life; and (4) to participate in implementing world order. This means that the Indonesian state has an obligation to realize all the goals that have been designed by the founding fathers, one of which is "to protect all Indonesian people".

Legal protection is a function of law, where the law is positioned as a subject to provide protection for all things which in essence is the protection of rights. This legal function aims to create order, with the assumption that if rights have been fairly protected, then order will be achieved.

Meanwhile, according to Irwan Safaruddin Harahap, legal protection is "all efforts made consciously by every person and government institution, even the private sector,

¹ Tim Penyusun, *Kamus Besar Bahasa Indonesia*, Balai Pustaka, Jakarta, 1990, p. 526.

² Bernard L. Tanya dkk, *Teori Hukum*, KITA, Surabaya, 2006, p. 60.

³ Ibid.

⁴ Ibid, p. 61.

⁵ Ibid.

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which aims to secure, control, and fulfill the welfare of life in accordance with existing human rights (Law No. 39 of 1999 concerning Human Rights)".⁶ So it can be concluded that legal protection is a series of strategies or systems that ensure the realization of protection against something.

Agricultural Land

The definition of land itself in the Big Indonesian Dictionary is open land or cultivated land.⁷ Meanwhile, the definition of land according to Article 1 point 1 of Law No. 41/2009 on the Protection of Sustainable Food Agricultural Land is "The land part of the earth's surface as a physical environment that includes soil and all factors that affect its use such as climate, relief, geological aspects, and hydrology formed naturally or due to human influence". Based on the definition of land above, it can be concluded that what is meant by land is land and the factors that influence its use.

If land is termed as land, then according to Suryatna Rafi'i, the mind will imagine what is contained in the land and how the land is. Farmers, for example, have different conceptions from urban planners (planologists) and different from the conceptions of civil engineers. Suryatna Rafi'i continued, for farmers, does their cultivated land consist of soil that can support the growth of their crops? But for urban planners which lands are appropriate for landscaping, greening, housing, industrial centers and shopping centers. For civil engineers and architects, is the land appropriate for a building site, for a highway, a railroad or for an airplane runway?⁸ In other words, the shift from the term land to land means that the term land is more likely to be utilized appropriately in accordance with the needs of society, whether in the fields of agriculture, industry and settlements or housing.

Meanwhile, the definition of agricultural land as in Article 1 point 2 of Law Number 41 of 2009 concerning the Protection of Sustainable Food Agricultural Land is "land used for agricultural business". This was also conveyed by Sarwono Hardjowigeno and M. Luthfi Rayes when explaining about paddy fields, that paddy fields are land used to grow paddy rice, either continuously throughout the year or in rotation with secondary crops. The term sawah land is not a taxonomic term, namely, naming and grouping living things based on similarities and differences in their properties, but the term sawah land is a general term, such as forest land, plantation land, agricultural land and so on.⁹ Thus the term agricultural land is not a naming based on analysis

from a taxonomic context but is simply a term for the use of the land that is used for agriculture.

Sustainable Food Agricultural Land

Recently, the agricultural sector has become a major concern after several rice shortages and the need to export rice from other countries. The soaring prices of agricultural products, caused by a mismatch between supply and demand, has created an opportunity for traders of agricultural products to increase the price of agricultural products. The shift in the development paradigm from agrarian to industrialist, resulting in the shift of agricultural land to industrial land, causes the availability of agricultural products to decrease and inflation occurs. According to Bustanul Arifin, since around 2000, the agricultural sector has begun to be discussed again as the basis for the recovery of the economy, which is at the nadir of its development. Many discussions and studies have been conducted to re-empower the agricultural sector. However, these public discussions have contributed to a positive effort to reawaken economic observers from the tendency to overlook the importance of the agricultural sector in the national economy.¹⁰

Bustanul Arifin continued that the decline in the contribution of the agricultural sector to national income and the share of the national workforce is a natural process in an economy undergoing structural transformation. If because of this natural decline, there is an assumption that the agricultural sector is not very important in economic development, this naivety must be paid dearly because the non-agricultural sector (in this case the manufacturing sector, the service industry, and so on) turns out to grow and develop in a very false and distortive context.¹¹

One of the efforts that must be made to make agriculture a major contributor to the national economy and employment is to protect sustainable food agricultural land. The definition of sustainable food agricultural land based on Article 1 point 3 of Law No. 41/2009 concerning the Protection of Sustainable Food Agricultural Land is "agricultural land areas that are determined to be protected and developed consistently to produce staple food for national food independence, security and sovereignty".

Based on the above understanding, sustainable agricultural food land contains two elements, (1) the determination of agricultural land to be protected; and (2) consistent development to produce staple food for national food independence, security and sovereignty. According to Coen Reijntjes, Bestus Haverkort and Waters-Bayer,

⁶ Irwan Safaruddin Harahap, *Perlindungan Hukum Terhadap Anak Korban Kejahatan Seksual Dalam Perspektif Hukum Progresif*, Jurnal Media Hukum, Vol. 23 No. 1 Juni 2016, p. 41.

⁷ Tim Penyusun, *Op. Cit.*, p. 486.

⁸ Suryatna Rafi'i, *Soil Science*, Angkasa, Bandung, 1987, p. 10.

⁹ H. Sarwono Hardjowigeno dan M. Luthfi Rayes, *Tanah Sawah*, Bayumedia, Malang, 2005, p. 1-2.

¹⁰ Bustanul Arifin, *Spektrum Kebijakan Pertanian Indonesia*, Erlangga, Jakarta, 2001, p. 1.

¹¹ *Ibid.*

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agriculture can be called sustainable agriculture if it has fulfilled the following:¹²

1. Ecologically stable

Ecologically stable means that the quality of natural resources is maintained and the capabilities of the agroecosystem as a whole, from people, plants and animals to soil organisms, are enhanced. Both of these will be met if the soil is managed and the health of plants, animals and people is maintained through (regular) biological processes. Local resources are used in such a way that losses of nutrients, biomass and energy are kept to a minimum and pollution is prevented. The emphasis is on using renewable resources.

2. Economically sustainable

Economically sustainable means that farmers can produce enough to meet their own needs and/or income, and earn enough to recover their labor and costs. Economic sustainability can be measured not only in terms of direct farm products but also in terms of functions such as conserving natural resources and minimizing risks.

3. Fair

Fair in this case means that resources and power are distributed in such a way that the basic needs of all community members are met and their rights to land use, adequate models, technical assistance and marketing opportunities are guaranteed. All people have the opportunity to participate in decision-making, both in the field and in the community. Social unrest can threaten the entire social system, including the agricultural system.

4. Humanized

Humane means that all forms of life (plants, animals and humans) are valued. The basic dignity of all living beings is respected, and relationships and institutions incorporate fundamental human values, such as trust, honesty, dignity, cooperation and compassion. The cultural integrity and spirituality of the community are safeguarded and nurtured.

5. Flexibility

Flexibility in this context means that rural communities are able to adapt to ongoing changes in farming conditions, such as population growth, market demand policies, and so on. This includes not only the development of new and appropriate technologies, but also innovations in a social and cultural sense. Thus, the protection of sustainable food agricultural land is a policy aimed at protecting the existence of agricultural land from being converted into industrial and other land uses, in addition to protecting existing agricultural land so that it remains consistently

productive in producing good food so that there is a self-sufficiency in food.

A Study of the Principle

Law formation, both in the form of laws, government regulations and regional regulations, includes the four elements of law, namely principles, methods, institutions and processes. According to Eugen Ehrlich, law is social law. It is born in the world of human experience that struggles with everyday life. It is formed through habits. The habit gradually binds and becomes an effective order. Then life goes on within that order. The binding force of the "living law" is not determined by the authority of the state. It does not depend on the competence of the ruler within the state. While all laws can be regulated externally by state agencies, internally the relationships within social groups depend on the members of the group. This is what is called *living law*.¹³ Law is not limited to the rules listed in the legislation alone, but it also contains legal principles that apply and are accepted in society which are the result of the legal process which is the *living law of the law that lives in society*.¹⁴

In general, the term principle in English is equivalent to the term *principle*. In *Black's Law Dictionary*, *principle* is interpreted as:

1. *A fundamental truth or doctrine, as law;*
2. *A comprehensive rule or doctrine which furnishes or originates for others;*
3. *A settled rule of action, procedure or legal determination.*

The truth or proposition in a principle is so clear that it cannot be proved or disputed except as a proposition that is still unclear. It is the legal principle that underlies the essence of an institution or its parts. Sudikno Mertokusumo concluded that the principle is not a concrete legal regulation, but is a basic thought that is general in nature or is the background of concrete regulations contained in and behind every legal system that is manifested in legislation and judges' decisions which are positive law and can be found by looking for general characteristics in the concrete regulations.¹⁵

In line with the above opinion, Satjipto Rahardjo said that legal principles are the "heart" of legal regulations and have a position as *ratio legis*, which will provide assistance in understanding legal regulations.¹⁶ Thus, legal principles are not real regulations but in the form of a foundation of thought on truth, doctrine or propositions that underlie the birth of legal rules embodied in positive law. The legal system that is established cannot be separated from the underlying legal principles as the *ratio legis of the system*.

¹² Coen Reijntjes, *Bestus Haverkort dan Waters-Bayer, Pertanian Masa Depan*, Kanisius, Yogyakarta, 1999, p. 2.

¹³ Bernard L. Tanya dkk, *Teori Hukum*, KITA, Surabaya, 2006, p. 118.

¹⁴ Mochtar Kusumaatmadja, *Konsep-Konsep Hukum Dalam Pembangunan*, Alumni, Bandung, 2002, pp. 80-91.

¹⁵ Sudikno Martokusumo, *Mengenal Hukum, Suatu Pengantar*, Liberty, Yogyakarta, 2002, p. 34.

¹⁶ Satjipto Rahardjo, *Ilmu Hukum*, Citra Aditya Bakti, Bandung, 1996, pp. 45-47.

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In contrast to his opinion, Paul Scholten states that principles are sometimes part of the legal rules and also sometimes outside or behind the rules. Paul Scholten emphasizes in his opinion:¹⁷

"principles are basic thoughts, which are found in and behind the legal system respectively formulated in statutory rules and judicial decisions with regard to provisions and individual decisions can be seen as an elaboration".

Based on Paul Scholten's opinion above, it becomes a question whether the legal principle should be seen as a strong or weak form of legal regulation. In a strong form, legal principles can be seen as a type of regulation (meta rules) with regard to rules of behavior, thus in principle can be distinguished from the type of rules in general. This means that the position of the principle as a meta rule is only an argument for behavioral guidelines that must be applied and the principle as a meta rule does not provide behavioral guidelines as rules of behavior or law. While the principle in its weak form can be included as a type of rule relating to the rules of behavior (rule of law), the difference between the principle in a weak form with the rules of behavior is only a gradual difference.¹⁸

Based on this review, it can be concluded that legal principles can be seen as a kind of meta rule with respect to rules of behavior, while legal principles can also fulfill the same function as rules of behavior. Because, meta rules in this context contain measures or value criteria (*waardemaatstaven*). The function of legal principles is to realize the measure of value as much as possible in the rules of positive law and its application. However, realizing the measure of value is completely perfect in a positive legal system is impossible.¹⁹

Based on the review in the introduction to the definition, function and purpose of principles above, the principles required in formulating the Regional Regulation of the Regencies of Jember, Banyuwangi and Situbondo on the Protection of Sustainable Food Agricultural Land refer to the principles in Law No. 41 of 2009 on the Protection of Sustainable Food Agricultural Land as follows:

a. Benefit principle

The principle of benefit is that the Protection of Sustainable Food Agricultural Land is organized to provide maximum benefits for the welfare and quality of life of the people, both present and future generations.

b. The principle of sustainability and consistency

The principle of sustainability and consistency is the Protection of Sustainable Food Agricultural Land where the function, utilization, and productivity of the land are consistently and sustainably maintained to ensure the realization of national food independence, security, and sovereignty by taking into account present and future generations.

c. The principle of integration

The principle of integration is that the Protection of Sustainable Food Agricultural Land is organized by integrating various interests that are cross-sectoral, cross-regional, and cross-stakeholder in nature.

d. The principle of openness and accountability

The principle of openness and accountability is that Sustainable Food Agricultural Land Protection is organized by providing the widest possible access to the public to obtain information related to Sustainable Food Agricultural Land Protection.

e. The principle of togetherness and mutual cooperation

The principle of togetherness and mutual cooperation is that the Protection of Sustainable Food Agricultural Land is organized jointly between the Government, local governments, landowners, farmers, farmer groups, and the business world to improve the welfare of farmers.

f. Participatory principle

The participatory principle is Sustainable Food Agricultural Land Protection that involves the community in planning, financing, and supervision.

g. The principle of justice

The principle of justice is that the Protection of Sustainable Food Agricultural Land must reflect proportional justice for every citizen without exception.

h. The principle of harmony, harmony, and balance

The principle of harmony, harmony, and balance is that the Protection of Sustainable Food Agricultural Land must reflect

¹⁷ JJ. H. Bruggink Alih Bahasa B. Arief Sidharta, *Refleksi Tentang Hukum (Pengertian-Pengertian Dasar Dalam Teori Hukum)*, Citra Aditya Bakti, Bandung, 2011, pp. 119.

¹⁸ Ibid, pp. 120.

¹⁹ Ibid, p. 122.

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harmony, harmony, and balance between the interests of individuals and communities, the environment, and the interests of the nation and state as well as the maximum capacity of the region.

i. Principles of environmental sustainability and local wisdom

The principle of environmental sustainability and local wisdom is that the Protection of Sustainable Food Agricultural Land must pay attention to the preservation of the environment and its ecosystem as well as its cultural and regional characteristics in order to realize sustainable development.

j. The principle of decentralization

The principle of decentralization is that the Protection of Sustainable Food Agricultural Land is carried out in the regions by taking into account the maximum capacity of the regions.

k. The principle of state responsibility

The principle of state responsibility is the protection of sustainable food agricultural land owned by the state because of its strong role and responsibility for all aspects of sustainable food agricultural land management.

l. Diversity principle

The principle of diversity is the Protection of Sustainable Food Agricultural Land that takes into account the diversity of staple foods, such as rice, corn, sago, and cassava.

m. Social and cultural principles

Social and cultural principles are the Protection of Sustainable Food Agricultural Land that pays attention to the social function of land and land use according to location-specific culture and local wisdom, for example corn as the staple food of the Madura Islanders and sago as the staple food of the Maluku Islands.

IV. METHODS

The type of research used is normative juridical, with a statutory approach and conceptual approach. The legal materials used are primary legal materials, secondary legal

materials and non-legal materials, which are collected by literature study method and analyzed by deductive analysis method.

V. DISCUSSION

1. Review of Implementation Practices

Law, which is a human work in the form of norms containing instructions for behavior, is a reflection of human will about how society should be built and where it should be directed.²⁰ One of the main issues that is quite prominent in such a context is the issue of *law as a tool* to change society (*law as tool of social engineering*).²¹ As a consequence, the problem of law as a tool to change society concerns the function of law in development, even changes in law with changes in society. For this reason, there are two functions according to legal experts that can be carried out by law in society, namely: *first*, law as a means of social control, and *second*, law as a means to engineer society.²²

With such a legal function, the Regional Regulation (Peraturan Daerah) of Jember, Banyuwangi and Situbondo Regencies on the Protection of Sustainable Food Agricultural Land as one of the instruments to engineer the potential of food agricultural land owned by Jember, Banyuwangi and Situbondo Regencies is protected in a sustainable manner. Protection of sustainable food agricultural land is a system and process in planning and establishing, developing, utilizing and fostering, controlling, and supervising food agricultural land and areas in a sustainable manner.²³

So the protection of sustainable food agricultural land is a continuous system and process to plan and determine food agricultural land. The next process is to develop the food agricultural land, then utilize, nurture and control the food agricultural land. Then supervision is conducted on the food agricultural land and the area. In terms of implementation, regarding the planning and designation of food agricultural land, the district governments of Jember, Banyuwangi and Situbondo always plan for food agricultural land and stipulate it in the RPJMD (Regional Medium-Term Development Plan) of Jember, Banyuwangi and Situbondo. As an example, in 2015 the area of agricultural land consisted of (1) irrigated rice fields covering 85,231 ha; (2) rain-fed rice fields covering 838 ha; (3) swamp or lebak covering 318 ha; (4) tegal or garden covering 35,850 ha; (5) field or huma covering 300 ha. So the total amount is 122,537 ha. Thus the implementation of the Regional Regulation on the Protection of Sustainable Food Agricultural Land, particularly in terms of planning and designation of agricultural land, is not a problem.

²⁰ Satjipto Rahardjo, *Ilmu Hukum*, Alumni, Bandung, 1987, pp. 20.

²¹ Satjipto Rahardjo, *Hukum dan Masyarakat*, Angkasa Bandung, 1986, pp. 117.

²² Soerjono Soekanto, *Beberapa Permasalahan Hukum Dalam Kerangka Pembangunan di Indonesia*, UI Press, Jakarta, 1983, pp. 18.

²³ Article 1 point 5 of Law No. 41/2009 on the Protection of Sustainable Food Agricultural Land.

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The system or process of developing, utilizing and controlling agricultural land that will be formulated in the Regional Regulation on the Protection of Food Agricultural Land is what needs continuous socialization. Because land protection is not only planning and determining food agricultural land adapted to the conditions, needs and projections of food to be produced, more than that, so that food agricultural land that has been planned and determined can be developed, utilized and controlled. This is what determines whether the land can be protected.

2. Harmonization of Legislation on Protected Agricultural Land s

The purpose of law is not only to create order but also to ensure the creation of welfare. Initially, Thomas Hobbes stated that the purpose of law is to create order. Hobbes sees law as a basic need for individual security, his statement is based on his materialism, that humans (since ancient times) are controlled by natural passions to fight for their own interests.²⁴ The existence of such human attitudes always creates the potential for conflict between one human being and another. Law becomes the commander to resolve the interests of individual human passions so that an order is realized.

Piter Mahmud Marzuki in the book *Introduction to Legal Science* states that since Hobbes' opinion that the purpose of law is to create social order, since then order is seen as something that absolutely must be created by law. But according to him, such a view is less precise because what is meant by a state of disorder is not *order*, but peace and prosperity.²⁵ Therefore, the purpose of law is not only to create order but more than that, the purpose of law is to create prosperity.

So the legal rules formulated by the legislature together with the executive must aim to create public welfare, do not let the legal rules formulated only benefit certain parties or groups. The Regional Regulations of Jember, Banyuwangi and Situbondo Regencies on the Protection of Sustainable Food Agricultural Land also aim to prosper, specifically farmers and in general the entire community of Jember Regency, Jember Regency, Banyuwangi and Situbondo. The protection of sustainable food agricultural land, through the planning and determination of food agricultural land, is the first step in the protection of food agricultural land. So that later this food agricultural land will remain intact even though there is an increase in the need for non-agricultural land, such as industrial land and land for infrastructure purposes. In the planning, reserve land has also been prepared to be used as food agricultural land, so that even though there is an increasing need for non-agricultural land, it does not affect the food agricultural land.

Of course this agricultural land is the main capital to be maintained as an instrument for the welfare of the people of Jember, Banyuwangi and Situbondo Regencies. Agricultural food land becomes work land for the farming community and the average job of the people of Jember, Banyuwangi and Situbondo Regencies is a farmer. Agricultural land can improve the economy of the community and the Government of Jember, Banyuwangi and Situbondo Regencies.

However, the protection of food agricultural land is not only in the aspect of planning and determining the needs of food agricultural land in the districts of Jember, Banyuwangi and Situbondo, more than that, there is development, utilization, guidance, control, supervision and others. Because the protection of sustainable food agricultural land is a protection system. The system must consist of subsystems that work together to achieve the desired goals. This means that in addition to having determined the ratio of food agricultural land needs in Jember, Banyuwangi and Situbondo Regencies, there needs to be agricultural land development, agricultural land utilization, guidance, control, supervision, information systems, protection of farmers and financing. With such subsystems, the protection of sustainable food agricultural land is realized.

The above food agricultural land protection system will create added value for the people of Jember, Banyuwangi and Situbondo Regencies, especially farmers. In terms of agricultural income, of course, it will be of higher quality and quantity than before. This situation will increase the price of agricultural products and will also increase the income of farmers. If the income of farmers increases, their welfare will also increase.

So the implications of the application of the Regional Regulations of Jember, Banyuwangi and Situbondo Regencies on the Protection of Sustainable Food Agricultural Land, there is protection of food agricultural land in Jember, Banyuwangi and Situbondo Regencies. more than that, the food agricultural land will be more productive, because of the utilization, guidance, supervision, protection of farmers and others. If so, there will be an increase in agricultural yields and better quality than before. This will certainly increase the selling price of agricultural products and farmers get more from the farm, of course this will improve the welfare of farmers in particular and the people of Jember, Banyuwangi and Situbondo Regencies in general. this is the implication of the implementation of the Regional Regulation of Jember, Banyuwangi and Situbondo Regencies on the Protection of Sustainable Food Agricultural Land.

VI. CONCLUSION

1. The system or process of developing, utilizing and controlling agricultural land that will be formulated in the

²⁴ Leo Strauss in Bernard L. Tanya et al, Op. Cit, p. 54.

²⁵ Piter Mahmud Marzuki, Op. Cit, p. 128.

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Regional Regulation on the Protection of Food Agricultural Land is what needs continuous socialization. Because land protection is not only planning and determining food agricultural land adapted to the conditions, needs and projections of food to be produced, more than that, so that food agricultural land that has been planned and determined can be developed, utilized and controlled. This is what determines whether the land can be protected.

2. implications of the application of the Regional Regulations of Jember, Banyuwangi and Situbondo Regencies on the Protection of Sustainable Food Agricultural Land, there is protection of food agricultural land in Jember, Banyuwangi and Situbondo Regencies. more than that, the food agricultural land will be more productive, because it is sought to be utilized, guidance, supervision, protection of farmers and others. If so, there will be an increase in agricultural yields and better quality than before. This will certainly increase the selling price of agricultural products and farmers get more from the farm, of course this will improve the welfare of farmers in particular and the people of Jember, Banyuwangi and Situbondo Regencies in general. this is the implication of the implementation of the Regional Regulation of Jember, Banyuwangi and Situbondo Regencies on the Protection of Sustainable Food Agricultural Land.

12. Tim Penyusun, *Kamus Besar Bahasa Indonesia*, Balai Pustaka, Jakarta, 1990

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