

## LAND USE CONVERSION PRACTICES IN PONCOL MAGETAN SUB-DISTRICT

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| ARTICLE INFO   | ABSTRACT  |
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| <p><b>Accepted</b> : 12-09-2023<br/> <b>Revised</b> : 20-09-2023<br/> <b>Approved</b> : 25-09-2023</p> <hr/> <p><b>Keywords:</b> praktik; perubahan fungsi lahan; kabupaten magetan.</p> | <p>In maximizing the benefits of forests and forest areas for the welfare of the people, all forests and forest areas must be utilized by taking into account their nature, characteristics, and vulnerabilities, while maintaining their basic functions that cannot be changed. Land needs in Poncol District, Magetan Regency continue to increase along with population growth, and social and economic structure development. Changes in land use due to continuous development give rise to forest areas. Although spatial planning and forestry laws prohibit land use change, forest land conversion still occurs by utilizing instrumental regulations in the decision-making process. This paper aims to identify the consistency of the practical decision-making process on land use change in Alastuwo Magetan City against Law Number 41 of 1999. By taking a Grounded Theory approach, this paper uses Atlas.ti as a tool to analyze practical processes and motivation. By comparing policy and practice, the study found that incomplete documents and discussions were serious weaknesses in the practice process in Alastuwo District, Poncol District, and Magetan Regency.</p> |



### Introduction

Officially, for more than ten years, Indonesia has lacked a sufficient legal basis for land use change in forest areas. Here Law Number 41 of 1999 concerning Forestry does not have regulations that are instrumental enough to its interpretation and practical implementation (Riduwan, 2022). Although on January 22, 2010, the Government issued Government Regulation Number 10 of 2010 to provide the relevant legal basis, this situation still cannot help. In practice, many land use conversion decisions in forest areas are continuously produced by the government under the prohibition stipulated in Article 38 of Law Number 41 of 1999. This situation shows that there are several gaps in the area without any improvement by laws and regulations. One of the loopholes is that Law Number 41 of 1999 (Article 19) still provides the possibility of land use change with strict requirements. This possibility was used by the Magetan City Government to convert several forest areas in Alastuwo Village into several government office buildings. This situation shows the weakness of forest management rules and policies in providing clear regulation of land use change in forest areas.

Changes in the designation of forest areas often involve social conflicts between traditional landowners, indigenous peoples, and parties interested in land use (Qatrunnada, Syarifudin, Adnan, & Syaputra, 2023). Inequities in land use conversion policies and

mismatches between local needs and economic or political interests can trigger conflicts and social tensions between various parties (Tuakora, Mardiatmoko, & Lellooltery, n.d.).

Conflict between the Regional Government and the Central Government, this conflict arises when local government authorities want to change the designation and function of forest areas for the benefit of regional development, while central government authorities or conservation organizations encourage forest preservation and protection. Inconsistencies between national policies and regional policies can lead to conflicts in decision-making related to land use change (Setiawan, Maryudi, & Lele, 2017).

An important problem in Magetan Regency is land use conflicts that result in environmental damage and will be a challenge as well as an opportunity for regional development in Magetan Regency that needs to be anticipated and resolved so that development goals can be achieved. Meanwhile, according to data from Bakesbangpol Magetan Regency, there have been a series of landslides due to the disruption of the protection function. In 2009 there were 12 incidents, followed by 29 incidents in 2010, and 27 incidents until November 2011. This disaster event occurred in several sub-districts, namely Plaosan, Sidorejo, Poncol, and Panekan. Here it is suspected that there has been a change in the designation of forest areas into built-up areas which resulted in landslides, especially in Poncol District. Protected forests have an important role in preventing erosion and landslides. Tree roots act as binders of soil particles. The presence of forests causes rainwater not to fall directly to the ground, but first falls to the surface of the leaves or seeps into the soil.

According to research by McNeill et al. (1998), there are factors such as political, economic, demographic, and cultural that drive land-use change. One aspect that plays an important role is the political factor, which involves policies implemented by decision-makers and has a significant influence on patterns of land use change (Lubis, Arismawati, & Pratama, 2021).

(Sudarwani & Ekaputra, 2017) also revealed that land cover change is not only influenced by natural and man-made factors (such as proximity to human settlements, convenient transportation, or supportive natural environments) but also influenced by various constraints.

Constraint factors can be summarized into three main types according to the scope of impact: local constraints, regional constraints, and global constraints. Local Constraints: These refer to factors that affect or limit a particular region or area. Local constraints can be associated with the physical, economic, social, political, or cultural environment of a particular area. Examples of local constraints include lack of natural resources, lack of infrastructure, social conflicts, or changes in government policy at the local level. Regional Constraints: These refer to factors that have a broader impact, cross regional boundaries, and affect multiple regions within one larger geographic area. Regional constraints can be issues such as conflicts between countries, climate change that has far-reaching impacts in a particular region, the spread of infectious diseases, or regional economic crises. Global Constraints: These are factors that have a widespread impact and span the globe. Global constraints often involve issues on a global scale, such as global climate change, global

financial crises, global environmental damage, the widespread spread of pandemics, or conflicts involving multiple countries. Global constraints affect many countries and human populations as a whole (Yu, He, and Pan, 2010). In the same sense, land use change refers to the change in function of part or all of the land area from the initial designation (according to planning) to other designations that cause negative impacts (problems) on the environment and the environment. the potential of the land itself (Hasibuan, 2015).

Unclear regulations allow forest area management practices, especially conversion of functions. Here, decision-makers use the ambiguity of the rules to make multiple and different interpretations.

As a role of stakeholders, of course, it contributes to the change in the function of protected forests into government buildings in Poncol District, Magetan Regency. This contribution will influence the policies and actions taken. This decision will have an impact on forest resources and the socio-economic lives of local communities living in previously protected forest areas. In addition, each stakeholder also has their interests involved in this.

Policies regarding changes in the designation of functions and use of forest areas are still a controversial debate. Several factors can cause this situation, including weak regulatory tools, principles of preservation of environmental functions that have not been implemented in policies, challenges in policy integration between sectors, regions, and stakeholders, deviations or violations in the field, and potential abuse of authority by parties involved in decision-making. Therefore, efforts are needed to overcome this through studies that analyze motivations and decision-making practices related to changing the designation of forest areas to governance.

Building, to identify weaknesses and provide recommendations for improvements to the policies that are the basis for its implementation.

This study aims to: identify the process of changing the designation and function of forest areas into government buildings; and identify consistency of practice and motivation for decision-making processes regarding the change of designation and function of forest areas into government buildings.

## **Research Methods**

Qualitative research examines human events, phenomena, or experiences to answer questions about why something happens, how it happens, and what causes it. The purpose of qualitative research is to develop concepts, help researchers understand social phenomena in natural (rather than artificial) settings, and emphasize the meaning, experience, and views of all participants. Qualitative research also aims to: (1) find theories, (2) improve concepts, (3) understand how people construct meaning in their lives and explain that meaning, (4) empower informants, for example in research on gender and class action (Miles & Huberman, 1992).

The purpose of this study is to identify changes in the designation and function of forest areas in government buildings based on changes in spatial imagery and identify the consistency of procedural practices and motivations for the decision-making process regarding changes in the designation and function of forest areas in government buildings.

Moleong (2000) defines that qualitative methods are qualitative methods as research procedures that produce descriptive data in the form of written or spoken words of people and observable behavior (Johan, 2021).

The variables used in the study of Changes in the Designation and Function of Forest Areas in Poncol District, Magetan Regency are determined based on the stages of changes in the designation and function of forest areas. This study to determine research variables based on theories related to the theme and objectives of the study. The variables used in this study are as follows: change in designation/function; Effectiveness; efficiency; and Policy impact.

The selection of respondents was carried out using sampling techniques with the sampling technique used was snowball sampling. The snowball Sampling technique is one of the developing sampling techniques. The snowball sampling technique has the advantage of being able to find hidden or difficult-to-determine respondents and being able to reveal specific things or taboos in the social world. Nevertheless, this technique still has weaknesses in its implementation. The use of the snowball sampling technique requires high independence in thinking and acting in the field, high creativity to be able to express something as expected, patience-sensitivity-social skills and high empathy from researchers, a friendly attitude, trustworthy attitude, and careful in interviewing respondents, so they are willing to disclose the information needed by research.

Sample addition can be stopped if the data is saturated. From various informants, both old and new, there is no new data. If the selection of samples or informants mastered the social situation studied, then there is no need for a large number of samples so the research is quickly completed. So what concerns qualitative researchers is the completeness of obtaining information with various variations that exist, not the number of data samples.

This study uses the qualitative research method Grounded Theory which is very relevant because this study aims to identify changes in forest areas and parodeur gaps with reality that require interaction with participants. Grounded Theory is a research strategy in which the researcher "produces" a general and abstract theory of a particular process, action, or interaction derived from the views of participants. The in-depth nature of the intensive interviews encourages each participant's interpretation of the experience. The grounded theory method can complement other approaches to qualitative data analysis; notes called memos on storytelling code help develop ideas (Robert and Brown, 2004).

Technical data analysis using Thematic content analysis, analysis has three stages, namely pre-analysis, exploration, and interpretation. The first stage (pre-analysis) involves the selection of documents to be analyzed to form hypotheses and research objectives as well as developing indicators to strengthen the final interpretation. At this stage, a thorough reading of empirical data consisting of:

Transcripts, documents, images, audio, or video are performed. All data collected for research must be considered, including data obtained through interviews, observations, and documentation studies (Soratto, Pires, & Friese, 2020).

This research uses qualitative methods, namely observation, interviews, or document review. This qualitative method is used for many reasons. First, adapting qualitative

methods is easier when dealing with multiple realities. Second, this method is more sensitive and more adaptive to the many sharpening of mutual influences on the pattern of values encountered (Johan, 2021).

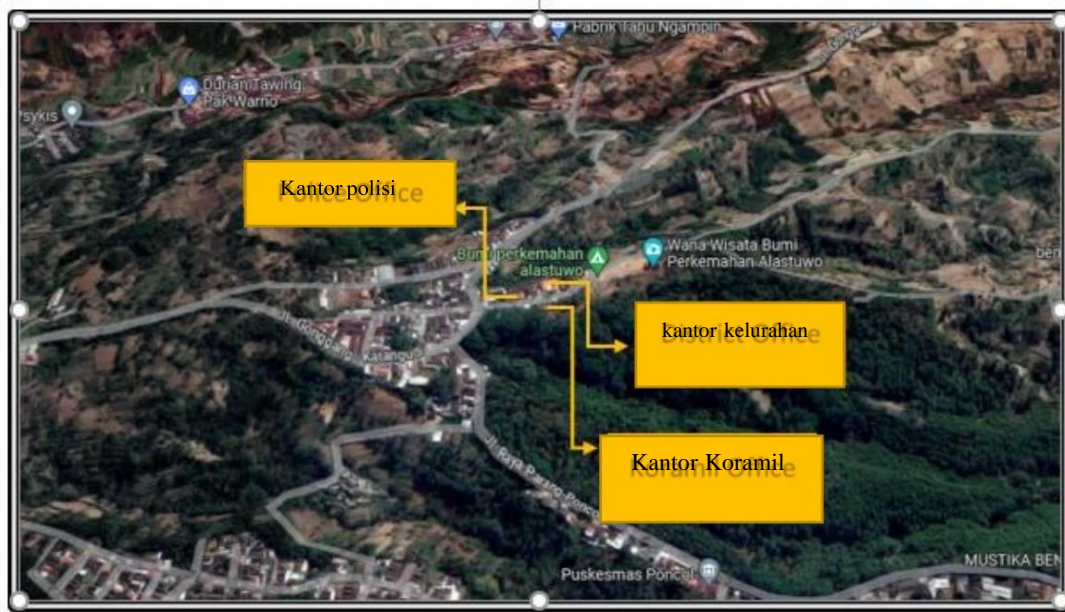
From the above theories, it can be concluded that qualitative descriptive research uses research steps from observing phenomena that can be explained in detail and scientifically. This qualitative approach is taken because in this study the purpose or object of research is limited so that the data collected can be explored as much as possible and so that in this study it is not possible to expand the object of research. Research is carried out directly in the field, problem formulations are found in the field, and the data will likely change according to the data in the field.

The validity of the data is done to prove whether the research conducted is scientific research as well as to test the data obtained. Data validity tests in qualitative research include credibility, transferability, dependability, and confirmability (Abdussamad & Sik, 2021).

For data in qualitative research to be accounted for as scientific research, it is necessary to carry out data validity. One of the data validity tests that can be done in this study is a credibility test or trust test of research data submitted by researchers so that the results of the research carried out are undoubtedly scientific work being carried out. Credibility tests can be done in various ways, including; a. extension of observation; B. Improve accuracy in research; c. triangulation; d. negative case analysis; e. Using reference materials; f Conduct Member Check. In this study, the validity of the data was tested by triangulation credibility test of sources.

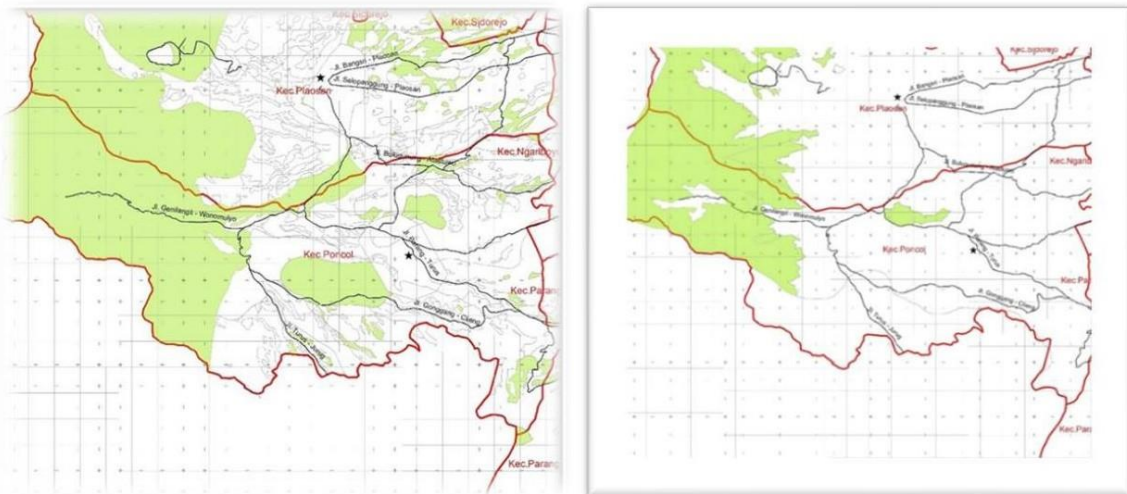
## **Results and Discussion**

Poncol is a sub-district in Magetan Regency, East Java Province, Indonesia. Poncol District is located in the western part of Magetan Regency, about 14 kilometers from the southwest of Awasan Regency through Plaosan District. The center of government is in Alastuwo Village. Poncol District has an area of 51.31 km<sup>2</sup>. The area of Poncol District consists of highlands and mountains with an altitude between 612 and 1,104 meters above sea level. The total population in Poncol District is 31,487 people with a population density of 613.78 people per km<sup>2</sup>.



Gambar 1. Kondisi Balai Tata Hutan Kecamatan Poncol

### Proses Perubahan Peruntukan dan Fungsi Kawasan Hutan Menjadi Gedung



Administrative capacity and time variables are very important to consider in the analysis of changes in the designation and function of forest areas to understand the dynamics, influences, and sustainability of land use and forest management in the long term. Changes in government policies related to land use and forest management can affect changes in the designation and function of forest areas. New policies or regulatory changes can influence land conversion decisions and cause changes in the function of forest areas within a certain period.

This involves a conflict between the official status of Protected Forest Areas and the fact that community settlements have property rights. This conflict can arise due to differences in the legality of territorial designation and reality on the ground.

Such issues often pose complex legal, administrative, and social challenges. Adequate resolution requires a good understanding of applicable regulations and policies, as well as taking into account the rights and interests involved, both in local communities and in the context of environmental protection.

Political support, and strategic location variables will help make better decisions about changes in the designation and function of forest areas, taking into account the impact on economic, ecological, regional, and cultural aspects in a particular location. The main reasons for choosing this location are: first, the area is enough to become a district government area, and second, easy access because of its location which is very close to Plaosan and has good roads and is easy to reach. At that time the Perhutani land to be used had also been cultivated by local communities for plantations and was no longer a forest area, so the process of exchanging land with Perhutani was easier to do.

Pressure on interests and the need for land for the construction of sub-district offices has encouraged changes in the designation and function of forest areas, rapid economic development is an important factor in determining the need for new land outside forest areas.

### **Practice of Procedures for Changing the Designation and Function of Forest Areas into Building Government**

The effectiveness of forest area change, designation, and function policies can be interpreted as the ability of policies implemented to achieve the expected results in the management of changes, designations, and functions of forest areas. The effectiveness of this policy is related to the extent to which the policy can have a positive impact in maintaining and maintaining the sustainability of forest areas, encouraging sustainable use, and achieving the desired ecological, social, and economic goals.

In regulations or policies that regulate the process of changing the function of a land from its original function to a different function. This is related to changes in land use designation in forest areas with a forest area exchange mechanism including stages of administrative requirements, field checks as well as legality and formalization.

Efficiency in policy evaluation is the ability to conduct assessments or measurements more efficiently and effectively. This means maximizing the desired results by using the available resources optimally. In the context of policy evaluation, efficiency means identifying and adopting the most appropriate methods for measuring policy impacts and outcomes while minimizing the cost, time, and effort required. Thus, a focus on efficiency helps ensure the evaluation process runs smoother, and more accurately, and provides maximum benefits for all parties involved.

Institutional legitimacy can be influenced by a variety of factors, such as history, tradition, the success of the institution in achieving its goals, public participation, accountability, and responsiveness to the needs and aspirations of the people served by the institution.

The importance of institutional legitimacy lies in the stability and sustainability of the institution itself. When an institution has strong legitimacy, society will be more inclined to respect and obey the authority and decisions taken by the institution. It can also

strengthen the relationship between institutions and communities, thus enabling institutions to carry out their duties effectively and obtain the necessary support for their sustainability and long-term success. In the context of changes in the designation and function of forest areas.

The statement from an informant from the Magetan Regency Research and Development Agency also highlighted the importance of having evidence or documents that can be used as a basis to validate or acknowledge the MoEF's role in addressing specific issues. Without strong evidence or documents, claims related to MoEF involvement are unlikely to be officially accepted or recognized.

**Table 1. Results of Analysis of Land Transfer Policy and Practice Evaluation**

| <b>Variable</b> | <b>Sub Variables</b>   | <b>Existing Concessions</b>   | <b>Analysis results</b>                                       |
|-----------------|--|---|---|
| Effectiveness   | • Existence of regulations   | • The existence of regulations from Undang-undang number 41 year 1999,  | • Accordance  |
|                 | • Location compliance with regulations   | • Location suitability with RTW under other designated areas  | • Accordance  |
|                 | • The mechanism of the process of changing the allocation and functioning of the forest area | • The mechanism used is to change the forest area,  | • Not appropriate, because there is no supporting data        |
| Efficiency      | • The purpose of land use change is changing   | • The purpose of the land use change is to build the Poncol District Government Office  | • Accordance  |
|                 | • Resource availability  | • The availability of resources at that time did not involve related parties, only deliberations carried out by the District Leadership   | • Not appropriate   |
| Policy Impact   | • Certainty of land status   | • Certainty of land certificate status in the form of Right of Use because there has been no release of forest areas  | • Not appropriate, there must be a Release Letter Forest Area |
|                 | • Compatibility between the proposed location and the specified location                     | • The suitability of the location is determined that the replacement land has been included in the RPKH, while the land developed by the Poncol Kantor District Government has not been released from the Forest Area | • Not appropriate   |

## Conclusion



Stages of the mechanism for changing the designation and function of forest areas by juxtaposing the rules and those practiced by the community. Through research, gaps can be found between land use change and those practiced in the community, including administrative requirements no supporting data, legality, and formalization have not received a decree on the release of forest areas but have received a certificate.

Can provide effective management and policy insights in managing changes in the designation and function of forest areas. Research findings can identify best practices, sustainable approaches, stakeholder engagement, effective regulation, and successful management strategies.

The advice for the Government is that the Government must develop sustainable policies in changing the designation and function of forest areas. The policy should include the protection of ecosystems, biodiversity, and important functions of ecosystems, as well as consider the socio-economic aspects of communities.

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