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Impact of protected rice fields policy on non-agricultural land

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Abstract

The policy of protected rice fields is regulated under Indonesian Basic Agrarian Law, particularly Article 14, which authorises the state to plan and control land use for national interests, including food security. However, in practice, the protected rice fields classification often encompasses land no longer functioning as agricultural land, creating legal complications for landowners. This discrepancy raises concerns about the protection of property rights and the principle of legal certainty as outlined in Articles 2, 9, and 10 of the same law. The study aimed to examine the legal implications and challenges posed by the protected rice fields policy when applied to

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non-agricultural land. A normative juridical method and a statutory approach were used, supported by legal theories including the Theory of legal certainty and the theory of legal protection. Primary legal materials and academic commentaries were analysed to understand the constitutional balance between state authority and individual rights. The findings revealed that the protected rice fields policy lacks adequate legal mechanisms for correcting land status and disproportionately limits landowners' economic rights. The study also demonstrates a disconnect between policy design and field realities. Therefore, legal reform is essential to realign the policy with principles of justice, proportionality, and legal certainty. The results of this study can serve as a theoretical foundation for future reform

Keywords: agrarian policy; spatial geographic; administrative; rural transformation; zoning regulation

Introduction

As an agrarian country, Indonesia has a long history in the development of agrarian law. This development is crucial, as a significant portion of its population depends on agriculture. However, rising food consumption has not been matched by corresponding increases in agricultural productivity (Rahmadi, 2019). Instead, agricultural land productivity has been declining, primarily due to deteriorating irrigation systems, extreme weather, and soil degradation, which lead to floods and droughts. Human-induced factors further exacerbate the issue, including population growth, poverty, land ownership disputes, political instability, poor land management, socio-economic challenges, public health issues, the younger generation's disinterest in agriculture, and inappropriate agricultural development (Permadi & Azizi, 2024). Some protected rice fields (PRF) have become targets for exploitative activities that may harm local communities and the environment. Given high ecological and cultural value, the situation has created complex legal issues requiring appropriate solutions.

The designation of PRF presents complex legal challenges not only for the agricultural sector but also for public officials such as notaries and land deed officials (PPAT). R.A. Aini *et al.* (2025) stated the need for greater diligence in land transactions to ensure that the land in question does

not fall within PRF zones. In practice, land that initially appears as residential or non-agricultural on spatial planning systems is later discovered to be classified as PRF, even after a binding sale agreement was signed. This misclassification creates legal uncertainty and exposes all parties particularly developers and landowners to financial and administrative risks.

Restrictions under the PRF policy can create inequality between landowners, particularly disadvantaging those who have legal disputes that hinder effective land use planning. Inaccurate land classification negatively affects community livelihoods by limiting those unable to benefit economically from their land due to imposed limitations. This perceived unfairness can cause social tension, resistance to the policy, and difficulties for housing and employment, especially in areas of rapid population growth. Continued protection of land no longer used for farming can prevent necessary urban development, deepening social inequality.

Moreover, when landowners are restricted from diversifying land use, they may lose motivation to maintain or improve owned property, leading to land degradation and reduced agricultural productivity. This undercuts the intended benefits of the PRF policy. On a larger scale, application of protection measures to already urbanised or industrial land contradicts the policy's

goals, as it obstructs sustainable development and fails to support economic growth where land use has already shifted.

The study by R.M. Petrescu-Mag *et al.* (2024) explored Romanian opinions and views of farmers using interviews and community analysis and proposed solutions to fruit and vegetable (FV) waste. The results demonstrated that farmers view FV waste as discarded crops, with indirect causes such as consumer preference for perfect products and difficult access to markets, thus requiring inclusive policies based on farmers' local knowledge. In contrast, the study by S.S.K. Teo (2024) on Chinese hukou system addressed how recent land market reforms shifting from hukou-based to market-based land rights undermine rural livelihood security by facilitating land dispossession and promoting large-scale agriculture and urbanisation. While both studies highlight threats to rural livelihoods, the former focuses on environmental vulnerabilities and adaptive strategies in Vietnam, whereas the latter critiques institutional reforms and displacement risks in rural China.

Based on the analysis of five previous studies, S. Sutaryono (2023) highlighted that as an agricultural country, Indonesia has a responsibility to ensure the sustainability of agricultural land. This is implemented through Law of Indonesia No. 41 (2009) "On Protection for Sustainable Food Agricultural Land" (PRF), which aims to protect agricultural land, ensure its availability, and improve farmer welfare and national food security. In contrast to research on the impact of the PRF policy which criticises the application of protection on non-productive land, S. Sutaryono (2023) highlights the urgency and ideal objectives of the policy, without discussing implementation problems in the field. N.U. Oktiana *et al.* (2020) investigated the situation in Sleman Regency and determined that the absence of a formal PRF regulation due to structural and social obstacles caused a reliance on spatial planning policies as the sole means of

land protection. Meanwhile, the study discovered that land conversion significantly impacts farmers' economic wellbeing, as income declines due to inadequate adaptation strategies, and further threatens national food security amid increasing population demands and shrinking agricultural land.

The research conducted by W.Y. Saputra *et al.* (2023) analysed the role of land deed officials in Lombok Timur Regency, where PRF protection remains ineffective due to weak legal culture and insufficient institutional enforcement. The role of PPAT role is deemed preventive, mainly through legal advice to the public prior to land transactions. On the other hand, a comparative study of land administration systems between Indonesia and India was conducted, revealing that India enforces stricter regulations by restricting land ownership to farmers and offering more equitable compensation, although Indonesia surpasses India in terms of legal certainty through its formal land certification system. In comparison to these studies, the current research aimed to address existing gaps by examining how the effectiveness of legal protection for PRF is not solely dependent on the existence of regulation, but also on institutional integration, social compliance, and sustainable monitoring and control mechanisms involving all stakeholders.

Materials and Methods

The impact of the protected rice fields policy on land that was a non-agricultural research based on the normative legal method, namely a legal research method used to analyse of applicable laws and regulations and relevant legal principles. In normative legal research, law was defined as a norm or rule present in written regulations, not as an empirical phenomenon (Irwansyah, 2022). Therefore, field data was omitted prioritising the in-depth legal provision analysis governing the protection of rice fields, especially when the land was factually no longer used for agricultural

purposes. The study was compiled in a descriptive analytical manner, hence not only described the contents of the rice field protection policy were described, but the impact and inconsistencies between existing legal provisions and field conditions were also analysed. The study aimed to reveal the disparity between the legal status of land as protected agricultural plot and the fact that the land had changed function or was no longer agriculturally productive. This analysis was important to provide legal input on the effectiveness of the governmental land conversion control policy.

The approaches used in this study were the statute approach and the conceptual approach. The statute approach was conducted by reviewing various relevant regulations, especially Decree of the President of Indonesia No. 59 (2019). Meanwhile, the conceptual approach was used to examine the legal concepts underlying the protection of agricultural land, such as the concept of food security, sustainable development, and the right to a good environment. This approach was used to determine the rationale and objectives to be achieved by the policy. In its implementation, the study utilised primary legal materials in the form of laws and regulations. In addition, secondary legal materials such as books, scientific journals, and legal dictionaries that discussed agrarian issues, land law, and spatial planning were also used. To expand the scope of the study, tertiary legal materials such as encyclopaedias and other supporting sources were used. These three types of legal materials were used to produce a comprehensive and objective legal analysis of rice field protection policies, especially for land that no longer met the qualifications as agricultural land.

Results

The enforcement of land protection under the protected rice fields policy on non-agricultural land raises significant legal and socio-economic consequences, especially when the land in question no

longer serves its intended agricultural purpose. One of the primary legal consequences is the violation of the principle of legal certainty. Landowners who are restricted from using owned property in ways that would be beneficial to economic development face uncertainty (Aini *et al.*, 2025). This is particularly relevant when the land, though legally classified as protected agricultural land, has long ceased to be suitable for agricultural use due to changes in land use or environmental factors. The legal restrictions imposed by the PRF policy create a situation where landowners are unable to exercise property rights, thus infringing upon the use of owned land in the most economically beneficial manner (Amri *et al.*, 2025).

Another legal issue pertains to the misapplication of land protection laws, which can lead to a mismatch between policy objectives and the actual needs of landowners. When land is misclassified as protected agricultural land, it may prevent owners from converting plots into other uses, such as residential, commercial, or industrial developments. This legal limitation not only affects property rights but also fails to align with the current land use patterns on the ground. As a result, landowners may face constant legal frameworks that no longer reflect the realities of land use, leading to potential legal disputes and challenges. Requirements for both owners and tenants of agricultural land are traditionally stricter, which is due to the need to maintain productivity (Marchenko & Orobchuk, 2021).

From a socio-economic perspective, the misclassification of non-agricultural land as protected rice fields can significantly reduce the market value of the land. Since the land is legally restricted to agricultural use, it may be undervalued in the market, especially if it is located in an area where residential or commercial development would be more economically viable (Permadi & Azizi, 2024). This reduction in land value can cause financial losses for landowners who may

have invested in the land for purposes other than agriculture. Furthermore, it can discourage potential investors or developers from considering the land as a viable option, further contributing to economic stagnation in areas that could benefit from more diversified land uses.

The inability to utilise land for best use has wider economic ramifications. In regions of a growing need for infrastructure or residential development, the misclassification of land as protected agricultural space can hinder urban growth and economic development. As cities and towns expand, there is an increasing demand for land that can accommodate housing, roads, and commercial establishments (Prabowo *et al.*, 2023). However, by restricting non-agricultural land in these areas from being developed, the PRF policy limits the capacity of local governments to meet the growing needs of their populations. This misalignment between policy and development objectives can result in inefficient land use and missed opportunities for regional economic growth.

The state control over land in Indonesia is governed by Article 2(2) Law of Indonesia No. 5 "On the Basis of Agrarian Principles" (1960), which grants the state authority to (a) regulate and organise the allocation, use, supply, and maintenance of land, water, and airspace; (b) determine and regulate legal relationships between people and land, water, and airspace; and (c) determine and regulate legal acts concerning land, water, and airspace. Under this authority, the state is entitled to formulate policies, as articulated in Article 14 of the agrarian law. This includes planning the general supply, designation, and use of natural resources for national interests, religious practices, societal well-being, and to advance agricultural, livestock, and fishery production, along with industrial, transmigration, and mining development. In this context, to protect agricultural land from conversion, degradation, and fragmentation driven by population growth, economic

expansion, and industrialisation at the local level, the government issued Law of Indonesia No. 41 "On the Protection of Sustainable Agricultural Land" (2009). Even where such regulations exist, they often specify only numerical targets without providing accurate locational data.

The policy of controlling the conversion of rice fields through the designation of PRF reflects the governmental commitment to safeguarding agricultural land and ensuring national food security to achieve societal welfare. Regulation of the President of Indonesia No. 59 (2019) are the legal foundation for this effort, aiming to accelerate the mapping and establishment of protected rice fields. This initiative supports national food needs, prevents rapid land conversion (Isma-ya, 2024). While PRF encompasses all types of consistently cultivated agricultural land, the category specifically refers to rice fields. To ensure efficient regulation, the Coordinating Ministry for Economic Affairs issued further provisions through Regulation of the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency of Indonesia No. 18 (2020), forming an Integrated Team responsible for synchronising field verification and land designation processes.

Despite the efforts, land conversion remains relevant due to income-related motives. However, such conversion are substantial, as they threaten regional economic stability and produce more negative than positive effects. The transition from agriculture weakens national food security, reduces rice farming income, increases poverty, wastes agricultural investments, alters employment structures, and diminishes net social benefits. Farmers often face declining productivity due to small land sizes and poor irrigation, leading to harvest failures. Moreover, limited communication with local areas has caused difficulties for property developers due to Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia No. 2

"On the Procedures for the Implementation of Verification of Paddy Field Data against Land and Spatial Planning Data, Determination of Protected Paddy Field Maps, and Provision of Recommendations for Changes in Land Use on Protected Paddy Fields" (2024), particularly affecting those developing subsidised housing. While aimed at environmental preservation and food security, the implementation of PRF may inadvertently hinder regional investment and economic growth if not carefully managed (Ajeng Pramesthy, 2023).

The legal and socio-economic consequences of enforcing the protected rice fields policy on non-agricultural land are multifaceted and far-reaching. From a legal standpoint, the misclassification of land can infringe upon property rights and create legal disputes, while from an economic perspective, it can reduce land value and hinder investment. Socially, the policy can exacerbate inequality and limit opportunities for disadvantaged communities, while also discouraging investment in land improvement and contributing to the inefficiency of land use. These challenges highlight the need for a more flexible and adaptive land protection policy that accurately reflects the realities of land use in different regions and provides for the sustainable development of both agricultural and non-agricultural lands (Zhou, 2024).

Based on the provisions stipulated in Article 14 Law of Indonesia No. 5 "On the Basis of Agrarian Principles" (1960), the state, through the Government, holds the authority to formulate general policies regarding the supply, allocation, and use of land, water, and natural resources. This authority is derived from the state's sovereign right to manage all land within territory. The government, acting as the administrator of land affairs, exercises this power following the principles of Indonesian socialism and the collective welfare of its people. The article stipulated that such planning is not arbitrary but must be rooted in legal provisions and the public interest.

The legal mandate outlined in Article 14 Law of Indonesia No. 5 (1960), aligns with the broader constitutional framework in which the state is entrusted with managing natural resources for the greatest benefit of the people. This includes the use of land for national interests such as public infrastructure, religious purposes, and community development. The categorisation of land use into sectors such as agriculture, industry, and social welfare demonstrates a holistic approach to national development, grounded in equity and sustainability. Hence, land use planning is not solely a technical administrative task but a strategic legal function that reflects the state's obligations, as was noted by I. Permadi & I. Azizi *et al.* (2024). In terms of legal interpretation, the state's authority to enact policies such as the PRF policy must be exercised within this legal policy. This policy represents an embodiment of the government's responsibility to protect agricultural land for food security and public welfare. It is not a bureaucratic regulation but a fulfilment of the state's duty to ensure responsible land use as envisioned by the agrarian law. However, the implementation of such policies must still uphold legal certainty and procedural justice, ensuring that individual landowners are not arbitrarily disadvantaged. Thus, while the state can regulate land use in the public interest, such regulation must remain consistent with legal norms, including procedural fairness, legal certainty, and the protection of individual rights. The balance between state authority and individual land rights is crucial for sustaining public trust in governance and maintaining social justice, as was noted by T. Purwanti (2018). The implementation of Article 14 Law of Indonesia No. 5 (1960) highlights that every land use policy must operate within a constitutional and statutory framework that prioritises both national interests and the rights of its citizens.

Following A. Giuliani (2023), the implementation of land protection policies, particularly those concerning the designation of protected

agricultural land, must be based on solid legal foundations to ensure predictability and fairness. According to the theory of legal certainty, as embraced in Indonesia's civil law tradition, a law must be general, knowable, and predictable, comprehensible to individuals regarding what is permitted and what is not. Legal certainty requires that all legal rules be formulated clearly, be based on factual circumstances, and not be changed arbitrarily. That certainty is one of the core purposes of law and that law must be positive, based on reality, and expressed clearly to avoid multiple interpretations of V. Velkovski (2024). This is particularly relevant in assessment of land protection policies that may affect property rights and livelihood.

Improper designation of protected land can create legal ambiguity, especially when regulations are inconsistent or implemented without reference to existing statutes. If the government arbitrarily declares land as protected without appropriate procedural mechanisms or stakeholder involvement, it violates the principle of legal certainty (Parvatha, 2016). I. Amri *et al.* (2025) stated that legal certainty ensures strict governmental actions regarding landowners and communities, thus improving clarity. When a policy such as PRF designation affects a person's right to use, develop, or transfer the land, it must be based on law, passed through transparent procedures, and involve affected parties.

Moreover, that legal certainty includes not only clear statutory provisions but also consistency in judicial decisions. Therefore, similar land disputes should be resolved in a similar manner. If courts offer inconsistent rulings on PRF-related disputes, it undermines the public trust in the law. Furthermore, legal certainty is divided into procedural and substantive dimensions. Procedural certainty requires fair and impartial processes in policymaking, while substantive certainty ensures that legal rights are protected unless otherwise revoked through a fair judicial

mechanism. The sudden classification of land as protected, without due process, violates both. The absence of legal certainty in land protection policies can cause severe socio-economic consequences. For instance, landowners may be prevented from using the land for productive purposes, yet without adequate compensation or legal avenues for challenge. This can reduce agricultural output, deter investment, and exacerbate poverty (Prasmethy *et al.*, 2023).

From a legal perspective, such practices can amount to constructive expropriation. While the land remains formally in the owner's name, restrictions imposed by the government effectively strip away the economic value of ownership. Legal certainty would require that such a policy be backed by clear laws and provide compensation mechanisms. Turning to the theory of legal protection, divides protection into preventive and repressive mechanisms. Preventive legal protection ensures that policies are fair and transparent before they are enforced, while repressive protection ensures that those harmed by a policy can seek remedies through legal channels. The PRF designation should, in theory, fall under preventive legal protection. Before a parcel of land is classified as protected, the government must inform and consult with stakeholders, ensure clear regulatory procedures, and provide legal avenues for objection or appeal (Surata, 2023).

In Indonesia, preventive legal protection remains underdeveloped. As a result, many landowners only become aware of the PRF designation once it has taken effect, limiting recourse. This undermines the rule of law and violates the principle of access to justice. The right to be heard is fundamental in a democratic legal system. Any policy that significantly affects individual rights such as land protection must be accompanied by mechanisms enabling affected parties to voice objections or seek clarification. This principle underpins both good governance and social legitimacy.

Regulation of the President of Indonesia No. 59 (2019) is used as a legal foundation for accelerating the mapping and designation of PRF in Indonesia. This regulation underscores the governmental commitment to securing agricultural land as a national asset, especially in the face of rapid urbanisation and land conversion pressures. However, while the regulation stipulates procedural mechanisms for designating PRF zones, it lacks detailed provisions ensuring meaningful public participation, access to information, and mechanisms for grievance redress. This omission raises concerns about the adequacy of legal protection afforded to affected communities, particularly smallholder farmers whose livelihoods depend on land use flexibility and clarity of tenure.

According to the theory of legal protection, the law must not only exist but must be clearly communicated and effectively enforced to serve its intended protective function. When the implementation of PRF under Regulation of the President of Indonesia No. 59 (2019) proceeds without full transparency, including informing communities of their rights, obligations, and land status changes, it undermines both legal certainty and public trust. Farmers may resist or subvert the policy, not due to opposition to sustainable land use per se, but due to alienation from decision-making processes and subjected to ambiguous or arbitrary enforcement. This disconnects between regulation and reality reflects a deeper systemic issue in land governance that the regulation fails to adequately address.

Furthermore, the failure to balance land preservation with economic and social dimensions of development contravenes the broader constitutional mandate of promoting public welfare. Land use policies, particularly those involving restrictions such as PRF, must consider the socio-economic impact on rural communities. Without supportive measures such as fair compensation, legal clarity, and access to alternative livelihoods

the regulation risks reinforcing structural injustice. Thus, to uphold the principles of a lawful and just society, Regulation of the President of Indonesia No. 59 (2019) must be implemented with a stronger emphasis on legal certainty, procedural justice, and inclusive governance that empowers citizens rather than marginalises them.

Discussion

The research by R.M. Petrescu-Mag's *et al.* (2024) on agricultural waste in Romania, provided an interesting contrast to the critique of the Protected Rice Fields policy. The study analysed perceptions and local solutions of farmers, a of "bottom-up" view of the agricultural supply chain. In contrast, the PRF research criticises rigid "top-down" policies applied to non-agricultural land. These are two different planes of discussion. R.M. Petrescu-Mag *et al.* (2024) analysed the internal processes of the agri-food system, while the PRF study uncovers the gap between declarative policy and actual land use. Study conclusions formulated recommendations for inclusive policies that involve farmers in reducing food waste. On the other hand, the PRF research calls for revising policies based on real data to avoid spatial conflicts, demanding systemic change. Therefore, policy implications reflect different problem scales: micro-level solutions (farmer-consumer interactions) versus macro-level solutions (government regulation and regional planning).

Comparison of a study by S.S.K. Teo (2024) with the research on PRF policy is noteworthy, as both reveal the failure of land policies, albeit from opposing directions. S.S.K. Teo (2024) highlighted the negative impacts of market liberalisation on land ownership in China, which led to farmer evictions. This underscores the dangers when the state releases control. Conversely, the PRF study criticised rigid protective policies in Indonesia, where non-agricultural land remains protected rice fields, causing spatial inefficiencies

and social conflicts. This shows the risks of excessive regulation that does not align with practice. While S.S.K. Teo (2024) emphasised the dangers of reducing state control, the PRF study demonstrates the risks of excessive regulation that does not match the reality. Methodologically, S.S.K. Teo's (2024) employed an institutional approach, while the PRF study combined legal, institutional, and socio-economic impact analysis. Both, however, significantly enrich the discourse on agrarian policy by stressing the importance of balancing state intervention with policy flexibility based on local contexts.

S. Sutaryono (2023) emphasised the importance of Law of Indonesia No. 41 (2009) as an ideal effort to protect sustainable agricultural land for food security and farmer welfare, with an emphasis on normative objectives and long-term benefits of the policy. In contrast, the present study criticised the implementation of the policy as not representative of the factual conditions of the land, where non-agricultural land remains administratively protected, thus creating legal uncertainty and economic obstacles. Thus, both start from the same regulation, but provide different focuses: S. Sutaryono (2023) idealised the policy, while current research on PRF highlighted the problems of its implementation.

N.U. Oktiana *et al.* (2020) and presented study both criticise the weaknesses of the PRF policy, but with different focuses. N.U. Oktiana *et al.* (2020) found that in Sleman, agricultural land protection only relies on spatial plans because as are no special regional regulations, thus potentially creating legal uncertainty. Meanwhile, this study not only confirms these findings, but further reveals the fundamental problem, namely the non-selective application of PRF policies to land that is in fact not agricultural, such as dry land, former mining, or residential areas, which distorts spatial planning and triggers conflicts of interest. While previous studies emphasised the absence of a special

legal protection, presented study provides a substantive solution in the form of the need to review the criteria for determining PRF based on accurate spatial data and involving community participation, while analysing the socio-economic impacts of the policies through a holistic approach. Thus, this study not only identifies regulatory problems but also provides concrete solutions to increase the effectiveness of PRF policies in the field.

While W.Y. Saputra *et al.* (2023) examined the weaknesses of the role of PPAT in enforcing PRF law in East Lombok, this study addressed the impact of implementing PRF on non-agricultural land which causes economic and spatial problems. If previous studies suggested administrative solutions through strengthening PPAT, this study recommends a more fundamental policy approach by re-evaluating PRF criteria based on real land conditions and socio-economic impacts, offering a comprehensive perspective that goes beyond mere law enforcement aspects.

The digitisation of land certificates, as discussed by P.D. Maharani and Y.M. Ahmad (2024), aims to improve the accuracy of land data, reduce the risks of land disputes and the "land mafia". More accurate and accessible information on land ownership and use can contribute to improved implementation of rice field protection policies, as the status of land will be more clearly defined. This can help prevent the illegal conversion of agricultural land to non-agricultural use. If rice field protection policies require clear identification and registration of such land, the digitisation of land certificates could make this data more accessible and verifiable, which in theory should facilitate better policy implementation. A unified electronic land cadastre platform and free access to information about available land plots and their status will ensure both the transparent distribution of resources, which is important for the development of small farms (Kairbayev *et al.*, 2025), and the recording of the status of plots.

This study contributed to the agricultural land policy literature by critiquing the implementation of the PRF policy on land that is not actually agricultural – a perspective that has not been widely discussed in previous studies. In contrast to previous studies that generally emphasise protection of agricultural land from conversion or weaknesses in regulatory implementation, this study revealed the negative impacts of overly rigid protective policies when applied to marginal land, ex-mining areas, or residential areas. The main positive aspect of the study is determined by the holistic approach that integrates legal, spatial, economic, and social analysis, so that it is able to comprehensively map the various consequences that arise from this off-target policy. The research findings not only identify problems, according to F. Fatturahman (2024), but also offer innovative solutions in the form of a real data-based evaluation system, flexible exception mechanisms, and strengthening community participation in the policy-making process. Thus, this study successfully expanded the conventional discourse on agricultural land protection and provides a new, more balanced perspective in formulating effective and socially just PRF policies.

Conclusions

The analysis of the protected rice fields policy and its unintended consequences on non-agricultural land reveals profound legal and socio-economic ramifications, primarily stemming from the misalignment between the policy's food security objectives and the actual condition of land in the field. While the PRF policy aims to preserve rice fields to ensure national food security, its rigid implementation where land no longer used for agriculture remains classified as protected has caused significant issues for landowners. These individuals often face administrative impasses, inability to alter land status, and suppressed economic potential, especially when the land lies in urban or strategic

locations. This scenario reflects flaws in the principles of the theory of legal certainty, as proposed by legal scholars, which demands predictability, clarity, and consistency in the application of law. The inability to foresee or control the legal consequences tied to land, alongside the absence of transparent procedural remedies, signals a serious violation of legal certainty. Simultaneously, the issue also breaches the theory of legal protection, which requires the state to provide both preventive safeguards to avoid injustice and repressive mechanisms to rectify violations. Under the PRF policy, both are severely lacking as landowners have no access to preventive oversight or post-facto correction mechanisms, leaving them vulnerable to arbitrary classifications. Although Article 14 of the Basic Agrarian Law grants the state the authority to determine land use in accordance with national priorities, this authority must still be exercised in harmony with Articles 2, 9, and 10 of the Basic Agrarian Law which emphasise justice, individual rights, and social benefit. The state's role as a regulator must therefore be grounded in equitable and lawful action. To restore trust and fairness, the government must urgently reform the PRF framework by updating land databases, enabling administrative correction procedures, and ensuring the entire policy aligns with Indonesia's legal commitments to uphold justice, the rule of law, and the socio-economic rights of its citizens.

Further research should examine in more depth the evaluation mechanism and administrative correction of the determination of PRF status, especially on land that has changed function in fact but is still bound by protective regulations. This study can use a juridical-sociological approach to explore practices in the field and the perceptions of stakeholders such as landowners, local governments, and land officials.

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Conflict of Interest

None.

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Вплив політики захисту рисових полів на землі несільськогосподарського призначення

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Анотація

Політика щодо захищених рисових полів регулюється Основним аграрним законом Індонезії, зокрема статтею 14, яка уповноважує державу планувати і контролювати використання землі в національних інтересах, включаючи продовольчу безпеку. Однак на практиці класифікація захищених рисових полів часто охоплює землі, які більше не функціонують як сільськогосподарські угіддя, що створює юридичні складнощі для землевласників. Ця невідповідність викликає занепокоєння щодо захисту прав власності та принципу правової визначеності, викладеного у статтях 2, 9 та 10 цього ж закону. Метою дослідження було вивчення правових наслідків і проблем, що виникають у зв'язку з політикою захисту рисових полів, коли вона застосовується до земель несільськогосподарського призначення. Для цього були використані нормативно-правовий метод і статутний підхід, підкріплені правовими теоріями, включаючи теорію правової визначеності та теорію правового захисту. Первинні правові матеріали та наукові коментарі були проаналізовані для розуміння конституційного балансу між державною владою та правами особи. Результати дослідження показали, що політика захисту рисових полів не має адекватних правових механізмів для виправлення статусу землі та непропорційно обмежує економічні права землевласників. Дослідження також продемонструвало розрив між розробкою політики та реаліями на місцях. Тому правова реформа є необхідною для приведення політики у відповідність до принципів справедливості, пропорційності та правової визначеності. Результати цього дослідження можуть слугувати теоретичним підґрунтям для майбутньої реформи

Ключові слова: аграрна політика; просторово-географічний; адміністративний; трансформація сільських територій; регулювання зонування