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# Critical Analysis of Political Implementation Law Soil Consolidation in Coastal and Small Islands to Improve The Community's Economic Growth

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**Abstract:** Critical Analysis of Legal Politics, Consolidation of Coastal Zone, Small Islands Land, Community, Economic Growth.

## INTRODUCTION

Critical Analysis of Legal Politics is a process of analyzing the legal system in a country. Implementing Land Consolidation in Coastal Areas and Small Islands to Enhance Community Economic Growth in the background it is better. First released about the basic understanding of what is meant (Effendi, 1983) consolidation of the land, of course, construction the definition and/or terminology is carried out focusing on a normative approach. Understanding (Perangin, 1986). The land consolidation referred to in the normative approach is as regulated and stipulated in the legal regulation that has been mandated in the Regulation of the Head of the National Land Agency No. 4 of 1991 concerning Land Consolidation, in Article 1 point 1 confirms that what is meant by: Land Consolidation (Idham 2004) is an increase in land policy regarding the restructuring of control and use as well as land acquisition efforts for development purposes, to improve environmental quality and maintenance of natural resources by involving active community participation.

Noting and listening to the construction of a normative understanding of the notion of land consolidation, then (Zain, 2001) etymology can be extracted by some important elements and/or

elements contained therein, namely: that land consolidation is a land policy carried out (Davis, 1976) by the government. The next element is that through the land policy carried out by the government, it is more directed and / or focused on restructuring the control and use of land rights. As an advanced element of the implementation of land consolidation, which is a government policy, it is more directed to land acquisition efforts for (Lubis, 2000) development interests. Furthermore, as one of the important elements for the implementation of the land consolidation activities, more directed to (Soekanto, 2017) to improve the quality of the environment and maintain natural resources. At the end of the definition of land consolidation which is also an important and fundamental element, especially in terms of implementing all stages and processes of the intended land consolidation activities, must involve the active participation of the community.

Before explaining briefly the meaning contained in this variable. In this connection, according to the author, this variable is also the peak variable and determinant of the implementation of land consolidation activities, especially for coastal areas and small islands. Furthermore, this variable if examined and

analyzed in a methodological approach, this variable is an independent variable and not a dependent variable. This means that in carrying out the entire series of journal writing, that the main variables that are important variables in an effort to determine the final goal (goals), namely the implementation of legal policies related to (Koestoer, 1997) the implementation of land consolidation which is an empirical land policy implemented by the state and/or the government must be able to provide a complete guarantee and/or guarantee to be able to (Paterson, 1979) realize an increase in the economic growth of the community, especially living and living in coastal areas and small islands (Muda and Nurlina, 2018).

Returning to the central theme as stated in the title of this journal, the writer will certainly be linked with empirical reality in the field, in fact, since it was formed, and/or the enactment of The Law Number 27 of 2007, concerning Management of Coastal Areas and Islands Small (Elfendri et al., 2009), specifically related to the implementation and/or implementation, it has not been implemented properly by the State and the government. Whereas if analyzed in-depth on a very paradigmatic construction order as written explicitly in legal considerations and/or considerations in the context of stipulating The Law Number 27 of 2007 it is very philosophical and fundamental. In this regard, the author of the release of the consideration considers the letter a in the law which states that coastal areas and small islands are part of natural resources granted by God Almighty and are assets controlled by the State, which necessary (Lawrence M. Friedman, 1984) is preserved and utilized for the greatest prosperity of the people, both for the present generation and for future generations.

Furthermore, in the letter section, the consideration of the law is also affirmed that coastal areas and small islands have a high diversity of natural resource potential, and are very important for the social, economic, cultural, environmental and national sovereignty development, therefore needs to be managed in a sustainable and global perspective, taking into account the aspirations and participation of the people, and the nation's values based on national legal norms. In the meantime, in the consideration of letter c in this law, a conclusion of important

fundamental and fundamental legal considerations is concluded with the construction of the sentence

namely: that based on the considerations as referred to in letters a and b, it is necessary to form a Law concerning Management of Coastal Areas and Small Islands. In the context of consideration, remembering as a basis for juridical considerations to form this law is by referring to the provisions of Article 20, Article 21, Article 25A, and Article 33 paragraph (3), and paragraph (4) of the 1945

Constitution of the Republic of Indonesia.

Such is the order of sentence construction which contains philosophical and very paradigmatic values as contained in the basis of legal considerations, especially in the context of forming and enacting The Law Number 27 of 2007, concerning Management of Coastal Areas and Small Islands, which in the opinion of the writer of the consideration has a comprehensive essence and/or meaning, especially if it is analyzed in the academic, theoretical conceptual spectrum and in the approach of the nature of science. Simultaneously and/or concurrently, the consideration if analyzed in a fundamental approach has already established a very constructive and positive thought, namely a legal political paradigm that is futuristic and/or far-

sighted by worrying about vocabulary and sentences: that the coastal region and small islands are part of natural resources that have been conferred by the One-

Time God and at the same time a wealth that is controlled by the State, which needs to be preserved (Aubert, 1969) and its sustainability must be utilized for the greatest prosperity of the people, both for and for the present generation and for future generations. Furthermore, the construction of the sentence in the consideration of the law which contains a very futuristic thought is explicitly stated that coastal areas and small islands basically have a high diversity of natural resource potential, and are very important for social, economic, cultural, environmental development and supporting the sovereignty of the nation, therefore it needs to be managed in a sustainable and global perspective, with (Parbucaraka and Halim, 1985 and Tarmizi et al., 2017) paying attention to the aspirations and participation of the people, and the nation's values based on national legal norms.

The writer is more assertive, even though the mandate that has been affirmed in the law has been so good, positive and constructive, of course in what approach should be ordered (*Das Sollen*), but the reality on the ground is what is required by this law. (Abdurrahman, 1991) carried out properly by the State and/or government in relation to the implementation of coastal and small islands management (*Das Sei*

n). This means that in this context there is still a gaping gap (gap phenomenon), namely the occurrence of inequality and/or gaps from what is required by this law in fact in the field has not been fully implemented by the State and Government. Concretely the form of inequality as intended by the author, it turns out from the results of studies and/or verification in the field, especially related to land consolidation implementation in the framework of implementation and/or implementation (Roger W. Findley and Daniel A. Farber, 1996) management of coastal areas and islands -

the small island is in fact empirically, and factually not implemented optimally and properly. Supposedly in this context, the Regency/City regional government, especially in this case the Riau Islands Provincial Government and of course the Batam City Government has made a legal product in the form of a Regional Regulation that regulates and determines the regional spatial planning and/or spatial planning that is stipulated, compiled and formed based on legal norms that have been mandated and stipulated in this law, of course it must also be integrated with the mandate and orders as stipulated in The Law Number 26 of

2007 concerning Spatial Planning. Especially regarding the analysis of the author on this assumption, it will be expanded in such a way in the discussion section.

Furthermore, the writer will explain about it, in this case the author also refers to expert opinion, namely (Harsono, 2013), which confirms that related to the implementation

of land consolidation program activities, especially in procedural aspects is part of government administration which is at the same time (Sodikin, 2013) clumps of government administration law, because to implement all stages and the process of land consolidation referred to is an (Kolopaking, 2013) initiative from the government certainly in this case carried out by the Ministry of Agrarian and Spatial Planning of the Republic of Indonesia/Head of the Land Affairs Agency of the Republic of Indonesia, along with its staff, namely the Head of the Regional Office of the National Land Agency of the Republic of Indonesia in each province, and in its implementation the land consolidation is practically operational and empirical in the field organized by Ke District/City Land Office head. In line with this the author also refers to expert opinion (Idham, 2004), which in essence explains the consolidation of the land in question analyzed in the perspective of regional autonomy. In

this section affirms comprehensively to carry out the whole series of processes and stages of land consolidation, in its implementation must involve the local government in an effort to support the implementation of the principles of the government system in the constellation of regional autonomy implementation.

Economic growth is the economic condition of a region during a certain period based on several indicators (Mada and Nurlina, 2018). These indicators are an increase in national income and per capita income, a greater number of workers than unemployment, and a reduction in poverty levels (Nababan et al., 2018). If the condition of the indicators declines, the region is not experiencing economic growth but rather economic setback. Economic growth can be used as a benchmark to see the progress of an area and how the results of development carried out during that period. If the development carried out by the government is effectively successful, significant economic growth will be seen in the community. Economic growth also illustrates how the prosperity of the people because it is seen based on per capita income or average income from residents of a region.

Next the author also refers to the opinion (Idham, 2011), which in this case highlights and simultaneously analyzes land consolidation in the perspective of regional autonomy and at the same time integrates it with efforts to carry out environmental functions the sources of literature. In the source of this journal literature, especially in the methodology perspective the author will refer to several expert opinions which are substantially related to the central titles and themes presented in this journal. Based on such postulates, in the first part the author will refer to opinions (Parlindungan, 1990) which explains that land consolidation is a sub-system of land registration activities, and land consolidation is also an objective scope of land reform especially in its functional approach. Furthermore, the author also refers to the opinions of other experts, namely (Sukanti and Sitrus, 2011) which in principle affirms that to support success (Parlindungan, 1983) the implementation of consolidation of the land and in the process of implementation in the field must be supported and involve active participation from community (Parlindungan, 2009) as participants in land consolidation.

In the meantime the author also refers to the opinions of experts like (Hutagalung and Gunawan, 2008), which emphasizes that the implementation of a land consolidation program is one of the policies (Soerodjo, 2003) in the land sector, which has

s one of the targets is in the framework of realizing sustainability in the interests of land acquisition in order to support the smooth development activities. In line with this other expert opinion which was also referred to by the author in the context

In this section further asserted, from the whole series of processes and stages of land consolidation that will be carried out by the government, of course in this case the implementation of land consolidation is also carried out in coastal areas and small islands of the main objectives that must be realized, that from the results of the implementation of the consolidation of the land must be able to and in order to maintain the function of environmental capabilities. Related to this the author also refers to the opinion (Idham, 2013), he said that in carrying out the land consolidation work, of course in this case including the implementation of land consolidation for coastal areas and small islands, must be supported by the availability of sufficient budget, namely the existence of an ongoing commitment from the state. In this regard further emphasized that the consolidation of the land meant no real meaning if the results of the consolidation of the land were not able to provide guarantees and/or guarantees for the realization of the people's sovereignty and at the same time affirm the welfare state.

In another section the author also refers to the opinion of experts (Sitokus and Nomadyawati, 1995) which in essence confirms that the implementation of land consolidation must also prioritize in the context of the implementation of the basics and general legal provisions on land. One of them that must be implemented empirically in the field in the context of implementing land consolidation also puts forward the approach of a legal system that is communalistic and religious. The novelty of this research is thing is that in terms of carrying out the entire process and phasing in the implementation of land consolidation, it should also prioritize the implementation of fundamental things in the realm of agrarian law and/or land law, related to the implementation of land rights according to national land law. In the meantime, the Sitokus and Nomadyawati (1995) also emphasized that in principle, the implementation of land consolidation must also prioritize and prioritize that the actual existence of land rights must give meaning to the social function of land rights.

## 2. LITERATURE REVIEW

### 2.1. Dimensions Paradigmatic and Operational

In line with the statement above, in this section on the author will re-worry some of the deepest paradigmatic thoughts as has been affirmed and mandated in the consideration by considering the The Law Number 27 of 2007 Regarding the Management of Coastal Areas and Small Islands, as more clearly can be considered in the consideration consider the letter a, which confirms that coastal areas and small islands are part of natural resources that are bestowed by God Almighty and are assets that are controlled by the State, which need to be preserved and used for great prosperity of the people, both for the present generation and for future generations. In the meantime, in consideration of the letter b, the consideration is also that coastal areas and small islands have a high diversity of natural resources potential, and are very important for the development of social, economic, cultural, environmental, and supporting the sovereignty of the nation, therefore it is necessary managed in a sustainable and global perspective, by taking into account the aspirations and participation of the people, and the nation's values based on national, legal norms.

Relevant to some of the main things that are paradigmatic, the writer will further reconstruct

especially some important sentences as stated in this journal, which regulates general provisions, which in the author's opinion from several executives and the legislature to allocate sufficient funding continuously and sustainably in the perspective of budget politics

Furthermore, the author also referred to the opinion (Idham, 2014), in this case emphasized that the implementation of land consolidation was analyzed in a fundamental approach, and in the realm of philosophy and the nature of science, emphasized that the consolidation of the land in question, one of the final targets must be realized is to strengthen the understanding of the sovereignty of the people and the welfare state on



sentences that will be constricted in the section above also contains meaning which is paradigmatic, namely mentioned: that the management of coastal areas and small islands is a process of planning, utilizing, controlling, and controlling coastal resources and small islands, between sectors; between the Government and Regional Governments, between land and sea ecosystems and between science and management to improve the welfare of the community. In the meantime it is also explained that the coastal area is a transitional area between terrestrial and marine ecosystems that are affected by changes inland and at sea. The Small island is an island with an area smaller or equal to 2,000 km<sup>2</sup> (two thousand square kilometers) along with the unity of its ecosystem.

Relevant to the things mentioned above, it is also emphasized that Coastal Resources and small islands are biological resources, non-biological resources, artificial resources, and environmental services; biological resources include fish, coral reefs, seagrass beds, mangroves, and another marine biota; non-forest resources include sand, seawater, seabed minerals; artificial resources include marine infrastructure related to maritime affairs and fisheries, and environmental services in

the form of natural beauty, the seabed surface where underwater installations are related to marine and fisheries and ocean wave energy found in coastal areas. At the same time, it is also explained that ecosystems are a community of plants, animals, organisms and other non-

organisms as well as processes that connect them to form balance, stability and productivity. Further in this section also explained the things that are paradigmatic, which in the author's opinion are: that bio-

ecoregions are landscapes that are within an expanse of ecological unity established by natural boundaries, such as watersheds, bays and currents. In the meantime also explained coastal waters are the sea bordering the plain covering waters as far as 12 nautical miles measured from the coastline, waters connecting the coast and islands, estuaries, bays, shallow waters, brackish swamps, and lagoons. Related to this matter, further affirmation is that the Area is a part of the Coastal Zone and Small Islands which has certain functions determined based on the criteria of physical, biological, social, and economic characteristics to be maintained.

## 2.2. Construction of Legal Arrangements as the Basis for Implementing Land Consolidation

Related to the postulate and/or legal construction that will be used empirically by

officers who administer officers who will carry out land consolidation, especially in coastal areas and

small islands. Related to this matter, the existence of the construction of the legal regulation, of course the most basic reference and / or guidelines in

terms of carrying out the land consolidation, must be carried out based on the mandate and orders as stated in The Law Number 5 of 1960 concerning Basic Principles -

The Agrarian Principles which are commonly referred to in this law, are written

and abbreviated as the UUPA. The existence of this law, especially in the legal ontology approach must

be the main concern and that is used as the basis for the implementation of land consolidation in the coastal area. This is certainly an analysis integrated with the nature of the law itself. In this case the author intends that the existence of The Law Number 5 of 1996 concerning the Basic Regulations on Agrarian Principles must be made as a single umbrella, which is national in the context of implementing legal politics of land and/or land law in Indonesia, certainly no exception the matter of implementing land consolidation in the coastal areas and small islands.

In this case the author explained that the position and position of the legal arrangements as intended in the UUPA are intended and realized by

the implementation of land consolidation in the coastal areas and small islands also has to do with the nature of the law itself. This means to find out the deepest nature of the purpose of the establishment of the UUPA as the basis for national agrarian-land law politics in Indonesia. In this regard, the legal nature also provides the essence and / or meaning of the existence of everything specifically to be responsible for all legal norms regulated in the UUPA, of course, including the implementation of land consolidation, especially those that will be carried out by the State and/or The government, of course, in this case its national implementation must be carried out by the local Regency/City Land Office as the sole organizer in the context of the implementation of the intended land consolidation.

In connection with this, especially the basis of legal arrangements that are more operationally practical, with regard to the implementation of land consolidation in the coastal areas and small islands, in the concrete implementation in the field must also refer to and based on technical provisions as regulated and stipulated in the Regulation of the Head of the Republic of Indonesia National Land Agency Number 4 of 1991 concerning Land Consolidation

ation. In a more technical manner, the implementation of land consolidation in the coastal island region as a basis for legal regulation in its implementation must also be based on and synergized with all the provisions as mandated in various laws and regulations concerning the implementation of regional autonomy, especially The Law Number 23 Year 2014 concerning Regional Government. In line with this, the implementation of land consolidation in the coastal areas and small islands, regarding the basis of the legal arrangements must also be in accordance with and based on The Law Number 26 of 2007 concerning Spatial Planning.

Relevant to the above specific explanation regarding the legal basis for implementing land consolidation programs and activities in the coastal areas and small islands, especially in the basic operational practice approach the legal arrangements must also refer to, and are based on all mandates and orders as stated in The Law Number 27 of 2007 concerning Management of Coastal Areas and Small Islands in conjunction with The Law Number 1 of 2014 concerning Amendments to The Law Number 27 of 2007 concerning Management of Coastal and Small Islands, and also based on Regulation of the Minister of Marine and Fisheries of the Republic of Indonesia Number 23/PERMEN-KP/2016, concerning Planning for Management of Coastal Areas and Small Islands. Especially regarding the







implementation of land consolidation in coastal areas and small islands, of course in the practical operational approach, the basis of the legal arrangements must be in accordance with and based on the Regulation of the Head of the National Land Agency of the Republic of Indonesia Number 4 of 1991 concerning Land Consolidation. In order to verify the basic legal arrangements for land consolidation in coastal areas and small islands, in the first part the writer will explain the principles and objectives to be achieved in the context of the implementation of the land consolidation.

### 3. METHODS

In the methodology section (Scockanto and Mamudji, 2015), the writer will further explain matters relating to some of the main issues related to the substance of the methodology used by the author in completing this journal writing. Still in perspective (Bungin, 2003) methodology in the first part of the author will explain what form and/or construction is the formulation of the problem. For some of the problem formulations, then based on (Atmadja and Budiarta, 2018) the formulation of the problem in question will be discussed and/or analyzed in such a way in the discussion section of this journal. By referring to and/or based on a number of variables which are the themes and/or central points contained in this journal title, the formulation of the problem is: as the first problem formulation, constructed by the writer with the question sentence how is the legal regulation of the legal political paradigm for the implementation of land consolidation in the region coastal and small islands to increase the economic growth of the community.

In the meantime it is the formulation of the second problem, namely: how to implement and/or implement the political paradigm of land consolidation law in coastal areas to increase the economic growth of the community. Whereas as a formulation of the third problem, what factors become obstacles and/or obstacles in the implementation of the political paradigm of land consolidation law in coastal areas and small islands to increase the economic growth of the community.

On the basis of the three problem formulations as intended in the section above, then in the methodological perspective, from the results of this journal writing has the purpose and / or purpose, namely: in the first part, of course to find

out what the legal arrangements relating to the legal politics paradigm in terms of carry out land consolidation in coastal areas and small islands to increase economic growth of the community. In the meantime, it is also intended to find out the implementation and/or implementation of land

consolidation in coastal areas and small islands to improve the economic growth of the community, and subsequently to find out what factors become obstacles and/or obstacles in terms of implementing land consolidation in coastal areas and small islands to increase the economic growth of the community.

With regard to the above for the next part in this section the author will explain, what are the aims and/or objectives to be achieved? To answer this question, in a methodological perspective that regarding the purpose and/or objectives to be achieved in writing this journal in principle, it is analyzed in two aspects, namely in the theoretical approach and in the practical approach. In the theoretical spectrum and/or realm, that the benefits and / or usefulness of the results of this journal writing are expected to result in positive and constructive contributions, namely to add material, substance and/or literature materials that are scientific and academic in nature. various library sources related, of course, in the realm of legal knowledge regarding the implementation of land consolidation in coastal and small islands, are certainly integrated with the realm of science in the field of law, especially in the field of Agrarian law and/or Land. Whereas in the practical aspect, from the results of this journal writing the author hopes that the results of this journal writing can provide positive and constructive contributions especially aimed at practitioners, bureaucrats, law enforcement officials to be a reference and/or legal basis and guidance technical in order to carry out land consolidation activities especially for coastal areas and small islands for and in order to increase the economic growth of the community.

Still in the realm (Soejono and Abdurnahman, 2003) establishes and/or uses von Savigny theory as a major theory and grand theory which the writer will use as a knife of analysis to dissect the three problems that have been unfolded by the author in the section above, of course this is related also to (Suriasumantri, 1999) the responsibility of the nature of science, namely in the aspects of ontology, epistemology and axiology. Relevant to this, von Savigny has emphasized in his theory that in an effort to put forward a product of legislation explicitly in the field, especially to law enforcement agencies, it is certainly directed at the apparatus of implementing the consolidation of land in this case the officers and officials of the District Land Office/The local city, of course, related to his the officers and officers at the Batam City Land

Office must prioritize the von Savigny theory in question, whose emphasis and emphasis emphasizes the Volkgeist approach (people's soul). Relevant to

this, von Savigny further said that in every country and nation, the Volkgeist and/or people's soul are basically not the same, meaning their shape and nature are different. Therefore, in the opinion of the authors of the implementing apparatus, the organizers of the land consolidation, of course in the framework of carrying out their activities at the level of implementation, they must pay attention and based on the Volkgeist or people's soul that exist and exist in the coastal areas and small islands.

Furthermore, in this methodology section the author will explain about references to analyze

the problems in this journal, especially in the aspect of writing normative law types. In this context, the

data needed by the writer to analyze some of the problems presented in this journal, of course in the methodology perspective the data used is

secondary data, consisting of primary, secondary and tertiary legal materials. Primary legal material in the form of: The Law Number 5 of 1960, concerning Basic Regulations on Agrarian Principles; The Law Number 23 of 2014,

concerning Regional Government; The Law Number 26 of 2007, concerning Spatial Planning; Law Number 27 of 2007, concerning Management

of Coastal Areas and Small Islands; The Law Number 1 of 2004, concerning Amendments to The Law Number 27 of 2007, concerning Management of Coastal Areas and Small Islands; The Regulations of the Minister of Marine and Fisheries of the Republic of Indonesia Number

23/PERMEN-KP/2016, concerning Planning for Management of Coastal Areas and Small Islands; and The Regulation of the Head of the Republic of Indonesia National Land Agency Number 4 of 1991 concerning Land Consolidation. Secondary legal materials consist of all literature books in the field of agrarian law and/or land especially related to land consolidation; lawyers; and encyclopedia.

For the tertiary legal material one of which is in the form of Standard Operating Procedures (SOP) related to the implementation of land consolidation, especially in coastal areas and small islands.

As for the primary data, the authors obtained through in-depth interviews with respondents at the location and/or agency related to

the implementation of land consolidation in the coastal areas and small islands. The interview process was carried out with Lestari Wiyono, the Staff of Rights Determination for the first time at the Batam City Land Office, related to the delay in the formation of a Regional Regulation (Perda) related to the implementation of land consolidation in coastal areas and small islands in Kecamatan

Padang, Batam City, Riau Islands Province.

## 4. RESULTS AND DISCUSSION

### 4.1. Result

#### 4.1.1. Implementation of Land Consolidation in Coastal Areas and Small Islands

In the meantime the substance discussed in the context of the intended consolidation of land

also has a significant relationship with the convergence of thought in the sociological and legal perspectives. In this case, it was explained earlier about the core of the convergence of

sociological and legal thinking, that sociology and law could be unified in the beginning. This happens because legal experts solely pay attention to the issue of *quid juris* (Prasetyo and Barkatullah

2017), while sociologists have a main task, namely to describe the *quid fact* in the sense of reversing

social facts to the power of relationships. This is the cause of the anxiety of many legal experts and legal philosophers who ask fundamentally:

whether legal sociology does not intend to destroy all laws as norms, as a principle for regulating facts, as an assessment.

Relevant to the above, it is further explained that the thoughts of experts on law, in reality, greatly influence the atmosphere that surrounds them. This means that the spark of thinking that emerges cannot be separated from the condition of the community as a result of social construction. In the meantime it is also explained, that in the history of thought about law can be seen the manifestation of the linkage of legal thought to the existing social background. Historical flow is said to be a reaction to two mighty forces in its time, namely: first, 18th century rationalism, the power of ratio with its first principles which gave birth to a legal theory by means of deduction; secondly, the belief and spirit of the French Revolution which greatly glorifies reason and human ability to master the situation. As a reaction to such a situation, the historical stream suppresses certain characteristics inherent in the legal system of a nation on the legal feelings of a nation as opposed to legislation or legal decisions and is seen as dead letters.

Based on the above description, and integrated with the middle theory construction that is established and used by the author as a knife for analysis to dissect the construction of the second

problem as the author explained in the previous section, which focuses on the problem, namely how to implement land consolidation in coastal areas and islands small, of course in this case including the implementation of land consolidation held by the government in the Rear Padan District, Batam City, Riau Islands Province, once again in this section the author asserts that the use of the middle theory, namely the sociological

theory of prudence is the right middle theory choice.

Related to this matter, it was reaffirmed by the author that the basis of consideration for using the sociological jurisprudence theory referred to, in the opinion of the author was appropriate and in accordance with several variables as the central theme contained in the title of this journal. Some fundamental features of the meaning of the sociological theory of jurisprudence are further explained by the principle that the sociological theory of jurisprudence (Lybeck, 2019 and Owens et al., 2019), some prominent philosophers support this theory, such as: Roscoe Pound, Eugen Ehrlich, Benjamin Cardozo, Kantorowich, Gurvitch and other. The essence and peak of the thought of the sociological theory of jurisprudence is meant, and this theory generally develops in America, that is the core of the theory in question, that "good law is law that is in accordance with the law that lives in society".

Referring and based on the core thought of the theory that good law must reflect the values that live in society (Drenner, 2019 and Hirsch, 2019). At the same time it can be explained in this school and school, especially in the implementation of a product the law should be distinguished from what we know the sociology of law, because in the realm of sociology the law of law is learned and meaningful as a social phenomenon (Thrnhill, 2019). Related to this, the legal sociology actually grows and develops in Continental Europe.

Related to the matter described by the author in the last paragraph above and integrated with Roscoe Pound's explanation that the difference between the two is: that sociological theory of jurisprudence is a school in the philosophy of law that studies the mutual effects between law and society, but on the contrary in legal sociology is a branch of sociology that studies the influence of society on law and the extent to which the symptoms in society can influence the law as well as investigated otherwise the influence of law on society (Hilbert, 2019 and Witcher, 2019). In this case, the important thing is that if the sociological jurisprudence approaches, the approach starts from law to society, whereas in the realm of legal sociology, the opposite is from society to law.

With regard to this, it is further explained that this school presents the importance of Living Law, which is the law that lives in society. In this case, his birth according to some assumptions.

Therefore, thus, sociological jurisprudence holds to its important opinion, both in terms of reason and

experience. In essence this view originates and originates from Roscoe Pound whose essence is the opinion: Both conceptions of each school, in this



case is the flow of positivism (Atmadja and Budiartha, 2018) laws and schools of history contain the meaning of truth. Based on several key and important things as explained by the author in the above section, it is further to conduct a special analysis on the implementation and/or implementation of land consolidation in the coastal areas and small islands in a comprehensive manner which is considered important by the author for analysis, which consists of: briefly explaining the profile of the District of Rear Padang in Batam City as the location for the implementation of land consolidation in the coastal areas and small islands, which is held in the District of Rear Padang, Batam City, Riau Islands Province; explained Batam City in the perspective of strategic political geo dominance, namely in an effort to support the implementation of the paradigm of the Universal People's Security Defense System (Sishankamrata), namely on the implementation of land consolidation for coastal areas and small islands; explain the stages of the process of implementation of land consolidation in coastal areas and small islands; specifically explain the concrete realization of the implementation of land consolidation in coastal areas and small islands; at the end, the construction and formulation will be explained regarding the form of supervision of the implementation of land consolidation in coastal areas and small islands.

#### **4.1.2. Profile of Belakang Padang Sub District, City of Batam Location of Land Consolidation in the Region Coastal and Small Islands**

Behind the Padang District District which was determined by the author as the location of this journal research, is the first and oldest sub-district in the Batam City government ranks, as well as the Batam Capital District during the Riau Islands Regency administration, the history was almost forgotten due to the rapid development of Batam City in readiness facing the era of globalization. Behind Padang, one of the 12 (twelve) Districts that are based on the legal regulation, is based on the Batam City Regional Regulation Number 2 of 2005, Regarding the Expansion, Changes and Formation of Districts and Villages in the Batam City Area in the hinterland area, also as a buffer district for the development of the Batam City Government. In the administrative structure of Padang, which originally consisted of 5 (five) section area experienced changes according to the Regional Regulation (Perda) Number. 2 of 2005 concerning Expansion, Changes and Formation of Sub-

Districts and Villages in Batam City Region into 6 (six) section area namely: Kanjang Sari

Village; Sekanak Raya Village, Pemping village, Pecong village, Kasu Kasu and Terong Village. Furthermore, the writer will present several tables

and graphs about the condition and condition of the District of Behind Padang as stated in Table 1 below :

**Table 1. Extent of Padang Subdistrict District Village Area**

No	District	District Extensive		
		Land (Km)	Sea (Km <sup>2</sup> )	Total (Km <sup>2</sup> )
1	Sekanak Raya	5,020	57,589	62,609
2	Tanjung Sari	2,041	27,661	29,702
3	Pulau Terong	5,791	110,892	116,683
4				
	Regency Extensive			

Belakang Padang Regency Profile in 2013.

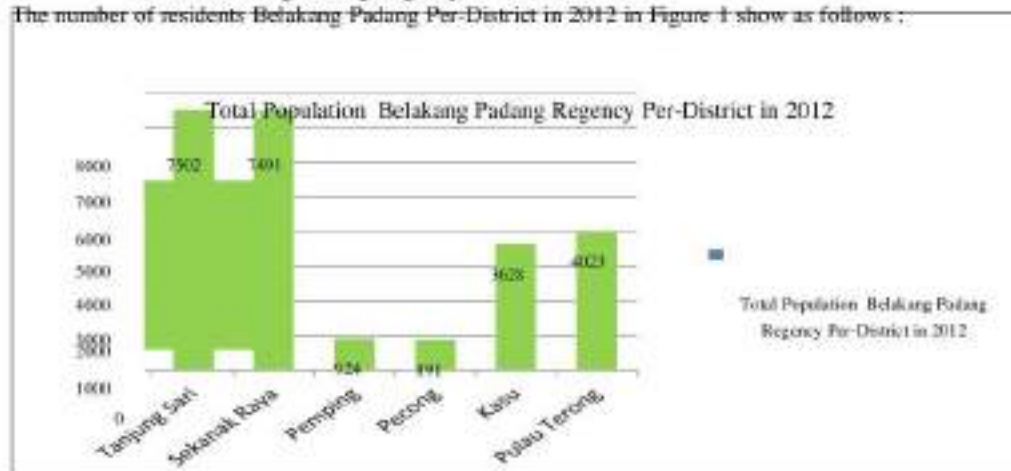
The Number of Residents Belakang Padang Per-District in 2012 in the Table 2 as a follows :

**Table 2. Number of Residents Belakang Padang Per-District in 2012**

No	District	Total Population
1	Tanjung Sari	7502
2	Sekanak Raya	7491
3	Pemping	924
4	Pecong	891
5	Kasu	3628
6	Pulau Terong	4023
Total		24459

Source: Belakang Padang Regency Profile in 2013.

The number of residents Belakang Padang Per-District in 2012 in Figure 1 show as follows :



Source: Belakang Padang Regency Profile in 2013.

**Figure 1. Graph of the Population of the District Behind Padang Per-District in 2012**

For facilities and Infrastructures in Belakang Padang Regency in Table 3 show as follows :

**Table 3. Facilities and Infrastructures in Belakang Padang Regency**

No	Description	Infrastructures	Volum	Fleet
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1	Traffic in Land 30%	Road, Soil	7,00 Km 17,50 Km	Cars, Motorcycle, Rickshaw, Bicycle
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19,00 Km			
2	Traffic in Sea 70%	Dock	21,00 Units
Ferry, Boat			

Source: Belakang Padang Regency Profile in 2013.

Relevant to the above, for that before the author will explain about the LoGA analyzed in the

Based on the foregoing that Figure 1 and Table 3, data regarding the situation and conditions in the Behind Padang District area as intended, the following the author will conduct an analysis by integrating it with the middle theory in this journal. As stated in the early part of this journal, the writer with strong justification is relevant to several important and principal variables in the title of this journal, specifically the writer once again stated that the middle theory used by the writer to dissect the problems fortified in this journal, is to use a middle theory sociological jurisprudence, namely the theory put forward by Roscoe Pound. In this case Pound said, that good law is a law that is in accordance with the law that lives in society. This means that by paying attention to the profile of the data which is the potential of natural resources owned by Sub District of Belakang Padang and then related and/or integrated with the construction of the Roscoe Pound theory, for once again the author asserts there is no reason for the State and/or Government, in this case, in particular the Batam City Land Office does not carry out land consolidation in coastal areas and small islands in the Rear Padang District, Batam City. In other words, that with all the tremendous potential possessed by the Kecamatan Behind Padang, the implementation of the intended land consolidation is a necessity that must be carried out immediately by the State and the government.

#### 4.1.3. Implementation of Land Consolidation in the Coastal Zone and Small Islands

This content is a central topic in the context of the implementation of land consolidation in particular that will be implemented for coastal areas and small islands. Relevant to this further according to the author, that is paradigmatically constitutional, primarily in the approach of legal politics, at this point the actual existence of Law Number 5 of 1960 concerning Basic Agrarian Regulations which are commonly written and abbreviated with the LoGA were tested. Of course in this case, as it is known that the LoGA, is actually also a basic umbrella (umbrella act), especially in carrying out the consolidation of the land in question, especially those that will be carried out in the coastal areas and small islands.

perspective of legal politics. This situation was marked by the emergence and/or publication of various agrarian policies, especially after the eruption of the reform wave in the past 1998. At that time the multi agrarian policy was meant, the consideration was that in order to implement the decentralization, legal pluralism and clean and authoritative paradigm, the agrarian policy was placed on the framework and construction of such a paradigm of political agrarian law. This has given rise to a multi-sector agrarian policy, both of which are related to changes in institutional structures and agrarian law institutions, as well as to the effectiveness of their implementation. Against the multi-sectoral agrarian policy, it turns out that each of these policies is not in line and in harmony, even at a certain point raises overlapping conditions caused by the prevalence of ego-centric views and not systemic and holistic in the viewpoint of policy futuristic in order to put the right paradigm in accordance with the mandate and command of Pancasila values as the basis of the State, and also a national identity, the view of the nation, the soul and personality of the Nation and the Unitary State of the Republic of Indonesia.

In the meantime, further explained the chaotic situation regarding the application of the political paradigm of agrarian law that almost lost direction, and listened to the opinion of Lubis (2000) emphasized that in the context of implementing the legal political paradigm in Indonesia, of course in this case in the implementation of national agrarian law politics in Indonesia in fact there has been an event that is a paradigm shock (shock of paradigm). In this regard, in the opinion of the author, it is now the Nation and State of Indonesia, especially aimed at the regime of the ruling Government to immediately re-implement the policy of permanent and sustainable agrarian law as mandated by the Founder of the nation and the makers of the Law as mandated in the Law Number 5 of 1960 concerning the Basic Regulations on Agrarian Principles, which in the opinion of the author in this Act has been correctly and correctly placed that the main joint in implementing the politics of National agrarian law in Indonesia must account for all the values of Pancasila as the basis of the State, and also a national identity, the view of the nation, the soul and personality of the Nation and the Unitary State of the Republic of Indonesia.

Returning to the central topic discussed in this section, which is analyzing the implementation of land consolidation in coastal areas and small islands, what must be used as a legal basis that is organic in the field is to refer to and based on the provisions stipulated in Law Number 27/2007 concerning Management of Coastal Areas and Small Islands. Specifically on this matter the implementation of land consolidation in the coastal areas and small islands must be started from the bottom (bottom up) prepared, made and determined by each District/City Government which in certain areas within the scope of the government area there are coastal areas and small islands. In relation to the matter referred to normatively related to the preparation and making of the strategic plan, the legal arrangements have been determined in such a manner in Article 8 of the law, which confirms: RSWP-3-K is an integral part of each Government's long-term development plan Area. In particular, at the point/section paragraph (2) of Article 8, it is also stipulated that the RSWP-3-

K as referred to in paragraph (1) must consider the interests of the Government and Regional Government. Furthermore, in Article 8 paragraph (3), concretely and explicitly it is also affirmed that the period of the Regional Government's RSWP-3-K is set for a period of 20 years (twenty), and can be reviewed at least 5 (five) years once.

For the preparation of the strategic plans for the coastal areas and small islands mentioned above, for further action by the Regency/City Government must compile, and make Zoning Plans for Coastal Areas and Small Islands. In relation to the basic principles in the context of composing and making the Zoning Plan for Small Coastal and Island Areas, the legal arrangements are clearly stipulated in Article 9 of Law Number 27 of 2007 concerning Management of Coastal Areas and Small Islands. This provision, affirmed in Article 9 paragraph (1), which confirms that RZWP-3-

K is a directive for the use of resources in coastal areas and small islands of the provincial and/or district/city governments. Then continued the provisions contained in Article 9 paragraph (2) confirms that the RZWP-3-

K is harmonized, harmonized and balanced with the Regional Spatial Plan (RTRW) of the provincial government or district/city government.

Relevant to the explanation above, it is still based on the mandate of Article 9 of the law, especially in paragraph (3) regulating and stipulating that the Planning of RZWP-3-

K is carried out by considering: harmony, harmony

, and balance with ecosystem carrying capacity, utilization function and protection function, space



and time dimensions, technological and socio-cultural dimensions, and defense and security functions; integrated utilization of various types of resources, functions, environmental aesthetics and quality of sand land; and the obligation to allocate space and public access to the use of coastal areas and small islands that have social and economic functions. Then in Article 9 in paragraphs (4) and (5) it is confirmed: the period of RZWP-3-

K is 20 (twenty) years and can be reviewed every 5 (five) years; and RZWP-3-

K is stipulated by a Regional Regulation.

Follow up on the mandate of Article 9 as intended at the top is more technically regulated in Article 10, which confirms that the Provincial

RZWP-3-

K as previously described, in principle consists of: allocation of space in the Public Utilization Zone, Conservation Area, Area Certain National Strategies, and sea lanes; linkages between terrestrial ecosystems and marine ecosystems in a Bio ecoregion; determination of sea space utilization; and prioritizing marine areas for conservation, socio-cultural, economic, marine transportation, strategic industries, and defense and security purposes.

Further explained, of course it is still related to the determination of the strategic plans of the coastal and small islands, in Article 11 of Law Number 27 of 2007 concerning Management of Coastal Areas and Small Islands, affirms in Article 11 paragraph (1), that the Regency/City RZWP-3-K contains directions about: space allocation in the General Use Area Plan, conservation area plan, certain National Strategic Area plan, and plot plan; linkages between coastal ecosystems and small islands in a bio ecoregion. And then in Article 11 paragraph (2) it is also stipulated that the preparation of the RZWP-3-

K as referred to in paragraph (1) is obliged to follow and integrate the plans of the Government and Regional Government by taking into account the Regions, Zones and/or Sea Lines that have been determined according with statutory regulations.

Based on the explanation above and associated with the results of the author's verification in the field, that relates to the strategic plan of coastal areas and small islands especially for the Regional Government of Riau Islands Province, is currently in the process of forming in the Regional Regulation. In the opinion of the author the process of forming the said *Perda*, allegedly experienced delays, and for this situation

the author assumed that the submission of the

Coastal and Small Islands Zoning Plans of 7 (seven) Districts/Cities under the auspices and administration of Riau Islands Province had been delayed. In this context the occurrence of delays in

the formation of Regional Regulations (Perda) is of course formally juridically will affect the delay in the implementation of land consolidation in coastal areas and small islands, also in this case it contributes to the significant delay in the implementation of land consolidation in coastal areas and small islands in the Rear Padang District, Batam City, Riau Islands Province (interview with Wiyono, First Time Batam City Land Rights Office Staff, which took place on Monday, October 1, 2018, at the Batam City Land Office, at 3:45 p.m.)

Based on the above explanation and specifically related to the implementation and/or implementation of land consolidation in the coastal area, especially addressed to the organizer of land consolidation, in this case the local District Land Office in its implementation must carry out integrated coordination especially those carried out to all related offices in the office district/city government in an effort to synergize with the implementation of the Coastal and Small Islands Management Plan, with due regard to the mandate and the order of the provisions contained in Article 12 and Article 13 of Law Number 27 of 2007, concerning Management of Small Coastal and Islands specifically related to the Action Plan for the Management of the Coastal Zone and Small Islands.

#### **4.1.4. Implementation of Land Consolidation in Coastal Areas and Small Islands to Increase Community Economic Growth**

Regional economic development in the long term (following the GRDP growth), brings fundamental changes in the economic structure, from traditional economies to modern economies that are dominated by non-primary sectors, especially processing industries with increasing return to scale (positive relations, between output growth and dynamic productivity) as the main engine of economic growth. There is a tendency, that the higher the rate of economic growth makes the process of increasing people's income per capita faster, and the faster the change in economic structure, assuming that other determinants support the process, such as labor, raw materials, and technology, relative permanent (Ha and Hoang, 2020). Changes in economic structure are generally called structural transformation and are defined as a series of changes that are interrelated to one another in the composition of aggregate demand

(production and use of factors of production, such as labor and capital) needed to support the process of development and sustainable economic growth.

The higher the economic growth, the higher the income level and followed by different preferences

for consumption. The high level of consumption is influenced by the wide variety of choice products available for consumption by the public.

Most coastal communities, especially fishing communities apparently still not getting more value than the potential wealth of Indonesia's marine resources. The fishing community is generally still far from prosperous as shown by the fishermen's family education which is low and cannot meet health standards or daily needs. According to Rifat and Liu (2020) there are four main problems that cause poverty, namely lack of opportunity, low of capabilities, low level of security, and limited social, economic rights, and politics so that causes vulnerability, deterioration (voicelessness), and powerlessness in all fields. When the government wants to make Indonesia a World Maritime Axis, however, coastal communities, especially fishing communities, are only spectators. The production of marine products obtained by fishermen is very minimal when compared to the potential of marine resources in the environment around the fishermen. This policy should continue efforts from the government to improve the competitiveness of coastal communities, especially fishermen so that the management of coastal and marine areas can be done together.

Regional governments to pay more attention to the development of regional coastal areas. Local governments should open up opportunities for fishing communities to be able to improve their economies. This assistance can be in the form of marine regulations pro small fishermen, training and subsidies for fish production needs, as well as the provision of fish refrigeration facilities that can be used by fishing communities.

#### 4.2. Discussion

Relevant to what the author has explained in the section above, politically arises and / or causes hindering situations and at the same time clogs up and ultimately can have a negative influence, namely the occurrence of a slowdown in implementing land consolidation programs and activities, especially in coastal and island areas. the small island, as one of the triggers is due to a political conflict of interest, namely the occurrence of political intervention on the law, and this is an indication of constraints and/or obstacles in its implementation. With such circumstances, in the opinion of the author, in this case it can be assumed that the location and position of the error may be due to the shock of interests, even the occurrence of shocks of parad

igm, especially when all stages and the process of forming a law (law making process) from various legal arrangements that will

be formed, of course in this case no exception in the context of the formation of legal arrangements in the field of archeology also occurs an event of political intervention against the interests of a product of legal regulation that will be formed.

Related to the last thing mentioned by the author in the paragraph above, in this context it is very interesting opinions and thoughts that have been unfolded by (MD Mahfud 2012) which critically and sharply he has said that not a few of the law students are surprised and overwhelmed when he saw that the law was not as understood and imagined when he was in college. They were surprised when they saw that law cannot always be seen as a guarantee of justice. There are so many blunt legal regulations, it does not matter to cut off authority, is unable to uphold justice and cannot present itself as a guideline that must be followed in resolving various cases that the law should answer. Even many legal products are more colored by political interests of dominant power holders. They then ask why it happened? In the meantime, with regard to the core content analyzed by the author in this section, namely about the existence of constraints and/or obstacles there are and often occur in carrying out land consolidation, especially in coastal areas and small islands, on the other hand one of the constraints what appears in the field is caused by the still blunt attitude, sincere attitude and willingness from the land consolidation organizer to develop responsibly and sustainably about legal awareness that will be used as a basis for improving the legal system (Mertokusumo, 2011). In this connection, it is very interesting for the critical, sharp and constructive thoughts and opinions that Sudikno (2014) has raised, which says that talking about legal awareness is essentially talking about humans in general, not talking about humans in certain environments or humans in certain professions such as judges, prosecutors, police and so on.

The obstacles arise from general matters, and some are also influenced by political intervention in the law. This means that at this point it is assumed that some legal regulation products in the field of diagrammatic and/or land, of course also includes legal arrangements related to the implementation of land consolidation are also influenced and intervened by political interests. Furthermore, in this section, the author will explain the existence of constraints from the other side, namely

ely a constraint that arises and occurs from the structural aspect. From the results of the author's verification in the field it was alleged that the obstacles that arise and come from this structural aspect are also one of the dominant obstacles in inhibiting the acceleration of the implementation of

land consolidation in coastal areas and small islands.

The dimension of structural constraints intended by the author, one of the main points as the cause is the institutional structure of the Ministry of Agrarian Affairs and Spatial Planning/Head of the Regency/City Land Agency in the perspective of implementing the Regional Autonomy government system. This is intended by the author, that with the status and condition of the institutional structure of the Regency/City Land Office, the position of the institutional structure is still vertical which is subject to hierarchy, namely to the Regional Office of the National Land Agency in each Province and to further accountability for the implementation of the main tasks, the function and authority are vertically accountable to the Minister of Agrarian Affairs and Spatial Planning/Head of the Land Agency of the Republic of Indonesia in Jakarta. The status and condition of institutional structures such as this, especially in relation to the implementation of the government system in the perspective of regional autonomy will create constraints and/or obstacles in terms of doing all forms of technical coordination, especially to synergize with the policies that will, and have been carried out by, each regency/city government, especially in relation to the implementation of a land-based policy, certainly includes those relating to the implementation of land consolidation in the coastal areas and small islands.

In relation to the above, the Ministry of Agrarian Affairs and Spatial Planning/Head of the Indonesian National Land Agency should immediately take proactive steps to immediately make construction policies that are structurally institutional, primarily to address the matter in question which policy must be harmonized and/or synergized in the perspective of the government system in the era of regional autonomy. Concretely to overcome the constraints originating from this structural aspect, the Ministry of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia, made a special policy to immediately propose to the President of the Republic of Indonesia to issue legal arrangements in the form of Government Regulations to reorganize the Land Office's institutional structure at the District/City level which is synergized with the government system in the context of implementing regional autonomy.

With regard to the matter referred to, it is more clearly conveyed by the author, that the specific policy is very priority to be done immediately. This

is intended in the short term is expected to be able to contribute to accelerate the

implementation of coordination on the main tasks, functions and authorities in the fields of land, of course in this case related to the implementation of programs and land consolidation activities, especially in coastal areas and small islands, of course the coordination referred to must be carried out in an integrated manner to each Land Office at the Regency/City level which is carried out by the Mayor's Office and the Regent in each area's jurisdiction. Before further elaborating on this structural obstacle that clogs up the acceleration of land consolidation in coastal and small islands as some of the sections have been presented by the authors of the explanation in the section above, it is better in this context the writer will explain a fundamental obstacle that surrounds it, integrated by the author on the circumstances that occur due to not understanding about the substance of the legal system, in the context of implementing and enforcing law (law enforcement) of all legal regulation products in the field of literature, of course in this case no exception to legal arrangements relating to the implementation of land consolidation in coastal areas and the small islands.

Regarding the non-structural constraints in the context of carrying out land consolidation in the coastal areas and small islands, classification and/or classification can be carried out as follows. First, non-structural inhibiting factors that arise and originate from individuals who are individual and personal as a result of attitudes and behavior, including attitude and behavior especially those shown by the apparatus organizing the land consolidation activities, which of course in this case the organizers intended is from the employees and/or apparatus as well as staff from the local Regency/City Land Office. In this case the author intends to implement and/or implement land consolidation programs and activities especially in the coastal areas and small islands, the attitude of the employees and officials of the land consolidation organizers are always arrogant, arrogant, indifferent and unconcerned about the feeling of the community that basically the community is very respectful of applying local customary law as the living law that must be obeyed in the social institutions of their life in society. In other words, the attitude of the organizer of the land consolidation, in its implementation often imposes his will regardless of the law that lives in the community.

Secondly, in this second part, which is a non-structural constraint indicated by the author, it can also come from the community whose land right

s unit is affected and becomes the object of the program and land consolidation activities in coastal



areas and small islands. In this context the author intended, this could happen because the community from the beginning had not, even never received a full, comprehensive, systemic and holistic explanation for the implementation of the land consolidation program and activities, or in other words, the land consolidation organizer has not carried out a dissemination activity on the land consolidation program in coastal areas and small islands to all citizens, who are living and residing in descent and are sustainable in the coastal areas and small islands.

## 5. CONCLUSION

The legal regulation must refer to and based on the provisions of Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles, which are usually abbreviated and written in the LoGA. The position and position of this law in the opinion of the author is a fundamental umbrella and/or legal basis (umbrella act) in the context of implementing the consolidation of the land. This is intended by the author, that the State and / or the Government and stakeholders and other stakeholders in the context of implementing the legislation formation process in the fields of arenas, also includes the regulation of land consolidation laws in coastal areas and small islands, that in the implementation of the formation process must follow and based on the right political law paradigm, namely based on: all values as stated in the Pancasila that is as the basis of the Republic of Indonesia (philosophy of paradigm), based on legal norms mandated in the state constitution, namely the Law The basis of the State of the Republic of Indonesia in 1945 (constitutional of paradigm), and also must be based on the principle of Indonesia is the rule of law (juridical of paradigm), so that the results of the legal regulation products do not occur in accordance with the shocks of paradigm. In other words, this is intended to be the author of this general and political constraint, not formally intervening in any form especially in the perspective of political interests of the authorities who intervene in the process of forming the said legislation, of course in this case not except those relating to the establishment of legal arrangements in the field of land consolidation that will be carried out by the State and / or the Government, especially in coastal areas and small islands.

The next suggestion, namely as a second suggestion, especially in the context of implementing land consolidation in the coastal areas and small islands, in its implementation mainly addressed to the Government in this case to the land consolidation organizing apparatus.

namely the Regency/City Land Office, in its implementation must prioritize sociological jurisprudence theory, namely the Roscoe Pound theory, which is famous for its theory, that Good law is law that is in accordance with the law that lives in society. Based on this suggestion, the writer intended that the attitude and attitude of the land consolidation officials must understand and at the same time put forward the law that lives in the community (the living law). In the meantime, the writer also suggested to support the smooth implementation and/or implementation of land consolidation in the coastal areas and small islands, in its implementation must also put forward the applied theory, namely the pragmatic legal realism theory, put forward by one the pioneer in the theory of pragmatic legal realism is Friedmann. An important part of this theory is a movement, especially in relation to the way of thinking about law.

Management of resources in coastal areas, which is quite promising in order to increase active participation from the community and in supporting sustainable development. There are at least 4 (four) benefits gained in community-based management: (1) the community participates in controlling the resources around them, (2) broad support from the community in managing existing resources, (3) the availability of data needed for utilization these resources, (4) resource management can improve the lives of the surrounding community. In order to realize community-based integrated coastal management, several management processes are needed in accordance with the stages of management, starting from planning, implementing, monitoring and evaluating. The stages of the community-based coastal area management planning process continue to refer to the process of planning sustainable development of coastal and ocean areas.

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