

THE RESPONSIBILITY OF LOCAL GOVERNMENT ON THE PROTECTION OF PRODUCTIVE AGRICULTURAL LAND IN INDONESIA

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ABSTRACT

This study aimed to analyze the conversion of agricultural land into non-agricultural land under the provisions of Indonesian law by taking a case study in Kendal regency Java Province. The method used is the juridical-normative. The results of this study indicate that the trend of conversion of agricultural land to non-agricultural Kendal increased every year caused by industrialization projects, the strategic location of the paddy fields, the society's belief that agriculture is not quite the welfare of the population, and the need for new settlements. Against such a situation, the responsibility of the Government of Kendal in protecting and maintaining productive agricultural land is done in two ways, namely through legislation policy, and the policy of stimulation and subsidies. Policy-making and the enactment of legislation in the form of Regional Regulation No. 13 of 2013 Kendal on the Protection of Agricultural Land Sustainable Food in Kendal. In the regulation of this area have been assigned sustainable food agricultural land in Kendal regency of 22.6 hectares, the packages of policy incentives and administrative and criminal sanctions for those who violate them, including for the landowner. The subsidy policy stimulation is intended to help farmers who have productive agricultural lands in order to maintain the farm, and can provide optimal results. Seen in a broader perspective, the responsibility of the Government of Kendal in protecting and maintaining productive farmland is in order to realize the sovereignty and food security in Indonesia.

Keywords: agriculture, land conversion, legislation policy

Introduction

Today increased activity in various urban communities is increasing. The growing activity, has led to various kinds of problems, especially the problem of exploitation of space. Space as a basis for activities to increase in line with the growth of urban population (Giyarsih, 2005; Fajriyanto, 2009). Urbanization provides many advantages in terms of economy, but create negative impact of aspects of the natural environment, social and physical. If such activities continue to occur without concern for performing step-langah spatial arrangements, it will worsen the condition of the space. Limited land supply will cause land conversion in the form of land utilization undue earmarked for settlements. This condition can often lead to various problems which adversely affected the city environment (UGM Planozone, 2008).

Wetland conversion, which is rampant lately has caused a broad impact on various aspects of development. Nationally, wetland conversion average reached 188,000 hectares per year with an average growth of 2.42% per annum (Sastraatmaja, 2006). The impact of land conversion are often less recognized, so that the land conversion issues rated as "small problem" and efforts to control land conversion impressed neglected. Though the impact of land conversion is very wide both economically, socially, and environmentally.

A tangible impact is the decline of national food security and the environment (Departemen Pertanian, 2005). Though farmland has many functions, not only as a producer of rice or agricultural products, but also play a role in flood mitigation, control soil erosion, maintainer of groundwater supply, fastening gas carbon or greenhouse gases, air fresheners, recycle organic waste, as well as the preserver biodiversity (Nishio 1999; Sinukaban 2000; Agus and Husen 2004 in Abdurachman 2005). Land use was also an impact on water production watersheds (DAS), flooding and landslide (Fajriyanto, 2009).

The rate of population growth, economic activity continues to increase, the development of transport infrastructure over the conduct of government decentralization in the area, has accelerated the pace of land conversion. In addition, the imbalance between the Java-land rent outside Java, urban-rural, agricultural-nonfarm, non-forest and forest-contributing spur land conversion (Investor Daily Indonesia, 2008).

In the midst of groove-oriented development on the market, government commitment and consistency is needed in practice in the field. In the context of spatial planning, the plan is political will. The plan will not work without the political forces that support it. Apart from that the plan is an instrument that aims to improve the welfare and conditions of the community. Therefore, it is an error when the noble purpose spatial plan appeared to be a mere formality document (UGM Planozone, 2008).

Related to the issue, empirically due to spatial consistency of enforcement resulted in the rapid pace of depreciation of productive farmland. The rate of depreciation of productive land due to land conversion in Central Java reached an average of 350-400 hectares per year. This data is called a serious threat to national rice production contributed 60 percent of agriculture in Java. According to Aris Budiono, Head of Agriculture, Food Crops and Horticulture in Central Java, issue of land conversion in Central Java, over the years, a number of areas unwarranted land conversion needed to support the industry. However, according

to the development of the industry could use a nonproductive land of origin supported good infrastructure, such as highways and other public facilities, so that the land could be used nonproductive.

Kendal as one of regencies in Central Java, it is possible to face similar problems to what happened in Sleman district in Yogyakarta province. Kendal, which is directly adjacent to the city, experiencing the phenomenon of changes in the function of soil is pretty great too. From initial observations, in the border region Semarang Kendal growing industrial and residential quite rapidly. Allegedly, industrial and residential construction site is mostly using agricultural lands. Central Statistics Agency data shows that the Kendal Kendal can be regarded as a district with an agricultural region. This is indicated by the amount of land used for agriculture. Of the total area of land in Kendal, used untuk 26 percent of paddy land, moor 20 percent, 8 percent and plantations Other amounted to 46.

The proportion of the widest use of land in Kendal is to wetland is 259.74 km² or by 25,92 percent of the total area of the property. In 2013 productivity of rice, both upland rice fields and amounted to 52.29 quintal per hectare fell 7.97% from the previous year. The average rice productivity is highest in 2013 in sub Rowosari amounted to 54.67 kw / ha and Kale districts followed with 54.40 quintal per hectare productivity. Of some fruit crops in Kendal which has over 20,000 quintals of production are banana, mango, guava, jackfruit, rambutan and durian. Commodities highest fruit production for the last three years is the banana. The production of these fruits fluctuated annually. (BPS Kendal, 2015). However, growth in population and development activities in Kendal show phenomenon utilization of productive agricultural lands. For example, the construction of Industrial Estate Kendal (KIK) in the region adjacent to the city of Semarang require large tracts of land.

Based on the description in the Background section above can be formulated the following research questions: (1). How is the development of productive agricultural land conversion in Kendal?; (2). What are the factors that influence the occurrence of productive agricultural land conversion in Kendal?; and (3). How is the responsibility of the Government of Kendal in the conservation of productive agricultural land?.

RESEARCH METHODS

This type of research is exploratory research, is to know a phenomenon or event by conducting assessments against the event, and in this context is the issue of zoning and land conversion in Kendal regency, Central Java province. These assessments do not systematically, in a sense is not based on the hypothesis, and not withdrawn sample. Assessments carried out by the snowball method is to ask the person / agency and then forwarded to the person / other institutions, and if not satisfied forwarded to someone else, to obtain more complete information about the issues studied (Gulo, 2002).

RESULT AND DISCUSSION

1. Spatial Planning and Land Conversion

Space is a container that includes land space, sea space and air space as a single region, where humans and other creatures live and conduct activities and to continue his life (Act Number 24 year 2007). The elements making up that consists of a variety of characters to be one trigger of this happening. Humans as individuals or communities become key actors in the life pattern of the area. Each individual has a different character and needs. To meet this kind of thing there was an activity or better known as interaction. Activity that is going on inside the room. The more activity then used space also increased a lot. This has implications for the pattern of the use of space in a community. Activities that occur include the distribution pattern of the population, economy, government, traffic, and various other activities using space in large numbers. However, it is inversely proportional to the limited amount of space.

Detailed Spatial Plan Urban Area (RDTRK), an elaboration of the general plan of City Regional Spatial / county into land-use planning Urban Area. RDTRK is space utilization plan Section Region City / Urban Area in detail arranged for the preparation of the embodiment of space in the implementation of development programs (Ministerial Decree Kimpraaswil, 2002). Function plan RDTRK is (a) preparing a manifestation of space in the framework of the development program, (b) maintain consistency of development and harmonious development of urban areas with the Spatial City / Regency (3) creating linkages between activities that are consistent, harmonious and efficient and (4) maintaining konsisitensi embodiment of urban space through the control of development programs. Payload plan includes (1) the purpose of functional urban area development, (2) the plan structure and pattern of urban space utilization, (3) guidelines for the implementation of urban and regional development of functional control guidance pemanfaatan functional area of urban space.

Planning is a projection for the future. Any action for future purposes clearly has a close relationship with what you have now. The above action based on rational pragmatic thinking for a certain period of time. The underlying planning development, because development means planning and pelaksanaan. Thus, the planning, and then design a process that precede implementation. In addition, development can also be interpreted as an attempt to change the value of a state to another that has a better quality. Because the plan is meant for the future, it is clear that every planner should be able to estimate the various circumstances that will occur in the future.

Planning is understood as an attempt to regulate the human condition in the future. This process is done by connecting the knowledge or technique that is based on scientific principles into the realm of practical, taking into account the public interest. Development of the times, the growth of cities in the world more rapidly. There are various assumptions of development in the form of full employment, equal productivity, rational-effeciant be a paradox in the context of social reality. Planning is a cycle comprising arranging activities, planning, implementing and monitoring the plan. This has led to the development planning requires a rule as a reference implementation (Hasni 2008).

Spatial planning is still a major problem that has not been completed. According Budiharjo (1995) there are several issues neighbor spatial planning in Indonesia, especially the accuracy of planning. There is a tendency spatial individually arranged both vertically and horizontally so that until now has not fully known who really has the full authority to draw up spatial planning. Every agency seemed to run itself with the concept and plans so as to avoid overlapping. Besides, spatial arranged changeable in accordance with the temporal and not open (transparent) to the entire community.

Spatial koordisasi serves as instrument for socio-economic development while maintaining environmental issues as well as maintaining the natural and cultural environment. Development must integrate the social, economic and environmental. Planning should ensure the efficient use of all resources including landscape and natural resources to ensure sustainability. Sustainable development prevent uncontrolled urban sprawl. Due to urban sprawl lead to problems such as land use and environmental improvement of undeveloped land, the dependence of transport vehicles, expensive infrastructure costs and increased energy use. Development of compact presses new uses for development (Brackhahn And Kärkkäinen, 2001).

When grouped, there are several factors that lead to conversion of agricultural land continues (Fajriyanto, 2009). *First*, in terms of legality, namely the rule of law. Commitment government and Parliament in this regard is crucial. The bribery case of land conversion in Bintan and be some other regions, showed that between government and parliament have happened conspiracy damaging protected areas. Issuance of Government Regulation 2/2008 on Non-Tax Revenues Derived from the use of forest areas for development in the Outer Interest Activities Forestry, threaten the sustainability of the national forest.

Secondly, in terms of institutional side showed inadequate. Most local governments do not have a special institution that handles and coordinates the process of this land conversion. If ever there was an instrumental nature, only a complement to other institutions and frequently clashed with BPN and other agencies. Institutions that there are less equipped with adequate authority, so that various cases of violation barren ultimately could not be resolved completely. There are many factors that cause this process is not running optimally. But all of them back to the system and the mechanism that has not been built properly. *Third*, public awareness is still low. This is related to the lack of knowledge and willingness of people to change thought patterns in land use. Because the land is an asset, so many people use it only thinks of its economic value, ignoring ecological value. As a result, the utilization exceeds the threshold limit.

2. Agriculture Land Conversion Developments in Kendal

Wetland conversion is a process of deliberate human (anthropogenic) and not a natural process as a logical consequence of the increase in activity and population as well as other development processes. Land conversion is basically a natural thing to happen, but in reality the conversion of land into a problem because it occurs over agricultural land is still productive. Whereas the system of rice fields in Indonesia not only served to food security, but also the supporting environment and culture that has been passed down through generations (Pasandran, 2006).

Conversion of agricultural land wetland to non-agricultural use is a problem faced by the Indonesian people because of the impact of the conversion of massive to various aspects of community life, such as food security, environment and culture. According Pasandran (2006: 123-124), there are at least three things that lead to conversion of land, namely: the scarcity of land and water resources, the dynamics of development and increasing population. Various conversion control policy has been issued by the government but continued land conversion so that the number of paddy fields continue to experience a temporary reduction of wetland are rigid and irreversible.

The population growth rate is one of the factors that lead to conversion of land into settlements as a logical consequence fulfillment of basic needs for housing. Construction and development activities of the population, will directly encourage increased use of land, but if not controlled will lead to a productive agricultural land conversion phenomenon. This phenomenon appears with increasing need and demand for land, both agriculture and non-agricultural sector as a result of population growth and development activities.

Based on data from the Central Statistics Kendal agency known that the development of land conversion in the district of Constraints for the last six years from 2010 until 2016. There are six types of land reported in the data, namely: rice fields, pekarang, moor, added, forests and garden. The data indicate that the use of land within a period of 6 years in Kendal for paddy decreased 0.09% from the previous 261.55 into 259.64 Km² Km². Instead, for this type of yard increased 6.03% from the previous 151.00 into 210.74 Km² Km². As for the type of Tegalan decreased 1.73% from the previous 217.92 km² and 203.13 km² into ponds to grow 0.3% from the previous 32.35 into 33.38 Km² Km². As for the forest and gardens decreased 1.31% from the previous 170.48 km² and 157.21 km² be 1% from 8% to 7.85% for each of the two types of the land.

However, the data also showed that the conversion of land in Kendal is still relatively stable, in the sense of a conversion experience drastically. But keep diaspadai is that pengurangan land in Kendal occur in groups of productive land, such as: rice paddies, fields, forests and gardens. Conversely, the addition of only occurred in the yards and ponds. This indicates that the conversion of productive land each year happen, although not significantly so. According Suprayoga (2009), the years prior to 2010 farms in Kendal continues to conversion. Agricultural land in Kendal expected to be reduced by 50 hectares every year are converted to settlements and factories, so until 2015 otal farmland Kendal reached 26 315 hectares. However, the recent developments, the largest land conversions triggered by the construction industry. In addition, the public perception factor exchange rate against agricultural products which are considered to continue to slide, as well as input and tended to increase the risk of farming and unpredictable.

In that regard, the efforts to maintain the fields are not converted to non-agricultural use, not only because of the value of the benefit resulting from these fields, either directly or indirectly. According to Irawan (2005: 2-4), the classification society benefits to be gained from agricultural land covers two things. First, use values or agricultural land use that are personal. These benefits resulting from exploitation or farming is done on the pertania land resources. Second, non-use value, or the so-called intrinsic value of the benefit or benefits that are innate. In this context, manfaatn obtained created by itself even though not the purpose of exploitation activities carried out by the land owner. One example is the maintenance of biological diversity or diversity of certain species, which at this time was not considered important benefits, but in the long run will be beneficial.

In the present context, the value of the social benefit is not only physical, but also non-physical, such as weather and freshness preservation of the environment. If the agricultural land decreases, the air temperature increases, the possibility of erosion, floods and landslides is greater, the quality and quantity of water will be reduced drastically. Likewise, natural beauty, bio-diversity and rural culture quickly became extinct, it will even appear disharmony social organizations at the village. It still added the loss of employment and income tenant farmers, millers, farmers, industry input, and other rural sectors (Suprayoga, 2009).

Along with the reduction in agricultural land in the form of paddy, but actually based on the study Abdurachman, A., Dariah A., Mulyani A., (2008: 43-44), dry land actually can be put to good use for agricultural production. Unfortunately, the dry land for agriculture is often overlooked by policy makers, who are more interested in increasing rice production in paddy fields. This is probably because it was thought that increasing rice production on lands perswahan easier than with upland rice had higher failure. Though dry land available is much wider than the rice fields, as well as in Kendal where dryland achieve value 217,92 km² 261,55 km² area. Currently dry land can be utilized for the development of agricultural land through dryland management technologies appropriate.

3. Factors Affecting Land Conversion

According to Iwan Kustiwan in Harjono (2005), there are at least three things behind the conversion of productive land agriculture to non-agriculture namely: (1) In the context of macro-phenomena resulted from the process of economic transformation (from agriculture to industry) and demographic (from the countryside to urban) which in turn demands also the transformation of the resource allocation of agricultural land to non-agricultural. (2) The phenomenon of conversion would occur in paddy fields in the region has been playing as a center of rice production, namely the area of Java that have high productivity because it is supported by a technical irrigation infrastructure so that it can be a threat to the national effort to maintain self-sufficiency. (3) The phenomenon of conversion of agricultural land related to the impact of socio-economic areas in micro scale farming households, particularly in relation to the shift in employment structure and tenure-ownership of agricultural land in the countryside.

Irawan (2005) revealed that the conversion of land originated from the demand of agricultural commodities, especially food commodities less income elastic than the non-agricultural commodities. Therefore the economic development impact on increasing incomes of the population tends to cause a rise in demand for non-agricultural commodities at a rate higher than the demand for agricultural commodities. A further consequence was the need for land to produce each commodity is derived from the commodity demand is concerned, the economic development which has led to an increase in income will lead to increased demand for land for non-agricultural activities at a rate faster than the increase in demand for land for agricultural activities.

While in Kendal itself there are several factors that affect the conversion of productive agricultural land, such as the rise of industrialization projects, the growth of settlements due to population growth, the location of the fields are located and have high economic value which is inversely proportional to the economic value of production of rice fields were low, the effect of a system of inheritance in Javanese tradition and consciousness invest. Each of these factors will be outlined more in the following sections.

First, the development of Special Economic Zones (SEZ). Development of Special Economic Zones (SEZ) is a regional economic development strategy that region to a certain extent in the jurisdiction of the Republic of Indonesia are set to perform the functions of economic and acquire certain facilities (Article 1 of Law No. 39 of 2009 on Special Economic Zones). In the preamble to weigh point b of Law No. 39 of 2009 is explained: "to accelerate economic development in certain areas that are strategic for the development of the national economy and to maintain balance in the progress of a region in the unity of the national economy, is necessary to develop Special Economic Zones".

Technically, penentuan special economic zones must meet a number of the following criteria (Article 4 of Law No. 39 Thau 2009):

- a. in accordance with the Spatial Plan and not potentially disturb the protected area;
- b. provincial / district / city to support KEK;
- c. located in the position close to the international trade lines or close to international shipping lanes in Indonesia or located in areas featured resource potential; and
- d. have clear boundaries.

Personality development of special economic zones with these criteria is open, in the sense that the areas that will serve as a special economic zone is not a policy of the central government that is given, but it can be proposed by Enterprises, Government of Regency / City or Local Government Province (Article 5 of Law No. 39 of 2009). Under the provisions of Law No. 39 Thau 2009, to the context of Central Java has defined a number of areas to be used as a special economic zone-which of them are in Sub Kaliwungu Kendal.

Against the provisions of Law No. 39 of 2009 and Government Regulation No. 2 of 2011, hereinafter Central Java province along 6 volunteered to become a Special Economic Zone Location Indonesia. Central Java Provincial Government welcomed him with preparing the draft of the specified region located in District Kaliwungu Kendal. The location is very strategic because it is on the road by pass Kendal, which is the path north coast of Java, and quite close to the port and airport. Regional Readiness already evidenced also by the enactment of the site as an industrial area Kendal, also has built roads, docks, port basin, and the office of the Port of Kendal.

Second, the growth of settlements. *Konsekuensi* of settlement growth is the growth of population in need of a place to stay. Conversion of agricultural land into non-agricultural background of the need for land is increasing followed by the ever increasing population growth. Land conversion that occurred in the northern part Kendal, many shifted into the region to perumahan, industries and shops. The increasing population of both births and migration in the northern part of the region Kendal led to the need for land also increases. While the amount of land can not be increased so as to shift the functions of the land. If there are no regulations governing building permits and regulations on land management, the developers will continue to shift to non-agricultural farming region.

Based on this phenomenon, the developers were able to put out a large capital that building permits can be obtained, thus, the government must be firm not only meet the profit obtained at that time but also have to think long term if agricultural land into non-agricultural. Population growth Kendal reached 1,977% annually. Housing developments in Kendal many uses of agricultural land irrigated technically converted. The house is a basic need for everyone to stay with family. Type permanent home in Kendal in 2013 a number of 8531 houses scattered in 19 Village / Village in District Kendal and District Patebon. The condition if not addressed by the enforcement of regulations in earnest, the impact on the productivity of agricultural land in Kendal regency, so it will affect the food security community Kendal.

Third, the strategic location of rice fields and has a price and high economic value. For some people who have the fields in a strategic location, selling the rice fields with a high selling price considerations are considered more advantageous than cultivated as farmland. This phenomenon occurs in almost all areas of life economies are growing. Residents who own land are generally pragmatic and take advantage of existing opportunities. But do not think the economic value in the long term. While investors no matter how high the price of land is a strategic location that will be bought, because they have the prospect of selling with profits many times. It was at least confirmed by research conducted by *wiwik Widyawati* of *Universits Diponegoro*, finds that 73% of respondents do the conversion of agricultural land for rice fields so that the strategic location has a high sales value.

The phenomenon of economic portray different perspectives on the value of land between land owners and investors. *Shenkel (1988: 31)* explains that the value of land has an idea of which vary depending on the context and the purpose and point of view. The value of land can be interpreted as a power value of the land in exchange for other goods. For example there was a plot of land with low productivity as pasture land is relatively lower in value due to limitations in its use. While the market value of land is defined as the price (measured in terms of money) desired by the seller and the buyer. The value of a land plot is reflected by streams of profits earned over the use of the land plot. The benefits are related to environmental influences that can be distinguished as human and non-human factors. The human factor with regard to human actions to enhance the value of land as building (*Sutawijaya, 2004*).

According *Sutawjiaya* non-human factors with regard to externalities received by the land. If externalities are positive, as close to the center of the economy, free from flood, population density, and the roads, then the land goes high when compared to land that did not receive externalities, although the area and shape of the land equally. If the soil receives negative externalities, such as close to the trash, away from downtown / the economy, is not free from flood, the land would be worth lower than the soil that does not accept negative externalities (*Pearce and Turner 1990: 78*).

The value of land in the context of the property market is the fair market value of a value is defined or determined by the buyer who wants to buy something and the seller wants to sell you something based on the consent or agreement of both parties in a fair condition without any pressure from outside in the process of buying and selling that occurred agreement. Buyers and sellers have sufficient grace period for the properties are bought and sold and acting for its own account (*Sutawjiaya, 2004*).

Fourth, the farm does not provide welfare. Agriculture in the form of rice land owner perspective is considered not to provide welfare to switch to a non-agricultural field by way of conversion of productive agricultural land, especially paddy. *Sitiasi* is supported by the government's attitude is minimal issuing policies that support the welfare of the peasants and their families. It was seen from BPS data recorded up to May 2013 of 31.17 million farmer families, shrank to 5.04 million families. Through it can be calculated family farmers reduced an average of 500 thousand families each year. As a result, the number of small farmers or small landowners increased. In fact, small farmers have had to face the onslaught of imported food products.

In addition to these problems, this time raised various other problems that beset the lives of farmers Starting from the natural damage caused by the offender and consumers of agricultural production up to the lack of education of farmers. This is due to the changing lifestyle of the farmers themselves, the lack of knowledge of the use and development of modern agriculture, agricultural policy and the erosion of cultural values and spirit which is owned by agricultural actors. Not to mention the problem of conflict between modern agriculture with sustainable agriculture that should be combined in integrated farming systems, ownership of patents on the original agricultural products *Indoneia* not possessed again by our nation and a handful of other issues. The situation then triggered a land owner wishes to sell them to investors who are considered more profitable.

Fifth, the entry into force of inheritance and investment system. Increased economic value of the price of land, not only for sale due to profit in the short term. The situation has now changed the direction of investment. In practical terms this phenomenon marked by rampant purchase of land plots mainly performed by middle and upper classes of society. Buyers of land notabeneanya productive form of rice fields are the people who have a job as a civil servant with an income above IDR. 1,000,000 where the income is above the local minimum wage of Kendal is IDR. 780,000.

In addition, landowners generally have one to four family members, where revenues are insufficient to finance the needs of everyday life. Another fact is that landowners have a place to stay with the status of self-owned and partially owned status of parents, leased / rented and some land owners have more than one home. These conditions reflect that the economic status of the owner of the land plot, not including the economically weak.

4. Responsibility of Local Government Kendal

Land is a scarce resource and unique, where a limited number but a lot of interests that need them. This causes soil degradation is increasing rapidly every year. In some areas often arise agrarian conflict that characterizes the social life of the community. Land is a primary factor for farming in creating a food security. Therefore, in accordance with his authority as an autonomous region, Kendal has a strong commitment to preserve productive farmland through several policies both legislation and practical policies required directly by the public owners of agricultural land.

a. Legislation Policy

Kendal regency government attempts to achieve food security and self-sufficiency in rice by setting rules on sustainable agriculture and land and prevent land conversion of agricultural productive via Regional Regulation No. 13 of 2013 on the Protection of Agricultural Land Sustainable Food (PLB2B). The Regional Regulation in philosophy made by considering two terms as follows (preamble weigh a and b):

- a. that the agricultural sector has a strategic and significant role in the national economy and the region in realizing self-reliance, resilience, and food sovereignty;
- b. that farmland food is a natural resource that is given by God Almighty that is controlled by the state and used to the maximum for the prosperity and welfare of the people as mandated by the Constitution of the Republic of Indonesia Year 1945, for the agricultural land of food in the District Kendal need to be protected and developed consistently.

In the regional regulation, sustainable pertania specified area of land and zone-the zone expected not converted to non-agricultural land. This was affirmed in Article 15 that the agricultural land in the area is sustainable food set number of 22,666 (twenty-two thousand six hundred and sixty six) hectares spread across districts in Kendal. Control of sustainable agricultural lands is done in a coordinated manner under the control of the Head of Department of Agriculture. In addition to these incentives, to maintain its sustainability, the provisions of Article 43 confirmed the prohibition to mengalihfungsikan sustainable agricultural lands are to the non-agricultural land. Diversion can only be done by both central and at local government for two reasons, namely for the public interest and / or natural disasters.

Legally, the government has issued a number of laws related to land acquisition for public purposes. Kepentingan land acquisition for the public since 1961 up to now have been enacted Law No. 20 of 1961, followed by government policy through the domestic No. 15 In 1975, later repealed and replaced by Decree No. 55 Year 1993. However, with the enactment of these provisions in the implementation process remains a conflict in society.

According Kalo S (2005) the acquisition of land for public purposes can be done by the government by way of transfer of rights, namely by way of sale and purchase between the landless to obtain land. Such a procedure is certainly not an issue, if the parties have agreed to conduct a legal act with the approval of the sale and purchase, which becomes a problem is when people who have the land is not willing to waive his right, while the government desperately needs the land for public interest and should be carried out immediately, For example, to cope with natural disasters, or a strategic project for the construction of public facilities is very urgent. The need for this land can be done by the government primarily to the way the revocation of rights or acquisition of rights by providing adequate compensation to the landowners.

Deprivation of the right or the liberation of these rights will lead to conflicts between the government or who need land to communities owner of the land due to the implementation of the compensation made by consensus virtual and tend to be manipulative because the conditions at the time of deliberation, the community does not have a position negotiator (bergaining position) A balanced, psychologically people are under pressure from the authorities. Determining the form and amount of compensation is considered by society not worth it, in the sense that the compensation can not be used to maintain the level of socio-economic welfare, social welfare economic level even worse than the situation before the land is repealed or waived its rights (Kalo S., 2005).

With regard to this fact, the government policies and actions are intended to achieve the procurement of land for public purposes, which would reduce or eliminate the consequences of land rights and other rights that exist on it from the community or a particular group in society will affect rights human rights and civil rights, especially the rights of society repealed or waived. Therefore, legislation relating to revocation or acquisition of land rights must accommodate the protection of human rights and the rights of keperdataannya (Kalo S., 2005).

b. Stimulation-Subsidy Policy

In addition to regulatory policy through the local legislation, the government Kabupate Kendal also provide stimulation policy of subsidies to help farmers with productive land in order to grow and be sustainable. Kendal to assist farmers in order to increase

rice production, in 2016 the local government provides some assistance in the form of irrigation network construction and procurement of rice and corn seeds. In addition to the seeds, the government also provides agricultural equipment. Head of Department of Agriculture, Livestock and Forestry Plantations (DP3K) Kendal, Sri Purwati, say, Kendal regency government has set a Sustainable Food Agricultural Land Regulation (LP2B). This regulation is expected to support the efforts of food sovereignty in Kendal. Sri Purwati explained, during the year 2016 the government donated the construction of tertiary irrigation network covering an area of 2,000 hectares, two units of irrigation pumps, irrigation dam ditch two units. Similarly, there is another aid in the form of rice seeds for 3,000 hectares of land, soybean seeds for 500 hectares of land, seed corn for 900 hectares. There was also support two-wheeled tractors 46 units, mini comben 15 units, 15 units of power trasser, and fonseller five units. On that occasion, the Regent of Kendal Mirna Annisa hopes that the reduced rice area can be tricked with alternative land uses. Mirna was advised, so that farmers can maximize the assistance of the district government, as well as to optimize the potential of existing land (Poncowiyono, 2016).

CONCLUSION

Based on the analysis of research data on the three issues that are the focus of this study can be summarized as follows. *First*, the concersion tendency of productive agricultural land to non-agricultural in Kendal due to government policies that make Kendal as one of the Special Economic Zones. In addition to converting the industrial area a lot of productive agricultural lands, social and economic impacts that accompany also affect the conversion of agricultural land, such as the growth of clusters of new housing that many purchase of agricultural lands to meet the needs of the community in the area of Kendal. *Second*, some of the factors that led to the conversion of agricultural land in Kendal is generally caused by: industrialization projects, the location of the fields are located, their society's belief that agriculture is not quite the welfare of the population, and of course, new settlements are emerging as a result of population increase both the original and comer. *Third*, the local government has taken the steps to protect the strategic policy of productive agricultural lands from being converted continuously through the Regional Regulation No. 13 of 2013 on the Protection of Agricultural Land Sustainable Food in Kendal. In the regulation confirmed the extent of the lands to the category as a sustainable agricultural land, the packages of policy incentives and also administrative and criminal penalties for violating the rules, including for the landowner.

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