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# The Urgency of Transpolitan Transmigration's Regulation as an Effort to Accelerate National Development

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# **Abstract**

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### Abstract

Nowadays the urgency of incorporating transpolitan transmigration, and a modern concept implements in transmigration, are important. Whereas the importants of transpolitan itself could accelerate the development in Indonesia. In order to to accelerate the national development, the urgency of transpolitan regulation is needed where the transpolitan play a huge role in it. The normative research type are used in this research. It showed that the government had directed every type of Transmigration in each stage to Transpolitan. Apart from that, Transpolitan transmigration also has its challenges given the inadequate legal structure in Indonesia, so it requires regulations on Transpolitan. It is argued that the application of Transpolitan can significantly accelerate development in Indonesia through the development of science and technology-based transmigration areas. Its explicitly discusses Transmigration in Indonesia and reflects the regulations in Indonesia. The findings provide information breakthrough implementing Transpolitan, especially for stakeholders. In addition, this research can also be directed to enable the.



### A. Introduction

The population grows over time.¹ Even today, Indonesia is said to be experiencing a demographic bonus. Rapid population growth is typical in urban areas or economic cent² Based on data from the Central Statistics Agency in 2015, the population of urban communities will increase to reach 20 million people or at least 70% of the total population in Indonesia by 2035.³ The number of people accumulated in cities causes economic growth to also focus on urban areas.

In practice, economic growth that focuses on urban areas has caused rural regions to be increasingly left behind. The left-behind rural areas are evident by the more significant percentage of poor people than in urban areas.<sup>4</sup> The rate of poor people in urban areas in March 2020 was 7.38 per cent, while in rural areas, it was 12.82 per cent.<sup>5</sup> Inequality between urban and rural regions has occurred not only at present but also since Indonesia's independence.<sup>6</sup> These conditions prompted the government to proclaim Transmigration as a way to move urban residents to rural areas while at the same time balancing economic growth from urban to rural areas.

Transmigration has also undergone various changes both in terms of perspective and goals. Transmigration has long been proclaimed as a program to achieve economic equality in Indonesia. At the beginning of Indonesia's independence, Transmigration was only intended to equalize the population between urban and rural areas. However, a Transmigration purpose extends, particularly after enacting Government Regulation Number 3 of 2014 concerning the Implementation of Law Number 15 of 1997 on Transmigration (Government Regulation Number 3 of 2014). In addition to population distribution, Transmigration is aimed at accelerating economic and regional development. The explanation of Government Regulation No. 3 of 2014 emphasized that Transmigration is a system to achieve development goals, including a) spatial planning aspects, b) population management, and c) social, economic, and cultural life systems.

In its development, the implementation of Transmigration has not been entirely successful. On the one hand, population distribution has not been achieved because the performance of the transmigration program is not accompanied by population control. On the other hand, equitable development has not been achieved because several villages developed by the transmigration program have not met expectations. The condition is evidenced by the minimal contribution of formed villages to regional development. Furthermore, the above situation is worsened by

<sup>&</sup>lt;sup>1</sup> Badan Pusat Statistik, *Statistik Indonesia*, ed. Subdirektorat Publikasi dan Kompilasi Statistik, *Bps.Go.Id*, 2019th ed. (Jakarta, 2019).

<sup>&</sup>lt;sup>2</sup>res.

And United Nations Population Fund National Development Planning Agency, Statistics Indonesia, "Proyeksi Penduduk Indonesia 2010-2035" (Jakarta, 2013), https://www.bappenas.go.id/id/publikasi-informasi-aplikasi-dan-tautan/publikasi/proyeksi-penduduk-indonesia-2010-2035/.

<sup>&</sup>lt;sup>3</sup> Wiwin Mardiansjah, Fajar Handayani and Jawono Sih Setyono, "Pertumbuhan Penduduk Perkotaan Dan Perkembangan Pola Distribusinya Pada Kawasan Metropolitn Surakarta," *Jurnal Wilayah Dan Lingkungan* 6, no. 3 (2018): 215–23, https://doi.org//10.14710/jwl.6.3.215-233.

<sup>&</sup>lt;sup>4</sup> Central Statistics Agency, "Poverty Profile in Indonesia March 2020" (Jakarta, 2020).

<sup>&</sup>lt;sup>5</sup> Central Statistics Agency.

<sup>&</sup>lt;sup>6</sup> Wika Legiani et al., "Transmigrasi Dan Pembangunan Di Indonesia (Studi Deskriptif Sosiologi Kependudukan Dan Pembangunan)," *Jurnal Hermeneutika* 4, no. 1 (2018): 25–38, https://doi.org/10.30870/hermeneutika.v4i1.4820.

<sup>&</sup>lt;sup>7</sup> Directorate General of Regional Preparation and Development of Transmigration Settlements, "Trasmigrasi Masa Doele, Kini Dan Harapan Kedepan" (Jakarta, 2015).

<sup>&</sup>lt;sup>8</sup> Vide Elucidation of Government Regulation No. 3 of 2014.

<sup>&</sup>lt;sup>9</sup> Umi Yuminarti, "Kebijakan Transmigrasi Dalam Kerangka Otonomi Khusus Di Papua: Masalah Dan Harapan," *Jurnal Kependudukan Indonesia* 12, no. 1 (2017): 13, https://doi.org/10.14203/jki.v12i1.215.

<sup>&</sup>lt;sup>10</sup> Anharudin, "Membidik Arah Kebijakan Transmigrasi Pasca Reformasi" (Jakarta, 2006).

transmigration settlements. These situations consist of poor habitation, incompetent business, unfit for social development, and underdeveloped villages.<sup>11</sup>

Although the development has not been smooth, in 2015, Marwan Jafar, Minister of Villages, Development of Disadvantaged Regions, and Transmigration, stated that he was still optimistic that Transmigration could be trusted as a concrete solution to overcome poverty. 12 This belief is evidenced by the success of several regions in implementing transmigration programs, for example, Timpeh District in Dharmasraya Regency, which can form a new social structure, namely the "New Minangkabau" culture. 13 The success of this transmigration program can have a positive influence in realizing national development goals that provide a competitive advantage. To materialize a competitive advantage, the government, through the National Medium-Term Development Plan 2020-2024, stated that the strategic approach and regional development are about economic growth and comprehensive development throughout the region and society. The identification of equitable distribution channels focuses on administrative areas that can accelerate growth by providing basic infrastructure, namely disadvantaged areas, transmigration areas, rural areas that function as Regency Strategic Areas, and border areas. 14

Currently, there are 152 (one hundred and fifty-two) Transmigration areas in Indonesia.<sup>15</sup> Ideally, these transmigration areas are developed in line with the development of increasingly sophisticated information technology. The contemporary sophistication of information technology is marked by the presence of the Industrial Revolution 4.0. The Industrial Revolution 4.0 is a topic that is often studied because it involves changes in work mechanisms. In the field of Transmigration, the Industrial Revolution 4.0 gave rise to the idea of Transpolitan.

Suratman defines Transpolitan as a modern transmigration area that is an integrated residential system managed to independently meet its needs and produce high-quality products with science and technology. The ultimate goal of Transpolitan is to create a prosperous and competitive society. The insertion of this new concept in the regulation is vital so that stakeholders, in this case, the government as the implementer of laws and regulations, have the same enthusiasm in developing science and technology-based Transmigration. Unfortunately, until now, Transpolitan has not been regulated in Indonesian laws and regulations. The current rules, Law Number 29 of 2009 concerning Amendments to Law Number 15 of 1995 concerning Transmigration (Law Number 29 of 2009) and Government Regulation Number 3 of 2014, have not regulated Transpolitan. Therefore, it seems that Transmigration has not kept up with the current development of information technology.

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<sup>&</sup>lt;sup>11</sup> Rustiadi Ernan and Junaidi, "Transmigration and Regional Development," Presented in the Framework for Improving the Concept of the Draft Government Regulation on the Implementation of Transmigration" (Jakarta, 2011), https://repository.unja.ac.id/106/1/transmigration\_ernan\_junaidi.pdf.

<sup>&</sup>lt;sup>12</sup> Rusman, "Program Transmigrasi Solusi Kongkrit Masalah Kemiskinan," Ministry of Village, Development of Disadvantaged Regions And Transmigration, 2015, https://kemendesa.go.id/berita/view/detil/1383/program-transmigration-solusi-kongkrit-masalah-kemoverty.

<sup>&</sup>lt;sup>13</sup> Yosi Nova, "Dampak Transmigrasi Terhadap Kehidupan Sosiall Masyarakat: Studi Sejarah Masyarakat Timpeh Dharmasraya," *Jurnal Ilmu Sosial Mamangan* 5, no. 1 (2016): 23–36, https://doi.org/doi.org/10.22202/mamangan.1927.

<sup>&</sup>lt;sup>14</sup> Badan Pusat Statistik, "PEMERATAAN PEMBANGUNAN DAN PENANGGULANGAN KEMISKINAN," bps.go.id, 2019, https://www.bappenas.go.id/index.php/download\_file/view/8711/1729/.

<sup>&</sup>lt;sup>15</sup> Kemendesa, "Kerangka Acuan Kerja Strategi Pengembangan Kawasan Transpolitan Melalui SIPUKAT," kemendesa, 2020, KAK Strategi Pengembangan Kawasan Transpolitan melalui SIPUKAT.pdf (kemendesa.go.id).

<sup>&</sup>lt;sup>16</sup> Suratman, "The Focus Group Discussion (FGD) of Academic Draft Preparation of Government Regulation Amendment Number 3 of 2014" (Yogyakarta, 2020).

<sup>&</sup>lt;sup>17</sup> Suratman.

The fast development of information and technology is one of the causes of a paradigm shift in transmigration development. Transmigration program is demanded to be innovative as a fastgrowing area. Moreover, new growth is expected to be optimally contributed to its community. 18 In that context, Transpolitan is believed as the solution. Transpolitan as a concept was firstly explored at the 2018 Transmigration Coordinating Meeting on August 1, 2018, at the Sultan Hotel Jakarta, which was previously initiated by a multidisciplinary team from the Faculty of Geography, Universitas Gadjah Mada. 19 Transpolitan is a transmigration system that highlights the importance of improving the capacity of human resources and the management of natural resources through infrastructure and high technology.<sup>20</sup> Transpolitan 4.0 is carried out by utilizing Pentahelix or a coordination and partnership system that involves academics, **Business** Entities, society, government, and/or the media organize to Transmigration. Transpolitan is a concept of transmigration area development oriented to develop new areas with an integrated settlement system. In this case, transpolitan expects innovative use of technology.

Considering that transpolitan is a contemporary and fascinating concept, this paper will describe the discussion on transpolitan, particularly on the urgency to incorporate this concept in the existing regulation. In answering these questions, the research method used in this study is juridical normative. Juridical normative research uses secondary data as the primary data, followed by primary data. The author's participation in various forums organized by the ministries of villages, disadvantaged regions, and Transmigration regarding transpolitan is beneficial to enrich the author's understanding of the concept of transpolitan. The approach used in problem analysis is the conceptual approach and statutory approach.

### **B.** Discussion

# 1. Development of the Discussion on Transpolitan as an Effort to Realize the Acceleration of National Development

Transpolitan is the embodiment or aspiration of regional development in Transmigration. The government has chosen a just and equitable economic development path to remote areas of Indonesia, in this case through agrarian reform, which includes the transmigration sector as the target of implementing the agrarian reform and social forestry. <sup>21</sup>A transpolitan is a form of transmigration area development oriented towards a new area formed by an integrated residential system. The residential system involves a business of superior, innovative products as a result of the collaboration of implementation of science, technology, and digital information to ensure a prosperous, competitive, and sustainable society. The aspiration expected in transpolitan is to develop a transmigration area that increases people's welfare. Director of Development Planning and Development of Transmigration Area or *Program Pembangunan Prasarana Kota Terpadu* (P3KT) Bambang Widyatniko stated that the new transmigration brand is Transmigration 4.0, following the industrial era 4.0.<sup>22</sup>

Transpolitan is a new term coined by Professor of the Faculty of Geography, Universitas Gadjah Mada, namely Suratman. He initiated the concept of transmigration restoration and the

<sup>&</sup>lt;sup>18</sup> Kemendesa, "Kerangka Acuan Kerja Strategi Pengembangan Kawasan Transpolitan Melalui SIPUKAT."

<sup>&</sup>lt;sup>19</sup> UGM, "Tim Multidisipliner UGM Rumuskan Konsep Kawasan Transmigrasi Transpolitan," UGM, 2019, https://www.ugm.ac.id/id/berita/18200-tim-multidisipliner-ugm-rumuskan-konsep-kawasan-transmigrasi-transpolitan.

<sup>&</sup>lt;sup>20</sup> UGM.

Pembangunan Daerah Tertinggal Kementerian Desa and Dan Transmigrasi Republik Indonesia, "Ditjen PPKT," PPKT, 2020, https://www.kemendesa.go.id/berita/index.php/view/unit/9/ditjen-pkp2trans#:~:text=Direktorat Jenderal Penyiapan Kawasan dan Pembangunan Permukiman Transmigrasi mempunyai tugas,sesuai ketentuan peraturan perundang-undangan.

<sup>&</sup>lt;sup>22</sup> Titi (Ed) Kusrini, "A New Era of Transmigration" (Jakarta, 2020), https://docplayer.info/187758012-Transpolitan-era-baru-transmigration-day-bhakti-transmigration-and-stories-instagram.html.

National Movement for Green Transpolitan 4.0.<sup>23</sup> Suratman said the transmigration development innovation was carried out for national food supply and self-sufficiency, poverty alleviation, and accelerating regional development.<sup>24</sup> Through an interview between the Directorate General of Regional Preparation and Development of Transmigration Settlements (PKP2Trans). Suratman stated that Transpolitan's innovation arose from a question on why villages were slow and the concern of competition if villages were developed separately. So it is necessary to establish an area-based development. The concept of "Transpolitan" emerged after Suratman was asked to make a resettlement effort for earthquake and tsunami in Palu since that effort went very quickly and can be used as a means for transmigration area development. Through the interview, Suratman stated that "Transpolitan" comes from the word "Polit" which means *one activity*, that all activities will build their planning, purpose, and outcome that focuses on following the plan and achieving success, to a form that is holistic, integrative, and thematic spatial.

This transpolitan concept is echoed in the Bulak Sumur Declaration<sup>25</sup> read by the Vice-Chancellor for Planning, Finance and Information Systems of Universitas Gadjah Mada, Supriyadi, the green transpolitan 4.0 is based on the digital economy's purpose in shifting conventional transmigration pattern to transpolitan 4.0.<sup>26</sup> The design of transmigration restoration development is through a Penta helix partnership involving the government, academia, private sector, community, and media.<sup>27</sup> Pentahelix is a system of coordination and partnerships that involves academics, business entities, the community, government, and/or the media to carry out Transmigration.

Bambang Widyatmoko as the Director of Development Planning and Development of Transmigration Area (P3KT) of the Ministry of Villages, Development of Disadvantaged Regions, and Transmigration stated that Transpolitan is a form of transmigration 4.0. At the end of 2019, the term "Transpolitan" was sticking out and received serious responses from leaders in Indonesia, including Jusuf Kalla, who agreed with transpolitan as the right idea for the future development of Transmigration in Indonesia. It is hoped that transpolitan in Transmigration will be realized in the transmigration area. Ministry of Villages Development of Disadvantaged Regions and Transmigration stated that the Transpolitan Area is a concept development of transmigration area development. Such action is oriented towards the needs and potentials of the destination area, allows for business participation by involving all interested parties through coordination and integration, and focuses on increasing the knowledge of the transmigration community in the I.T. (Information Technology) field.<sup>29</sup>

As a new concept, transpolitan Transmigration is different from Transmigration as regulated in GR No. 3/2014. According to Article 1 number 2 of Government Regulation No. 3/2014, Transmigration is: "voluntary movement of population to improve welfare and settlement in transmigration areas as provided by the Government." Transpolitan transmigration focuses not only on population movement and increase in welfare, but Transmigration is expected to create new industrial centres following each region's uniqueness by relying on developments in science and technology. So that in the future, all areas can develop in welcoming the era of the industrial revolution 4.0, which does not only rely on population number or population quantity but the quality of the population.

<sup>25</sup> Kusrini, "A New Era of Transmigration."

<sup>&</sup>lt;sup>23</sup> UGM, "UGM Tawarkan Konsep Restorasi Transmigrasi," ugm.ac.id, 2019, https://ugm.ac.id/id/berita/18452-ugm-tawarkan-konsep-restorasi-transmigrasi.

<sup>&</sup>lt;sup>24</sup> UGM.

<sup>&</sup>lt;sup>26</sup> UGM, "UGM Tawarkan Konsep Restorasi Transmigrasi."

 $<sup>^{27}</sup>$  LIGM

<sup>&</sup>lt;sup>28</sup> Kusrini, "A New Era of Transmigration."

<sup>&</sup>lt;sup>29</sup> Kemendesa, "Kerangka Acuan Kerja Strategi Pengembangan Kawasan Transpolitan Melalui SIPUKAT."

In realizing the transpolitan transmigration area, several adjustments at each stage of the implementation of Transmigration are needed. The stages of implementing Transmigration in Article 4 paragraph (5) Government Regulation No.3/2014 include planning for transmigration areas, developing transmigration areas, and developing transmigration communities and transmigration areas. Through Transpolitan, each stage of the implementation of Transmigration is compiled by prioritizing the roles of various parties (Penta helix) and relying on existing technology.

Transmigration consists of 1) General Transmigration, 2) Self-Initiative Transmigration, 3) Assisted Self-Initiative Transmigration. The difference between general Transmigration, self-initiative, and assisted self-initiative lies in its transmigration community and objectives. The differentiation is based on the provisions of Government Regulatopn No. 3 of 2014. In general, transmigration is carried out by the government and/or local government for residents with limitations in getting work and business opportunities. In assisted self-initiated Transmigration or *Transmigrasi Swakarsa Berbantuan* (TSB), the government includes business entities as Transmigrant business partners for residents who can develop progressively. Finally, self-initiated transmigration or *Transmigrasi Swakarsa Mandiri* (TSM) is an initiative of the relevant transmigrants. Transmigration based on Government Regulation No. 3 of 2014 has yet to regulate technology, which is currently a basic necessity and can be used to achieve national development goals more quickly and efficiently. Therefore, the concept of Transmigration was changed to Transpolitan transmigration. Transpolitan transmigration in its development creates opportunities and challenges, as follows:

# a. Transpolitan transmigration Opportunities

The proposal to change the concept of Transmigration into transpolitan has created opportunities to accelerate the development of transmigration areas and even impact surrounding areas. The development of the underdeveloped regions makes a positive contribution to national development. National development essentially includes two main elements: first, the production and distribution of materials, and second, the people who become the initiators and the builders.<sup>30</sup> Those two essential elements are in line with the principles of formulating development programs which include:

- 1) human resource development,
- 2) economic development,
- 3) infrastructure development,
- 4) institutional development, and
- 5) sustainable development.31

Based on this, development, in its essence, is planned to solve physical problems and various aspects related to the perspective of the country's progressive growth. One of the measures in achieving an advanced, independent, and just Indonesia is realizing more equitable and just development. This is indicated by the people's welfare, including reducing disparities between regions within the framework of the Unitary State of the Republic of Indonesia. This is in line with the concept of Transmigration, which builds infrastructure and communities within a transmigration area.<sup>32</sup>

The speciality of the transpolitan idea also lies in the development of the transmigration area. GR No. 3/2014 regulates the implementation of area-based Transmigration. Transmigration is carried out in transmigration areas. According to Article 1

<sup>&</sup>lt;sup>30</sup> Drajat Tri Kartono and Hanif Nurcholis, *Pembangunan Masyarakat Desa Dan Kota* (Tangerang Selatan: Open University, 2016).

Badan Perencanaan Pembangunan Nasional, "Pokok-Pokok Penyelenggaraan Pembangunan Nasional," *Aspirasi* 6, no. 1 (2015): 1–7, https://www.bappenas.go.id/files/3413/4986/1934/info\_20091015133401\_2370\_0.pdf.

<sup>&</sup>lt;sup>32</sup> Drajat Tri Kartono and Hanif Nurcholis, *Pembangunan Masyarakat Desa Dan Kota* (South Tangerang: Open University, 2016).

number 4 of Government Regulation No. 3/2014, transmigration areas are cultivated regions that function as the community's residence and place of business in the form of a transmigration development area. Based on the provisions of Government Regulation No. 3/2014, transmigration areas can be in the form of transmigration development areas, transmigration settlement locations, development area units, new urban areas, transmigration settlements, settlement units, new settlements, restoration settlement units, residents' settlements, rural areas, and urban areas. Through the concept of transpolitan Transmigration, the transmigration area can be managed by utilizing science and technology in the production sector for business development. The transpolitan concept involves the performance of a business entity as one of the stakeholders in funding production activities to the marketing of products.<sup>33</sup>

These production activities can be determined from the start of the transmigration area development by taking into account the uniqueness of each area and paying attention to the superior products of rural areas ("produk unggulan Kawasan perdesaan" or Prukades). Parkades can be products and processed products from agricultural cultivation, fishery cultivation, tourism, and other sectors obtained from the Transmigration Area's potential. The existence of superior products' management in the transmigration area makes values that can spur economic growth.

Another opportunity presented by a transpolitan mechanism is to get transmigration areas more attention in the planning, construction, and development processes. The Penta helix concept involving stakeholders encourages more friendly regulations for business entities to develop transmigration areas actively. So it will promote infrastructure development that is in line with President Jokowi's speech on the importance of infrastructure development to support Indonesia's vision. The initial step towards advanced Indonesia is seen through the indicators of stable economic growth above 5%, the decline in the unemployment rate and the number of poor people, the low level of inequality based on the Gini Ratio index, and the demographic bonus in Indonesia.<sup>34</sup> The acceleration of development can be carried out at the lowest level of government, namely the village. Still, it can also be carried out in transmigration areas as areas that the government has prepared to support economic growth.

# b. Challenges of Transpolitan transmigration

Apart from opportunities, the proposed transpolitan Transmigration also poses various challenges. Transmigration issues are very complex, starting from the planning stage, land preparation to placement and post-placement.<sup>35</sup> In drafting a new concept, it is necessary to review the constraints in implementing Transmigration, especially in the planning stage and other existing conditions. The current situation of Transmigration has not been optimal. For example, GR No. 3/2014 mentions 3 (three types of Transmigration), namely:

- 1) general Transmigration ("Transmigrasi Umum" or TU),
- 2) assisted self-initiated Transmigration ("Transmigrasi Swakarsa Berbantuan" or TSB), and
- 3) self-initiated transmigration ("*Transmigrasi Swakarsa Mandiri*" or TSM), but currently, the more popular one is T.U.

Based on the Task Executor ("*Pelaksana Tugas*" or PLT) of Director General of Regional Preparation and Development of Transmigration Settlements Decree Number:

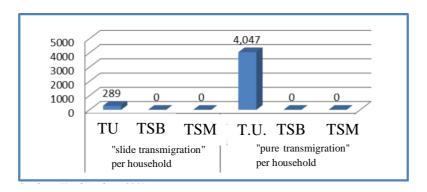
<sup>33</sup> Arizka Warganegara and Paul Waley, "The Political Legacies of Transmigration and the Dynamics of Ethnic Politics: A Case Study from Lampung, Indonesia," *Routledge*, 2021, 1–22, https://doi.org/10.1080/14631369.2021.1889356.

<sup>34</sup> Ministry of State Secretariat (Kemensetneg), *Melanjutkan Pembangunan Infrastruktur Dan Indonesia Maju* (Jakarta, 2019).

<sup>&</sup>lt;sup>35</sup> Rohani Budi Prihatin, "Revitalisasi Program Transmigrasi," *Aspirasi: Jurnal Masalah-Masalah Sosial* 4, no. 1 (2013): 57–64, https://doi.org/doi.org/10.46807/aspir.v4i1 .487.

Kep.42/PKP2trans/III/2015 concerning Amendments to the Attachment to the Decree of the Development Transmigration Director-General of of Kep.114/PKP2Trans/IX/2014 concerning Determination of the Settlement Development Program and Transmigration Placement in 2015, it is known that the target of the transmigration program placement in 2015 was 4,336 households, all of which were included in the general transmigration program.<sup>36</sup>According to the Ministry of Villages, Development of Disadvantaged Regions, and Transmigration data, the transmigrant placement target is based on the type of placement, which shows that there is no single transmigration placement of TSM nor TSB type (Figure 1). In addition, the transmigration areas that have been built still have inadequate facilities. So far, transmigrants are sometimes constrained by road access that is still damaged, internet access, and electricity.<sup>37</sup> The condition indicates that the implementation of Government Regulation No. 3 of 2014 has not been carried out optimally.

Figure 1. The target of Transmigration Placement by Type of Placement in  $2015^{\scriptscriptstyle 38}$ 



Source: Agency for Research and Development, Education and Training, and Information of the Ministry of Villages, Development of Disadvantaged Regions, and Transmigration, 2015

The table above shows the number of families participating in the transmigration program, all through General Transmigration (T.U.) type activities. General Transmigration is a type of Transmigration used to help the poor improve the welfare of their life and families.<sup>39</sup> However, the T.U. Type of Transmigration implementation was not followed by the Transmigration of the TSB and TSM types. The performance of TSM and TSB Transmigration was not optimal due to the low interest of the community to transmigrate. According to research conducted by Sudrajat in the Bantul Regency, which was the place of origin of the transmigrant candidates

<sup>38</sup> and Information of the Ministry of Education and Culture Agency for Research and Development, Education and Training, "The Target of Transmigration Placement by Type of Placement in 2015" (Jakarta, 2015). p. 43. Slide Transmigration (*Transmigrasi Luncuran*) is Transmigration that has previously been carried out in the same place or a place where Transmigration has been conducted. Meanwhile, Pure Transmigration (*Transmigrasi Murni*) is Transmigration that is carried out in a new place.

<sup>&</sup>lt;sup>36</sup> Development of Disadvantaged Ministry of Villages, "Buku Data Dan Informasi Penempatan Transmigrasi Edisi September 2015" (Jakarta, 2015), https://bpsdm.kemendesa.go.id/index.php/publikasi/getdata/PENEMPATAN\_TRANS\_SEPTEMBER\_2015.pd f

<sup>&</sup>lt;sup>37</sup> Kusrini, "A New Era of Transmigration."

<sup>&</sup>lt;sup>39</sup> Dedy Afriyanto, "Analisis Pemberdayaan Masyarakat Miskin Dalam Meningkatkan Kesejahteraan Melalui Program Transmigrasi Umum," *Jurnal Performance "Bisnis Dan Akuntansi* 2, no. 1 (2012): 76–82, https://doi.org/10.24929/feb.v7i1.343.

in 2008, the transmigration enthusiasts from Bantul were from a weak economic group.<sup>40</sup> Judging from the distribution of ownership of family assets, it appears that around 27.0 per cent of families have total assets of less than 2.000.000,00 IDR about 35 per cent between 2.000.000,00 IDR to 5.000.000,00 IDR and the rest is above these values. This shows that prospective transmigrants have less economic potential. Most families do not meet the requirements to participate in the TSM type transmigration, which requires a minimum savings of 7.500.000,00 IDR.<sup>41</sup> Even in some areas, such as in Ogan Komering Ulu Timur District, the government did not question transmigrants who were still categorized as poor because they thought there had been an increase in their standard of living through odd jobs or from plantations.

On top of that, transmigration areas far from cities encourage people to move from the transmigration area to the city or urbanize. Some transmigrant children in the Gorontalo transmigration area chose to migrate to Gorontalo city and several regions of Sulawesi because they could not stand the wilderness and lived quite far from the crowds.<sup>42</sup> The movement has reduced the potential for human resources in the transmigration area and is dominated by residents who initially were migrants. If inadequate human resources are placed in a transmigration area, it may cause the transmigration area to be less than optimal. Especially when viewed from the ideals of transpolitan, this human resource issue will be a challenge for the government.

Minister of Villages, Development of Disadvantaged Regions, and Transmigration Abdul Halim attended Cross-Sector Meeting with the Ministry of Agrarian Affairs, Spatial Planning, and Home Affairs. This meeting revealed the problems of transmigrants in the regions constrained by agricultural and land ownership matters. To date, the burden of resolving transmigration land cases has reached 319 points spread across 275 transmigration settlements/ex-transmigration settlements in 121 districts in 28 provinces. The problems that occurred included the obstruction of issuing the certificate of ownership rights or Surat Hak Milik (SHM) in transmigration areas because the Management Rights or Hak Pengelolaan Lahan (HPL) had not been published, which became a requirement for issuing certificates. Another challenge is related to the issue of land disputes which is still a problem.<sup>43</sup> After being granted the land title certificate, the transmigration office's sale and purchase of transmigration land in the Warfare District of Manokwari Regency became an issue.44 Whereas the Decree of the Minister of Home Affairs Number 12 of 1978 concerning the Prohibition of Transferring Ownership of Land obtained from the Implementation of Transmigration has determined ten years from the time of granting land to transmigrants as prohibited for land transferring to other parties unless the Regent where the transmigration area is located has given permission.<sup>45</sup> This land issue has become a separate issue, especially for business entities as parties that will later the development of transmigration areas in investors in Transmigration. These land issues will reduce the interest of business entities to participate in building transmigration areas.

<sup>45</sup> Sahuburua.

Sudrajat, "Analisis Potensi Calon Transmigran Sasaran Pengarahan Dan Perpindahan," *Majalah Geografi Indonesia* 22, no. 2 (2016): 125–44, https://doi.org/10.22146/mgi.13320.
 Sudrajat.

<sup>&</sup>lt;sup>42</sup> Helman Manay, "Proyek Demografi Dalam Bayang-Bayang Disentegrasi Nasional: Studi Tentang Transmigrasi Di Gorontalo 1950-1960," *Jurnal Sejarah Citra Lekha* 1, no. 2 (2016): 215–23, https://doi.org/10.14710/jscl.v1i2.12766.

<sup>&</sup>lt;sup>43</sup> Amri Amrullah, "Mendes PDTT Ungkap Masalah Agraria Jadi Hambatan Transmigran," Republika. co.id, 2020, https://www.republika.co.id/berita/qhest8423/mendes-pdtt-ungkap-masalah-agraria-jadi-hambatan-transmigran.

<sup>&</sup>lt;sup>44</sup> Jeffry Sahuburua, "Sengketa Jual Beli Tanah Transmigrasi Di Distrik Warmare Kabupaten Manokwari" (Universitas Hassanuddin, 2007), http://repository.unhas.ac.id/id/eprint/7249/.

The challenge for the Ministry of Villages, Development of Disadvantaged Regions, and Transmigration are to implement existing transmigration plans. Bambang Widyatmiko as the Director of Development Planning and Development of the Transmigration Area (Indonesia: Kawasan Direktorat Jenderal Penyiapan dan Pembangunan Transmigrasi<sup>46</sup>/Ditjen PKP2Trans) stated that many plans are too detailed but complicated to put into practice.<sup>47</sup>In 2020, there was a merger of directorates between the Directorate General of Regional Preparation and Development of Transmigration Settlements and the Directorate General of Transmigration Area Development into one directorate, the Directorate General of Development and Construction of Transmigration Areas. This merge is expected to provide a focus for the Ministry of Villages, Development of Disadvantaged Regions, and Transmigration to maximize construction and development activities of the transmigration area. With the stress of activities on implementing regional development and construction, it is hoped that the implementation of Transmigration will positively impact the community. The development and construction of transmigration settlements previously used plans not based on transpolitan Transmigration. Therefore, it needs to be adapted to the new concept. In addition, there is a need for a special team to study transpolitan implementation to run optimally.

Apart from the challenges for the regional progress, there are problems related to the transmigration area's consistency.<sup>48</sup> One transmigration area development is the Independent Integrated Area model with the One Village One Product (OVOP) model approach. This approach is the transmigration area of Independent City Integrated (Indonesia "Kota Terpadu Mandiri"/KTM) Rasau Jaya. 49 As previously explained, the development of the transmigration area is strongly influenced by the role of Pentahelix, one of which involves the private sector. If the development commitment is not carried out firmly, it is possible for private acquisitions that will result in capitalization. That condition could lead to the designation of the transmigration area no longer suitable for its purpose. In 2017, Fitrianatsany conducted a study on the impact of urban agglomeration in Panggungharjo Village, Bantul Regency, which had implications for the swift use of agricultural land to non-agricultural functions housing and schools.<sup>50</sup> The swift is related to developing transmigration areas directed into new urban areas to support regional growth centres.<sup>51</sup> According to the Big Indonesian Dictionary, Agglomeration is the collection or concentration in a specific location.<sup>52</sup> Urban agglomeration causes land-use change which causes less agricultural land.53 The future challenge in implementing transpolitan Transmigration, especially for the Directorate General of PKP2Trans, is to ensure that development continues to adhere to regional characteristics. In addition, the transmigration areas' development system needs to pay attention to environmental aspects. Transmigration activities can be carried out by clearing forests.<sup>54</sup>

<sup>&</sup>lt;sup>46</sup> Kementerian Desa and Indonesia, "Ditjen PPKT."

<sup>&</sup>lt;sup>47</sup> Bambang Widyatmiko, "Focus Group Discussion (FGD) Activity for the Preparation of Academic Texts on the Amendment of Government Regulation Number 3 of 2014" (Yogyakarta, 2020).

<sup>&</sup>lt;sup>48</sup> Chandni Singh, "Resilience, Environmental Justice and the City," *Local Environment* 24, no. 8 (2019): 790– 91, https://doi.org/10.1080/13549839.2019.1604647.

<sup>&</sup>lt;sup>49</sup> Nuraini Astriati, "Pengembangan Kawasan Terpadu Mandiri Dengan Pendekatan Model One Vilage One Product (OVOP) Daerah Transmigrasi Rasau Jaya," Jurnal Economia 11, no. 1 (2015): 72-88, https://doi.org/10.21831/economia.v11i1.7757.

<sup>&</sup>lt;sup>50</sup> Fitrianatsany, "Urban Desa Proses Transisi Desa Menjadi Kota," Sosiologi Agama: Jurnal Ilmiah Sosiologi Perubahan (2017): 185–208, http://ejournal.uin-Sosial 11, no. suka.ac.id/ushuluddin/SosiologiAgama/article/download/112-03/1185.

<sup>&</sup>lt;sup>51</sup> Nandra Perdana et al., "Pelaksanaan Transmigrasi Di Kabupaten Boyolali Menurut UU No. 29 Tahun 2009," Diponegoro Law Journal 5, no. 4 (2016), https://ejournal3.undip.ac.id/index.php/dlr/issue/view/854.

<sup>52 &</sup>quot;Aglomerasi," in Kamus Besar Bahasa Indonesia (kbbi, n.d.), https://kbbi.web.id/aglomerasi.

<sup>53</sup> Fitrianatsany, "Urban Desa Proses Transisi Desa Menjadi Kota."

<sup>&</sup>lt;sup>54</sup> Ron Adner, "Ecosystem as Structure: An Actionable Construct for Strategy," *Journal of Management* 43, no. 1 (2017): 39–58, https://doi.org/10.1177/0149206316678451.

Meanwhile, Transmigration itself is one of the interests outside forestry.<sup>55</sup> If there are transmigration settlements in the forest area without forest clearing, deforestation may be possible due to human activities in the transmigration area.<sup>56</sup> A concrete example of deforestation is the transmigration settlement in Mahalona, Towuti District, East Luwu Regency, South Sulawesi Province, which experienced a reduction of 447, 37 ha Protected Forest from 1999 to 2013.<sup>57</sup>Changes in land use certainly have an impact on the ecological function of the area.

# 2. Indonesian Legal Perspective on Transpolitan

As the rule of law, governance must always be based on law. Current transmigration provisions refer to Government Regulation No. 3/2014, which has not been adjusted to the new rules and regulations and the transpolitan concept. Legal issues related to the regulation of Transmigration include government affairs based on Law Number 23 of 2014 concerning Regional Government. Government Regulation No. 3/2014 still refers to Law Number 32 of 2004 concerning Regional Government, whereas Law No. 32 of 2004 is no longer valid. In regards to the division of government affairs, before the existence of Law No. 23/2014, the provisions are regulated in Government Regulation Number 38 of 2007 concerning the Division of Government Affairs between the Government, Provincial Government and Regency/Local Government, which also no longer applies since the existence of Law No. 23/2014.

Currently, Transmigration is an optional concurrent government affair according to Article 12 paragraph (3) letter h of Law No. 23 of 2014. This issue needs to be criticized. Previously, Transmigration was a concurrent government affair in Government Regulation No. 38 of 2007 or governmental affairs divided between central and local governments. Still, it was not specified as compulsory concurrent government affairs or optional concurrent government affairs. The existence of Transmigration as a concurrent governmental affair automatically becomes the last option. In other words, it is the right of the region to decide which choice is taken. Nurhasan Ismail stated in practice, not all areas want to include Transmigration as a concurrent affair. That hesitation is a challenge in itself, considering that transpolitan is not a concept that certain regions can only implement. Areas that are not developed as transmigration areas still can become areas of origin for transmigrants, such as on the island of Java. Therefore, these areas must have the awareness to include Transmigration as a government affair. It will be challenging to carry out Transmigration in the regions that do not determine which governmental affairs they choose. That condition happens because local governments do not have the apparatus or bureaucracy to conduct these government affairs.

Concerning business partnership problems, Government Regulation No. 3/2014 does not define a business partnership, and there is no scope for the characteristics of the synergy between business entities and the community. The rights and obligations of business entities need to be further clarified in the new arrangement. Currently, Government Regulation No.

<sup>58</sup> Yasminah Beebeejaun, "Gender, Urban Space, and the Right to Everyday Life," *Journal of Urban Affairs* 39, no. 3 (2017): 323–34, https://doi.org/10.1080/07352166.2016.1255526.

<sup>&</sup>lt;sup>55</sup> Dede Frastien, "Pertumbuhan Peruntukan Kawasan Hutan Menjadi Bukan Kawasan Hutan Untuk Manajemen Hak Masyarakat Atas Tanah," *UBELAJ* 2, no. 2 (2017): 151–64, https://doi.org/10.33369/ubelaj.2.2.

<sup>&</sup>lt;sup>56</sup> Agus Azis, Ismail. Surya, Batara. Salim, "Pengaruh Pengembangan Kawasan Transmigrasi Terhadap Laju Deforestasi Hutan Lindung (Studi Kasus: Lokasi Permukiman Transmigrasi Mahalona)," *Jurnal Ecosystem* 18, no. 2 (2018): 1124–36, http://ecosystem.unibos.id/index.php/eco/article/view/130/121.

<sup>&</sup>lt;sup>57</sup> Azis, Ismail. Surya, Batara. Salim.

<sup>&</sup>lt;sup>59</sup> Purina, "Focus Group Discussion (FGD) on Preparation of Academic Manuscripts on Amendments to Government Regulation Number 3 of 2014" (Yogyakarta, 2020).

<sup>&</sup>lt;sup>60</sup> Nurhasan Ismail, "Focus Group Discussion (FGD) on Preparation of Academic Manuscripts on the Amendment of Government Regulation Number 3 of 2014" (Yogyakarta, 2020).

3/2014 still does not allow business entities to form joint ventures with the transmigration community. Whereas in the transpolitan mechanism, it is necessary to have a balanced arrangement regarding the rights and obligations of each element in Pentahelix.

Besides involving business entities, Penta helix must also involve local communities or people already settled around the transmigration area. There is still jealousy between the surrounding communities and residents because of the transmigration development considered exclusively provided to the migrants. Provisions regarding the local community in Government Regulation No. 3 of 2014 is regulated in Article 41 paragraph (2) a quo which governs that the Transmigration Area development plan is carried out by involving the local community. In the elucidation, the meeting aims to build an understanding of the local community about the area development plan that will be implemented. Then, in addition to "local community," the term "residents" appears in various provisions in Government Regulation No. 3 of 2014. However, the general provisions have not defined the term "residents." The residents are part of the Transmigration Community according to Article 1 number 19 of Government Regulation No. 3 of 2014 if they have been determined as transmigrant. That article shows that the involvement of residents is only recognized when they are part of the Transmigration Community. In contrast, residents not designated as transmigrants seem to have no role, rights, and obligations in carrying out Transmigration. According to Umi Listyningsih, the definition of "residents" is needed as the legal protection for ministerial regulations and other implementing regulations to harmonize the people's social, economic, and cultural relations in the transmigration area. 61

Previous governmental Transmigration affairs were government affairs that are merged with the workforce sector as regulated in Government Regulation No. 38 of 2007. There is still a merger of workforce affairs and transmigration affairs in one agency, namely the Manpower and Transmigration Office, such as in Yogyakarta. The development and construction of transmigration areas is the current instrument that encourages village development by fulfilling the minimum service standards.<sup>62</sup> There have been 1200 (one thousand and two hundred) villages in Indonesia that initially started as transmigration areas to date. 63 Transmigration aims not only to provide labour but also to develop new areas and build villages throughout Indonesia. The aim is affirmed by a condition in which, in the end, Transmigration will be integrated into village development. The changes should be followed by a change in the name of the "Manpower and Transmigration Office" agency since transmigration affairs are currently under the Ministry of Villages, Disadvantaged Regions, and Transmigration (KemendesPDTT). KemendesPDTT is an institution that runs part of the transmigration implementation subsystem and has a strategic role in supporting national development goals.<sup>64</sup> The focus of organizing Transmigration will be distracted if other agencies still carry it out, particularly in communication and program synchronization.

Currently, through the National Medium Term Development Plan or *Rencana Pembangunan Jangka Menengah Nasional* (RPJMN) 2020-2024, there are 52 (fifty-two) transmigration areas that are targeted for development. According to Presidential Regulation Number 18 of 2020 concerning the 2020-2024 National Medium-Term Development Plan. Based on Appendix III of the Presidential Decree a quo, programs carried out in Transmigration are: 1) construction of transmigration settlements with indicators of constructed and functioning transmigration settlement units in priority transmigration areas, 2) provision of transmigration land with indicators of facilitated issuance of SK HPL in transmigration settlement units, 3) construction and the development of facilities and infrastructure in

<sup>&</sup>lt;sup>61</sup> Umi Listyaningsih, "Focus Group Discussion (FGD) of Academic Paper Preparation of Amendments to Government Regulation Number 3 of 2014" (Yogyakarta, 2020).

<sup>&</sup>lt;sup>62</sup> Directorate General of Transmigration Area Development, "Laporan Kinerja Triwulan I" (Jakarta, 2018).

<sup>&</sup>lt;sup>63</sup> Kusrini, "A New Era of Transmigration."

<sup>&</sup>lt;sup>64</sup> Development, "Laporan Kinerja Triwulan I."

<sup>65</sup> Development"

transmigration areas with indicators of developing and functioning infrastructure, facilities, and utilities in priority transmigration areas, 4) developing transmigration businesses with indicators of economic development in priority transmigration areas, and 5) land services for Transmigration with indicators of facilitated issuance of the ownership certificates of the Transmigration Land. Among these programs, no program specifically regulates transpolitan implementation or efforts that lead to transpolitan. The no sign of the application of transpolitan is confirmed by the condition that there is no regulation or legal basis for transpolitan in Indonesia. However, the rules that have not included transpolitan elements might cause no change for the government in implementing the transmigration program. That condition means that during the period 2020 to 2024, it is not urgent for the government to carry out transpolitan Transmigration because it is not included in the work program according to the 2020-2024 RPJMN.

Based on this, it is known that the legal aspects in Indonesia have not been supportive of the policies related to transpolitan. Transpolitan is still a new concept of Transmigration that has been agreed upon but has not yet appeared in regulations. However, some laws and rules accommodate Transpolitan concepts related to science and technology, namely Law Number 11 of 2019 concerning the National System of Science and Technology (Law No.11 of 2019). Based on Article 5 letter a of Law No. 11 of 2019, science and technology play a role as a foundation in national development planning in all areas of life guided by the ideology of Pancasila. The role of science and technology above aligns with the transpolitan concept that utilizes science and technology, also known as the trans-science technopark. So that transpolitan can be said as Transmigration based on science and technology. However, Law No. 11 of 2019 regulates science and technology in general so that more specific laws and regulations are needed to regulate Transmigration based on science and technology or transpolitan.

# C. Conclusion

Based on the discussion above, there are at least 2 (two) conclusions as follows:

- 1. Discussion about Transpolitan began in 2019 when the concept of Transpolitan was introduced. The transpolitan concept in Indonesia includes implementing science and technology-based Transmigration, developing superior products in rural areas, and stakeholder cooperation in Pentahelix. The acceleration of development in Indonesia is carried out through area-based development. Transpolitan in Indonesia has its opportunities and challenges, namely:
  - a. Opportunities for transpolitan transmigration to accelerate the transmigration areas are still underwhelming.
  - b. The challenges of Transportation transmigration include implementing Transmigration that is not optimal. There are still land issues, maximizing the transmigration planning with only 1 (one) directorate. Other than that, there are challenges to population administration.
- 2. Currently, it is necessary to reform the law because Transpolitan has not been regulated in the laws and regulations in Indonesia. RPJMN 2019-2024 has not accommodated transpolitan, so there is the possibility of zero implementation of Transpolitan transmigration in 2019-2024. In terms of the renewal of Government Regulation No. 3 of 2014, it is necessary to adjust the provisions of Transmigration with the latest legislation, such as Law No. 23/2014 and Law No. 11/2019.

<sup>66</sup> Kusrini, "A New Era of Transmigration."

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