

Agrarian Law Policy: Transition of Baki Pandeyan Factory Land Function into Baki Community Ownership (1860 - 2024)

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Abstract

This research examines the Agrarian Law policy that became the transition path of land conversion around the Baki Pandeyan factory area. The research begins with the arrival of the Dutch to occupy Baki since the establishment of the open door policy, the global economic crisis, Japanese exploitation in Solo in expelling the Dutch, to the post-independence political power shift in making asset ownership policies from foreign private entities to local communities. The main focus of the research lies on historical, social, legal processes. The results show that the implementation of the Agrarian Law became the main instrument that shaped the historical process of land rights around the Baki Pandeyan factory. The land use transition referred to in this research explains how the land around Baki in 1870 functioned as a Dutch company area until it turned into public facilities, government offices, agricultural areas and residential areas of Baki residents, until today. This research emphasizes the importance of understanding the interaction between legal changes and social dynamics in a historical context to see its impact on local communities. Thus, this article not only aims to present an overview of the impact of agrarian policy in Baki, identifying how these lands were used by the Dutch and local communities, but also as a form of effort to introduce areas and buildings in the Baki area that have traces of historical heritage from the Dutch colonial era.

Keywords: Baki Pandeyan factory, sugar, land conversion

INTRODUCTION

During the Dutch colonial era, an open door policy was implemented. At that time, the Dutch East Indies government gave private entrepreneurs the opportunity to open plantations and factories. One of the areas targeted for meener ownership (Mubyarto, 1992) was the Baki area.

Since the arrival of the Dutch to Baki, the Baki area has become the private domain of the meeners. These areas were turned into plantations and factories (Stephen G, 1992). It is known that since 1843, seven factories have been established under the control of private companies. The seven factories included Gentan, Baki, Ngruki, Temulus, Baki Pandeyan, Manang, and Gawok. Explained by Baki history observer Pak Suryo, "The factories in order of time produced Javanese sugar, indigo or indigo as a natural blue clothing dye, then tobacco, and finally cane sugar."

In 1929-1939 there was the Great Depression, an economic crisis that swept the world. The event was also called the malaise crisis, an event seen since the end of 1929. It started in the New York Stock Exchange market, United States. The main cause of this economy was the huge gap between production capacity and people's ability to process factory profits. This crisis destabilized the global economy, including the sugar industry that was the mainstay of the Dutch colonial government, which at the time was also affected by the malaise crisis. Many sugar factories were forced to close and stop production due to falling market demand. Of the 178 sugar factories that existed in 1928, only 50 were still operating in 1934 (Stephen G, 1992). This condition was also experienced by Temulus Factory in the Baki area which was affected by the malaise crisis. The Temulus factory was the largest factory that became the parent of the surrounding small factories, one of these small factories was the Baki Pandeyan factory. The Temulus factory had a very important role in manufacturing Baki Pandeyan. Thus, the bankruptcy of the Temulus factory was also one of the main causes of the collapse of the Baki Pandeyan factory. The factory owner was forced to close the company.

This was followed by the arrival of the Japanese in Solo in 1942. Japanese troops arrested Dutch people. The Dutch at that time fled from the siege of the Japanese. The residences previously used by the Dutch increasingly lost their masters (Ibrahim, 2024) However, these two coinciding events were beneficial for the indigenous people around Baki. Ownership of the land could change hands to the community around the Baki Pandeyan factory company. This is because the Japanese also did not take part in controlling the Dutch-owned land. The land that was previously used for factory activities is now increasingly turning into settlements for the Baki community. Various

activities and needs of the Baki community are the main factors that cause the change in the function of land previously used for Baki Pandeyan factory activities.

LITERARY REVIEWS

The study of land use conversion and agrarian policy from the colonial era to modern Indonesia has been researched by a number of scholars. One crucial regulation was the implementation of the Agrarische Wet or the 1870 Agrarian Law. According to Mubyarto, this policy served as the main means to open up opportunities for foreign private investment in the Dutch East Indies, which resulted in the construction of factories and plantations, but also reduced land ownership by local farmers through the practice of land leasing and domein verklaring (Mubyarto, 1992). In line with this, Masyurullahushomad and Sudrajat also assert that the 1870 Agrarian Law marked the beginning of the "privatization" of plantations in Java, which made land a capitalist commodity and often overrode the rights of local communities (Masyurullahushomad & Sudrajat, 2019).

In addition to policy factors, global economic conditions also affected the sustainability of the plantation sector in Java, including in Baki. The malaise crisis of 1929-1939 became a crucial moment for many sugar factories in Java. Cecchetti reveals that this crisis caused a decline in prices and destroyed various large industries around the world (Cecchetti, 1992). In Java, the sugar industry was particularly hard hit, which was noted by Sri Lestari who revealed the collapse of the sugar production center in Gondang Winangun as a result of the crisis (Sri Lestari, 1940). A similar situation recurred at Temulus Factory and Baki Pandeyan Factory, where the bankruptcy of large industries continued to undermine the small factories dependent on sugar production. The next striking change came during the Japanese occupation. Ibrahim points out that the Japanese focused more on the exploitation of labor and economic resources in Surakarta, and did not continue the land ownership policies of the Dutch (Ibrahim, 2004:37). This provided an opportunity for the local community in Baki to take control of the lands left behind by the Dutch, as the Japanese did not take the assets of the Baki Pandeyan factory seriously. This accelerated the transition of land ownership from the colonial power to the local people.

After Indonesia's independence, land issues entered a new phase through the implementation of the Basic Agrarian Law (UUPA) 1960. Pamungkas explains that the UUPA became an important point in abolishing the colonial land ownership system in order to eradicate the dualism between colonial eigendom and customary law, and create legal certainty for the Indonesian people (Pamungkas, 2021). In practice, the change of land rights from colonial law to national law took a long time. Suartini and colleagues wrote that the transfer of land status, such as from eigendom to Hak Milik, required written documents, surveys, and official registration, so many people had not completed it by the 1980 deadline (Suartini et al., 2020). Similar conditions also existed in Baki Pandeyan, where there was still a lot of colonial inherited land that had not been fully transferred.

The study of the physical legacy of the plantations is also an important aspect to consider. Prasetyo notes that sugar factories left not only economic impacts, but also cultural heritage in the form of buildings and infrastructure, as can be seen in Colomadu Sugar Factory (Prasetyo, 2022:14). Something similar can also be seen in Baki Pandeyan, where the physical legacy of the factory in the form of water reservoirs, dams, and other structures still exist today, although they have been converted into public facilities or social areas for the community.

RESEARCH METHOD

This type of research is described in a qualitative descriptive research model with source analysis strategies, interviews and field observations. The purpose of descriptive research is to create a systematic, accurate and factual picture of the data regarding the transition of land function change in the area around the Baki Pandeyan factory heritage. journal in the research requires data collection through literature review to strengthen and develop research concepts as a tool to explore the theory and which is the object of study. The data collected will be analyzed using analysis techniques. This research uses two levels of analysis. The first level of analysis was conducted to identify the historical journey of the transition of the Baki Pandeyan factory land function to

become a settlement for the Baki community. The second level of analysis is carried out by users of evaluation tools, in determining the analysis.

RESULTS AND DISCUSSION

The history of the Baki Pandeyan factory dates back to the creation of the open-door policy in the Dutch East Indies, with the enactment of the Land Act of 1870. Prior to 1870, the Dutch employed natives in forced cultivation in the Dutch East Indies, to produce coffee, sugar and other products. However, this system was considered inhumane by Dutch liberals and humanists. Eventually there was criticism of the forced planting system by Dutch liberals and humanists. Then, the humanists demanded and forced the Dutch government to stop the system. In 1870, the forced planting system was abolished. The Dutch parliament introduced an open-door policy system instead. The aim of the open door policy was to provide opportunities for the private sector to invest in the Dutch East Indies (Sartono, 1991). The Netherlands implemented an open door political system which aimed to increase foreign investment and the development of the plantation industry. creating a working class (especially agricultural workers), expanding infrastructure such as transportation routes and irrigation channels, increasing Dutch foreign exchange earnings from plantation activities. The policy was formalized in the agrarian law.

This situation began to change as Dutch colonialism intensified in South Sulawesi. Alongside the expansion of colonial power, education became a strategic instrument for extending political and social control (Mokodenseho et al., 2023). Schools established by the colonial government and Christian missions gradually entered the educational spaces of local communities (Ilmi, 2022). In this context, Islamic education began to be seen as a form of resistance and a response to external cultural and religious threats. This marked the background for the emergence of more organized forms of Islamic education in the early 20th century.

Implementation of the 1870 Agrarian Law and Protection of Indigenous Land Rights

After the abolition of the forced cultivation system and the establishment of the agrarian law, there were two principles that became the policy of the Dutch East Indies

government: first, the guarantee of insurance for indigenous land, and second, the goal of developing large-scale agricultural industries (J Stroomberg, 2018). Therefore, the law clearly stated that indigenous land rights were protected by the Dutch East Indies government. All transactions related to buying and selling land to Europeans and easterners were considered invalid. Land lease transactions were still allowed. However, during the period when the VOC was in power, local landlords sold their land to non-native foreign businessmen, due to lack of money and other reasons that required them to sell their land.

J Stroomberg (2018) examines that after a long process of buying and selling rights and leasing land, western private entrepreneurs from the Netherlands came to the Dutch East Indies to immediately invest. They opened plantations including: tea, coffee, sugar cane, quinine, oil palm, and rubber plantations. The Dutch government built physical facilities and infrastructure such as reservoirs, dams, irrigation channels, roads, bridges, railways, and factories to support plantation development. In Central Java, especially the Baki area, the Dutch opened tobacco, indigo and sugar cane plantations. In the process of investing in privately-owned companies, Dutch entrepreneurs bought or leased the land of local people in Baki for plantations. This lease process was required after a Dutch company mapped out land for plantations that would become industrial factory production land. It is explained in several sources that in addition to the process of land leasing and buying and selling land, there was also a process of Domein Verklaring, in the form of an initial step by private entrepreneurs who were radical in seeking the authority of land entrepreneurs and other resources. This radical intervention indicated the reduction of land owned by farmers (Masyurullahushomad, 2019).

The Development of Pandeyan Baki Factory and the Role of Temulus Factory in Pandeyan Baki Factory Production Operations

Before the inauguration of the agrarian law, there were already four factories in Baki. To be precise, before the 1860s, the four factories included: Temulus sugar factory, Bentakan sugar factory, Gentan indigo factory, and Ngruki value factory. Then, around the 1890s after the creation of the agrarian law, new factories with different products were born. One of these factories was the Baki Pandeyan factory. It should be noted that the largest factory among these factories and has the largest income is the Temulus

factory. Temulus factory is very important to be discussed in this research study, because in the research interview conducted, information was obtained from Suryo Hardjono as an observer of the history of Baki "If we want to study the history of Baki Pandeyan, we must first study the surrounding factories because all of them have related historical journeys, especially the Temulus factory. The Temulus factory was one of the factories that supported the Baki Pandeyan factory to avoid the bankruptcy experienced by the Baki Pandeyan factory" (Interview, May 18, 2024).

The history of the Baki community has largely been going on since 1827, starting from the Diponegoro war. However, the establishment of the four factories dates back to 1860. From the information we studied, in the continuity of production, the factories established a close cooperative relationship. The factories built four dams, two aquaducts, 12 bridges and one sluice gate. The dams and sluice gates were controlled by factories around Baki, one of which was the Baki Pandeyan factory. The Temulus factory's commodity at the time was sugar cane, which was then processed into sugar. However, the success of the Temulus factory in producing sugar greatly affected the sustainability of the Baki Pandeyan factory, which produced tobacco and indigo, as an investor. At that time, Central Java and East Java were the largest industries producing sugar, and one of the large factories producing sugar in the Baki area was the Temulus factory. The success of the Temulus factory greatly influenced the success of the other three factories, such as the Baki Pandeyan factory. This is because the construction of dams, water irrigation and the operation needs of the surrounding factories were supported by the Temulus factory.

In 1929-1933 there was a malaise crisis. During the crisis, production continued to grow but market demand declined. Especially for the main product in Java, sugar. Dutch-owned plantations really fell. Almost all plantation commodities experienced a severe decline (Ibrahim, 2004). The malaise crisis also bankrupted the Temulus factory. The bankruptcy experienced by the Temulus factory affected the sustainability of the production of other factories, one of which was the Baki Pandeyan factory. This was because the existence of the Temulus factory as a support for three small factories was very influential in the continuity of the production of these factories. The crisis lasted until the end of Dutch rule in 1942.

Japanese Expansion 1942 in Solo and Surrounding Areas

This was followed by the arrival of the Japanese on January 10, 1942 in Tarakan. Japanese military attacks spread to Balikpapan, Pontianak, Martapura and Banjarmasin. Until on March 1, 1942 the Japanese military forces successfully landed in Banten, West Java and Central Java. Then on March 5, 1942 the military force occupied the interior of Java including Baki Pandeyan. The Japanese forces in Solo were led by commander Funabiki. The troops immediately arrested Dutch people in Solo and small areas in Solo (Ibrahim, 2004). Houses, plantations and factories were left abandoned. This opportunity was favorable for the local community. At the same time, the ownership of land and houses became transferred to the hands of the surrounding community, including the community around Baki Pandeyan. The Dutch heritage land was converted by the people around Baki for community needs. The relics were named *babrik*, *ngloji*, and *babrikan*. Meanwhile, the Dutch relics around the Baki Pandeyan factory that were converted into settlements for the surrounding community are called *ngloji*.

Land Title Conversion to Indonesia's Official Land Law

In the process of transferring land ownership rights from the Dutch to the property rights of the indigenous people of Baki Pandeyan, finally in 1960, the Indonesian government gave 20 years to the land to convert the status of the former Dutch East Indies property into property rights based on Indonesian law. However, due to ignorance or other reasons, there are still many landowners in Indonesia who have not converted their land, and their land status is still recognized as valid under Dutch civil law.

The conversion of land ownership rights from the Dutch colonial legal system, called *eigendom*, into Indonesia's official land law was an important step in national agrarian reform. Following the adoption of Law No. 5/1960 on Basic Agrarian Principles (UUPA), the Indonesian government set a 20-year transition period for the conversion, which was to end no later than 1980. The purpose of this conversion was to eliminate legal dualism between the Western land system and customary law, thus providing legal certainty to landowners in accordance with the new national agrarian regulations (Made, 2020).

The conditions for changing the ownership status of a land right include a visit to the local land registry office, accompanied by written evidence in the form of a map or survey certificate and the testimony of witnesses accepted as true by the land registry office. Including visits. An application for transfer of property can be submitted as long as the applicant is the owner of the title to the old share or has not transferred it to another name. Another requirement is that the ownership of the property must remain in the name of the owner of the property concerned.

Ownership rights that were previously governed under Western law during the colonial period are converted into property rights in accordance with national law in the form of Hak Milik (SHM) certificates, Hak Guna Usaha (HGU), Hak Guna Bangunan (HGB), or other usage rights. This process requires written documentation such as maps, old certificates and survey documents, and must go through an authorized land and registration office. If the landowner does not carry out the conversion within the specified time limit, the land status will automatically become state land. Presidential Decree No. 32/1979 Furthermore, the government continues to strive to maintain legal protection of converted land rights in order to create continuity and legal certainty, especially in areas that were previously plantation areas and colonial settlements.

Physical Remains and Traces of the Historical Area of the Baki Pandeyan Factory that have and have not Changed Function

Evidence of the transfer of land ownership rights can also be seen from several relics around the Baki Pandeyan area that previously the area had a factory. The remaining relics around the Baki Pandeyan factory include a water reservoir. The water reservoir that was once used for the needs of factory activities now stands firmly next to the residence of one of the residents on Jl. Tebon, Sawah, Baki Pandeyan. In Gondang, Duwet, Baki sub-district. There is also a factory relic that was once used as a housing area for Baki Pandeyan factory workers, but now the area has been converted into a privately owned plantation area. In the Jetis area, Menuran Kec. Baki also used to have a main dam that regulated the irrigation of the river around the factories in Baki, including the Baki Pandeyan factory. However, the dam has now been converted by the local government into the 'Kali Pleret' tourist spot. On Jl. Wage Rudolf Supratman, Baki. In the past, this place was the main area of the Baki Pandeyan factory activities, but by

the Baki local government, this area was used as the KUA, Baki Police Headquarters, and Baki village office.

CONCLUSIONS

The history of the Baki Pandeyan factory begins with the implementation of the open-door policy in the Dutch East Indies after the Land Act of 1870. Prior to that, a forced planting system was implemented to produce commodities such as coffee and sugar, but was abolished as it was deemed inhumane. The new law introduced an open-door policy that encouraged private investment, protected indigenous land rights, and developed a large-scale agricultural industry.

After the abolition of forced cultivation, Dutch investors began to invest in the Dutch East Indies, opening plantations and building supporting infrastructure such as reservoirs and transportation lines. In the Baki area, several factories such as Temulus Sugar Factory and Gentan Indigo Factory already existed before 1860, and new factories including Baki Pandeyan Factory emerged after the agrarian law was enacted.

The factories in Baki support each other, especially Temulus Sugar Factory which is the main support for other factories including Baki Pandeyan Factory. The success of Temulus Sugar Factory in producing sugar was very important for the sustainability of the other factories. However, the malaise crisis of 1929-1933 led to declining demand and the bankruptcy of Temulus Factory which affected other factories in Baki.

When Japan occupied the Dutch East Indies in 1942, many factories and plantations were abandoned, giving local people the opportunity to take over the lands. After Indonesian independence, the government gave 20 years to convert property status from Dutch heritage to property rights under Indonesian law. However, many lands have not been converted and are still recognized under Dutch civil law.

Remnants of the factory are still visible around Baki Pandeyan, such as the water reservoir on Jl. Tebon and the workers' housing area in Gondang which is now a private plantation of one of the Baki community. The main dam in Jetis, which used to regulate the factory's irrigation, is now the 'Kali Pleret' tourist spot. The Baki Pandeyan Factory's main area of activity on Jl. Wage Rudolf Supratman is now home to the KUA, Mapolsek, and village office.

This entire history shows how changes in colonial policy, foreign intervention, and shifts in power influenced the development of industry and land ownership in Baki Pandeyan, as well as its impact on the local community and local socio-economic structure.

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