

Typology of Land Conflicts in Special Region of Yogyakarta

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Abstract: This paper identifies various structural land conflicts in the Special Region of Yogyakarta in the last 20 years. Using a literature review method, the various conflicts that occurred can be categorized into several typologies, (1) the issue of the transfer of land status from private and communal (village land) to sultanate/pakualaman land; (2) land acquisition for national strategic projects that displace people's managed areas; (3) investment and development in urban areas that displace or reduce the quality of life of the community; (4) various transfers of land use in coastal areas by local governments and the private sector through extractive industry investment, tourism or conservation; (5) ethnic politicization in discriminative land policies. The reading of the various typologies of conflict is produced from three different perspectives, namely the 'agrarian citizenship' approach, 'human rights', and 'politics of access'. These three perspectives also serve as a proposed roadmap to get out of the conflict.

Keywords: Land conflict, Roadmap of conflict resolution, Special region of Yogyakarta, Typology

INTRODUCTION

In the last two decades there have been changes in land politics in Special Region of Yogyakarta (SRY/Daerah Istimewa Yogyakarta) that have taken place through the birth of new policies, both through legislation and land policy practices in the field. The whole is framed in the idiom of "specialness/ keistimewaan" or "local wisdom/ kearifan lokal". These political and land policy changes have actually resulted in agrarian conflicts in both rural and urban Yogyakarta.

The recent changes are far from what was described more than half a century ago in Selo Soemardjan's work. This classic work presents changes in Yogyakarta as more characterized by cultural changes such as the rise in the use of Bahasa Indonesia and individual mental changes as Yogyakarta's social life became more open to change (Soemardjan, 1981). The Mataram Kingdom, in this case the Ngayogyakarta Sultanate (following the Pakualaman Duchy), has managed to recover its political and economic influence across time, and has strengthened in the era of decentralization mainly due to its ability to maintain access to and control over land (Kurniadi, 2019)

On the other hand, the link between the inequality of the agrarian structure and the level of welfare in Yogyakarta is evident. The structure of development in Yogyakarta, which relies on the tourism sector, does not produce a *trickle-down effect* in the discourse of developmentalism, but instead a *trickle up effect*, aka squirt upwards because it is enjoyed by a handful of elites in Yogyakarta. Yogyakarta's economic development grows exclusively. Poverty in Yogyakarta is the highest nationally, at 13.1% in September 2016, down from 15.03% in September 2013, although still the highest in Indonesia with an average of 10.7%. Similarly, inequality in Yogyakarta is 0.425, the highest nationally from 0.394. Income inequality is also high, with the lowest 40% only enjoying between 15.3-16.8% of income since 2012, while the middle 40% and richest 20% enjoy a higher share of income, with 33% and 50% respectively (Kuncoro, 2014).

The welfare condition of the people of Yogyakarta in 2020 is not much different and has even decreased due to the Covid-19 pandemic. There is a drastic decrease in the duration of working hours. The age group > 15 years old reduced working hours (caused by Covid-19: 88.09%; not caused by Covid-19: 11.91%) and stopped working (68.45% and 68.45%). The result is a drastic drop in income. In 2015, the population with the lowest 20 per cent of income received an income of around 6.20 per cent. This figure tended to decrease over the following 3 years. Meanwhile, the percentage received by the richest population group fluctuated with a tendency to decline. In the last 5 years, 2015-2019, the Gini index of inequality in Special Region of Yogyakarta is still high in the range of 0.42-0.43, still above the national average of 0.38 (BPS and BPPD D.I. Yogyakarta 2020).

Similarly, cases of intolerance in Yogyakarta have been very high in the last five years. The level of tolerance and inclusiveness is in the sixth lowest position nationally and is decreasing to the fourth position (Setara Institute 2019; 2020). Acts of intolerance come from state and non-state actors. On the surface, intolerance appears in the form of loss of freedom of religion/belief (*kebebasan beragama/berkeyakinan*) such as prohibition of the establishment of houses of worship, rejection of sub-district officials and residents in a village due to religious factors (Syambudi, 2019), specialization of boarding houses for certain religious adherents, the difficulty of students from East Nusa Tenggara and Papua in obtaining housing (Sulistya, 2015) and so on. Various crises marked by various forms of intolerance, vigilantism, identity politics, and even the rise of populism above are intertwined with the power of capital and political mass mobilization, including *klithih*, a random acts of street violence (Ahnaf and Salim, 2017). Intolerance is also intertwined with classic political and economic issues such as the struggle for parking space and the dominance of youth groups. It is not uncommon for the contestation to be articulated with antipathy towards other groups such as "*aku cah kene*" (I am a native person here) to assert power over others and represented in the context of support for the elite discourse of "privilege" (Luthfi, A.N., M. Nazir, A. Tohari, D.A. Winda 2009). Even parking

management in Yogyakarta leads to power contestation between modern state authorities and traditional authorities (Puspitarsari and Karim, 2013).

Regarding on agrarian issues, there are at least 20 prominent cases that are placed under one tagline, "Agrarian Emergency of Yogyakarta/Darurat Agraria Yogya" (Selamatkanbumi.com). These cases have also become sites of people struggle both in the sense of *struggle against* (against violence, discrimination or expulsion) and *struggle for access* (to land or defense of land already controlled).

This article argues that extreme inequality in wealth and control over resources, in this case on the royal side, inevitably leads to extreme political inequality (Winters, 2013). These conditions will contribute to the weakening of control from the legislative institution, the ambiguous position of the bureaucracy between serving the provincial government or serving the Sultanate (Kurniadi, 2019). The position of the governor as well as the sultan, who acts as an *intermediary* in several land cases that favour private businesses when dealing with citizens (Nugraha, 2021), has also influenced various approaches to resolving land conflicts and social movement responses that have emerged in the last two decades.

METHODS

In order to produce some typologies of conflict, this article uses the literature review method. The literature reviewed was generally in Indonesian and published between 2015 and 2024. The literature was reviewed and categorized into the following mappings: literature on royal land, on village governance, and on Yogyakarta's specialness studies. The former is organized into agrarian studies. The second trend is organized into village studies. The third tendency is mostly supplied by decentralization studies that have strengthened after the reformation in the framework of local government reform. All of the literature that falls into these three categories is then specifically analyzed for its agrarian conflict aspects, resulting in some typologies of conflicts.

RESULTS AND DISCUSSION

Study of the Royal Land

Land studies in Special Region of Yogyakarta have unconsciously made it appear as if there is only one strategy for accessing land in Yogyakarta-that is, through the palace (sultanate/duchy). These studies have also reinforced the position and existence of sultanate and duchy lands as properties that must be owned in order for the identity of a kingdom to be complete.

Hasim (2016), for example, examines the existence of sultanate and duchy land from a normative-legal perspective with the conclusion that the Sultan and Paku Alam in

Yogyakarta have *domein* over land that is different from property rights or state *domein*, so the National Land Law recognises their existence. The position of the 13/2012 Yogyakarta Special Law (YSL) is *lex posteriori derogate legi priori* from the prevailing national land law. This kind of exception conclusion is also obtained from the studies of Gainifer (2020), Nugroho, Mashdurohatun and Gunarto (2021), Darmawan and Ratnawati (2024).

The strengthening of royal land has received much attention from studies. Andreyan (2020) points out the various roles of the palace in preventing the transfer of *sultan ground* to property rights. The issue of land acquisition for various developments in Special Region of Yogyakarta strengthens the recipients of economic benefits from compensation to the Sultanate (Kustiningsih, 2017) and the large benefits from airport construction to Kadipaten/duchy institutions (Sari and Suteki, 2019; Dewi and Salim, 2020; Isworo, 2023; Putri, 2023). Within the framework of land acquisition for the airport, conflicts arise in the community (Briantama and Sardini, 2023) and the weakening of the local population in the form of social and population mobility (Jati 2020). Even this strengthening can proceed through the judiciary when there is misuse of sultanate land through the existence of a land mafia, and there will be an attempt to enter through the framework of criminal acts of corruption even though the land in question (royal land) is outside the boundaries of state ownership (Hartanto, Suwadi, Rustamaji, 2023). Land governance and public administration in the form of legalization of royal lands is consistent with the implementation of policies on the protection of royal lands (Agam, 2023; Darisman, 2023).

These studies also reinforce a top-down perspective that confirms the centralization of land ownership in the royal authority, with few studies turning their lens on the perspective of society and its influence across social classes (Yistiarani, 2024).

Meanwhile, Lestari's (2003) study shows that village land provides great access to various parties and uses. By examining village treasury land in Caturtunggal (Sleman), it is concluded that there has been a release of rights, leasing and development on the main routes connecting Yogyakarta City with other areas, for the construction of housing, hotels, and the expansion of higher education facilities. People rent village treasury land (tanah kas desa/ TKD) as a place to live or a place of business with an increasing trend. This is due to the cheap and easy procedure of leasing village treasury land as well as the security factor. This legal research does not show how these various interest contest.

Village Governance Study

The second set of studies, when discussing village land in Yogyakarta, is largely situated within the framework of village governance. These studies on village governance usually place village treasury land as a village asset that is therefore owned by the village, and used to support the running of the village government. Village treasury land in these studies is considered *common property* or *public goods* that cannot be owned by individuals.

The nuances of government administration strongly color these studies. In terms of examining the governance of village resources, Baru and Nasution (2023) highlight the power struggle between the 6/2014 Village Law regime (VL) and the YSL regime, resulting in dualism in governance.

Such conflicts of dualism under different regulations are not unique to Yogyakarta. Biezeveld (2004) points out that in various land disputes in Indonesia, each party uses state law and other normative arrangements in a flexible way. Different types of arguments (legal, political, cultural, historical) are used to justify their claims, a phenomenon the author refers to as "*discourse shopping*", which leads to a situation where land ownership status is at odds. Many land parcels are unclear due to different interpretations of customary law by each party.

In the case of Yogyakarta, using *discourse shopping*, it can be imagined that the 1960 Basic Agrarian Law, the 2014 Village Law, the 2015 Local Government Law, and the 2012 Yogyakarta Special Law and its various derivative regulations are contestable discourses; and how institutions and various interests downgrade these discourse choices to support their arguments. This happens, as Illiyani (2020) studies that land management in Yogyakarta has led to conflicts with the community, village government, institutional conflicts, and the Chinese community in Yogyakarta. Each has arguments in support of their position, including the discourse on human rights.

Decentralization reforms and land policy implementation affect the dynamics of rural citizenship and democracy. Palotti (2008) examines the 1999 land law in rural Tanzania. After critically reviewing the objectives, content and initial outcomes of the *Local Government Reform Program (LGRP)*, his study points to the political implications of the neo-liberal model of citizenship that the reform sought to promote at the local level, derived from land policy in Tanzania through the 1999 Village Land Act. Behind the rhetoric of poverty alleviation and community development lies the government's attempt to promote *market-based citizenship* in rural Tanzania.

Palotti argues that the policy of decentralization reform through the LGRP has far-reaching impacts on resource access and democracy at the local level. Rural land policies can 'open up spaces for democracy' but at the same time neo-liberal decentralization politics are moving towards the 'decentralization of poverty' as the individualization of rural land leads to the process of land disposals. Parotti's study is interesting in the context of rural land reform in Tanzania, which is taking place through the formalization of individual land, which is claimed to be the key to economic growth. This is in contrast to the case of Yogyakarta, which has a similar policy, namely Kalurahan Reform through DIY Governor Regulation Number 40 of 2023 concerning Kalurahan Reform, but works within the political space of village land centralization under the royal authority.

Study on Yogyakarta's Specialness

The third trend of study, specific to Yogyakarta, is that studies of land in general, and studies of village land in particular, cannot be separated from studies of Yogyakarta's specialness. Studies on the specialty itself are strongly produced by the literature on local politics within the framework of decentralization studies, especially asymmetrical decentralization. These studies, whether they realize it or not, despite trying to advocate for the welfare of the people, have contributed to the strengthening of the royal institution itself as a representation of what is called "local governance".

Kurniadi's (2019) in-depth study is an example. This study is set within the larger framework of questioning why some kingdoms in Indonesia were successful in their efforts to rebuild and expand their power after 1998, and why others were not. This study is inseparable from an examination of post-reform asymmetrical decentralization that opened up political space for the kingdoms of the archipelago in the context of regional and national politics. The study concludes that land tenure is a factor that produces the success of the kingdoms' existence and determines their ability to take advantage of the available political space of decentralization.

Using Ribot and Peluso's (2003) access theory, Kurniadi (2019) shows that the sultanate and duchy of Yogyakarta were successful kingdoms in maintaining their claims to land tenure and ownership, transforming from a regime of access to a regime of property (land ownership rights). Yogyakarta in the 1945-2012 era is called the 'access era' to mark the condition of the kingdom, which formally lost its land ownership rights but was able to maintain land tenure through political intervention. Whereas post-2012 was the 'age of ownership' which placed the kingdom in possession of permanent land ownership rights even by law and continued with a series of land titling. This ownership regime has become even stronger for village lands. Even before the passing of the 2014 Village Law, since the 1970s the Sultan had been fighting to retain control of village land through the mechanism of licensing the use of village land and evolutive various regulations were designed to strengthen and legalize royal ownership of village land, culminating in the passing of Local Government Regulation No 1/2017 (Kurniadi 2019: 102, 209-2011).

The Kurniadi's (2019) study looks at the royal side (elite) in an institutional perspective that has historically had access over time. It does not specifically and in-depth examine the political dynamics of kalurahan/village land after 2017. Although it uses Ribot and Peluso's (2003) theory of access, it assumes that the phase of land (property) ownership is understood as the end of the evolutionary process of access to resources, is stable or solid; in contrast to the argument of this article, which assumes that kalurahan land is a *resource* to which various parties have strategies to access it again in various ways.

On the topic of asymmetric decentralization, Everests' (2022) study also discusses the implementation of asymmetric decentralization in Yogyakarta, focusing on the

management and use of sultanate land. He concludes that decentralization politics has the ability to reduce the chances of land use conflicts, because the sultanate negotiates with the community by using a cultural approach to explain the need for land. This approach avoided land market speculation in Yogyakarta, along with community compliance with the government. Similar findings also reinforce Jati's (2012) study on the bureaucratic culture of patrimonialism in the Yogyakarta provincial government (Budiadji, Purwadi and Novianto 2023).

In the context of a study on strategies of access to village land in Yogyakarta, the above text is interesting in directing an examination of how the kingdom tries to maintain their power through access to village land, destabilizing social structures; as well as to see how people's dissatisfaction with land policies can appear through the presence of a dead figure as a *sacred kingship* (Sahlins & Graeber, 2017) as a counter-discourse that re-stabilizes the destabilization of royal authority.

Lele (2019) also examines the implementation of asymmetric decentralization in Indonesia (Yogyakarta, Aceh, Papua and West Papua) in relation to the quality of local governance. Using a 'political motives' approach, this study questions why a country implements asymmetric decentralization, how it is designed and what the results are. It concludes that the policy affects the governance pillars of accountability, transparency and participation in varied regions. In the case of Yogyakarta, the conclusion is that the region is specific because it does not hold direct gubernatorial elections, which is considered to avoid social threats compared to other provinces studied, and the establishment of historical claims, both of which are considered to have a direct relationship with its good governance performance. This asymmetrical decentralization design is also the focus of Sung and Hakim's (2019) study, which attempts to analyse whether Yogyakarta is decentralization or federalization within the framework of a unitary state. The study concludes that Yogyakarta reflects the practice of constitutional decentralization.

Nugroho, Handayani and Karjoko (2024) examined the politics of asymmetrical decentralization in royal territories by comparing Yogyakarta with other monarchies. Using a normative juridical approach, it is concluded that the authority of the Sultanate of Yogyakarta, who is also the regional governor, is a form of asymmetrical decentralization practice that is different from other monarchies in the world. The study of asymmetric decentralization also discusses the legitimacy of the Sultan's daughter to become the next governor (Asmorojati, Suyadi, Sulaiman (2022), which initially faced constitutional hurdles but was judged successful through the 2016 Constitutional Court trial.

Context and Typology of Conflict

There are at least several contexts in which agrarian conflicts occur in Special Region of Yogyakarta. These include patrimonial politics evident in village land governance;

national economic reorganization through the Master Plan for the Acceleration and Expansion of Indonesia's Economic Development/ Master Plan Percepatan dan Perluasan Pembangunan Ekonomi Indonesia (MP3EI) followed by the National Strategic Project/ Proyek Strategis Nasional (PSN); urban capital-economic growth; tourism and conversion; and discrimination against Chinese communities still entrenched in Yogyakarta.

The Patrimonial Politics of Village Land

The first context is asymmetric decentralization after the 1998 reform. The granting of special autonomy marked the 'peaceful' relationship between the center and the regions, but it was the beginning of internal (conflictual) relations in the regions. This is precisely the most difficult challenge. This asymmetrical decentralization was marked by the issuance of Law No. 13/2012 on the Specialness of Yogyakarta (hereafter abbreviated as SYL, Specialness of Yogyakarta Law). It contains elements of special authority accompanied by large funding to the local government to manage five things: provisions on the position of governor and his deputy, culture, spatial planning, land, and institutions.

The birth of the SYL was the culmination of the kingdoms' success in restoring their political and economic influence across time, and has been strengthened through the current asymmetric decentralization policy primarily due to their ability to maintain access to and control over land. Kurniadi's (2019) study sits within the larger framework of questioning why some kingdoms in Indonesia were successful in their efforts to rebuild and expand their power post-1998, and why others were unsuccessful. The study concludes that land control is a factor that produces the success of the kingdoms' existence and determines their ability to take advantage of the available decentralized political space. The strengthening of the kingdoms' land claims has been reinforced not only through regulation with the birth of a series of Regulation of Special Regional (Peraturan Daerah Istimewa), but also based on historical and cultural legitimacy (claims of *origin* and *local wisdom*).

Based on SYL, the provincial government since 2017 has re-regulated land governance including village land in the Yogyakarta area. The fundamental thing in this rearrangement policy is the change in the status of village land to sultanate or pakualaman land, as outlined in Governor Regulation of SRY No. 34 of 2017, concerning Village Land Utilisation, *in conjunction with* Governor Regulation No. 24 of 2024 concerning Kalurahan Land Utilisation.

Article 1 [1] of Governor Regulation of SRY No. 34/2017 defines village land as land originating from the Sultanate and/or Duchy that is managed by the Village Government based on *anggaduh* rights, which consists of village treasury land, *pelungguh*, *pengaremarem*, and land for public use. Governor Regulation describe that *anggaduh* is customary

rights granted by the Sultanate or Duchy to manage and collect/retrieve land products; *pelungguh* or *bengkok* is the portion of the Kalurahan Land that is used to supplement the income of the Lurah (village head) and Pamong Kalurahan (village officials). *Pengaremarem* is part of the Land of Kalurahan which is used for allowances for the retiring Lurah and Pamong Kalurahan. Furthermore, Article 7 (1) states that the various types of village land constitute property of Sultanate (Hak Milik Kasultanan) or property of Duchy (Hak Milik Kadipaten). This changes the existing legal construction in regulating the status of village land in Special Region of Yogyakarta.

In Indonesia, village land is regulated by Law No. 32/2004 on Regional Government, which includes a clause on village assets. It is further regulated in Government Regulation No. 72/2005. Similarly, Law No. 6/2014 on Villages has regulated the issue of village treasury land, which is stated to be village-owned land. Ministry of Home Affairs Regulation No. 1 Year 2016 on Village Asset Management defines that "Village Land is land controlled and/or owned by the Village Government as one of the sources of village revenue and/or for social purposes [Tanah Desa adalah tanah yang dikuasai dan atau dimiliki oleh Pemerintah Desa sebagai salah satu sumber pendapatan asli desa dan/atau untuk kepentingan sosial]" (Article 1, [26]). Article 6(1) instructs that every *village asset in the form of land* must be certified in the name of the village government as a guarantee of legal certainty. Article 14 and Article 15 of this Ministry of Home Affairs Regulation specify that utilisation, co-utilisation, build-to-sell or build-to-use of village land can be carried out after obtaining written permission from the regent/mayor, *without involving the governor*.

In contrast to the above, since the 1980s, in Special Region of Yogyakarta, the use of village land required permission from the governor (Kurniadi, 2019). A search of the digital archives of the provincial government of Special Region of Yogyakarta (<https://arsip.jogjaprovo.go.id>) yielded several examples of governor's decrees issued in 1986 and 1990 on the granting of land release/transfer permits by the head of local government. The object regulated is 'village land' with several different terms.

In these archives, the term 'village treasury land' is found as the object of disposal (See, for example, Decree of the Governor of the Special Region of Yogyakarta No. 110/Idz/KPTS/1986 for the disposal in Jetis, Bantul; and No. 24/IZ/KPTS/1994 for the disposal in Cangkringan, Sleman/ Surat Keputusan Gubernur Kepala Daerah Istimewa Yogyakarta Nomor 110/Idz/KPTS/1986 untuk pelepasan di Jetis, Bantul; dan No. 24/IZ/KPTS/1994 untuk pelepasan Cangkringan, Sleman). The considerations referred to in the first decision were Law No. 5/1974 on Regional Government and the 1960 BAL which regulates agrarian issues. In the Cangkringan case, 4 parcels were released, all of which were referred to as village treasury land, for the construction of a 60.9 hectare golf

course-field. There is no clear distinction and coverage of the term "village land" with/against "village treasury land" as defined later.

After 1998, the Governor of Yogyakarta tried to control village land by issuing a series of governor's regulations. Governor Regulation 11/2008 refers to village treasury land as village property (Article 1, paragraph 8); and changed again through Governor Regulation 65/2013 which refers to village land as part of village wealth. The dynamic use of the terms 'village treasury land' or 'village land' indicates the sultanate's claim to ownership of village land, even though the land has been used by the village treasurer to support village management. It is also intended to break out of the framework of the 2014 Village Law (Kurniadi, 2019).

The area of village land in Yogyakarta is very large. Combining the village land with the royal land, the current calculation of the royal land area is 32,510 hectares. This figure is a combination of the previously registered Sultanate Ground and Pakualaman Ground of 7,901 hectares and village land of 24,609 hectares. This means that royal land in Yogyakarta is 10.2 per cent of the 318,600 hectares of the total area of Special Region of Yogyakarta. As of April 2023, village land in Special Region of Yogyakarta (excluding Yogyakarta City where no village land is found), there are 16,068 titled parcels. The titled village land will undergo a change in certification to the name of the Sultanate/Pakualaman property rights. There are still 34,211 parcels of land that have not yet been titled and will be directly titled in the name of the Sultanate/ Pakualaman ground (processed from Land and Spatial Planning Office, SRY, Dispertaru 2023a).

The high potential of village land has resulted in misuse that has led to corruption. The forms of misuse have been emerging for a long time, starting from the use of village treasury land for residential houses that should have been intended for agriculture and proceeded to involve only the village government, the community and notaries without permission from the governor, as in Banguntapan, Bantul (Fahmi, 2016), corruption of bengkok land in Depok, Sleman which has been prosecuted with an *inkracht* verdict through the Sleman District Corruption Court (Yuwono, 2016), and the transfer for the construction of one of the large malls in Sleman (Kurniadi, 2019).

Supervision of village land has become the main agenda of the Yogyakarta Land and Spatial Planning Office and Paniradya Kaistimewaan for Land Affairs. Paniradya as Development Planning Agency for Special Affairs registered 2,652 cases of village land problems, consisting of issues of exchange, sale and purchase, control of other parties, land utilization, land titling, boundary issues, land status, the existence of *wedi kengser*, and replacement land (Paniradya Kaistimewaan, June 2023). Registration, supervision and control of village land is the authority of the Agency, while in terms of field control, Satpol PP (The Municipal Police Unit), is given the additional task for controlling. The chief of Dispertaru DIY stated that out of a total of 1,479 village lands that have been

granted a Governor's Permit between 2004 and 2022, 583 village lands in 72 kalurahan in Special Region of Yogyakarta have been monitored. As many as 24 per cent of those monitored were not used in accordance with their permits (Kedaulatan Rakyat, 13 September 2022). The results of field identification by Satpol PP found that more than 200 locations were allegedly illegal because they violated the governor's permit (Winduajie, Jogja Tribunnews, 02-07-2023). Corruption of village land that has imprisoned several lurah, pamong, and businessmen has become quite high news in the last two years.

In terms of political economy, village land as public land serves as a provider for various purposes. Tanah *bengkok/pelungguh* as a wage system provides substantial rewards to the pamong. Access to it would determine the subsequent process of accumulation of wealth, social status and power (Maurer 1994 [1973], 149). The utilization of bengkok land for agriculture in Yogyakarta in the 1970s as studied by Maurer provided very high economic value, and it still does for the pamong, especially for the lurah. Kurniadi (2019) estimates that lurah receives an income equivalent to seven times the district minimum wage. However, urban development is now driving the process of land use change in the village, especially in Sleman and Bantul (Kurniadi, 2019: 139). This is particularly the case with village treasury land, which is supposed to be reserved for financing village administration, but is being used for housing developments, hotels, and the expansion of higher education facilities. The widespread availability, low cost and easy procedures for accessing village treasury land have become a preference for investors to access it (Lestari 2003).

The use permit from the governor, which has been in place for decades, is a 'legal mechanism' for access to a stream of benefits (*beneficiaries*) from village land. The benefits obtained are not always in the economic sense but are broad, such as the enforcement of authority, control, and socio-political relations. The change in terminology between "village treasury land" and "village land" contained in several governor regulations as described above, is also a 'legal mechanism' of access, one form of various other forms of access.

Access to village land can take place in various ways. The palace's access mechanisms to village land are essentially based on 'cultural identity', i.e. claims of origin. The various parties that have accessed village land over the years may be perceived as a threat in the eyes of the local government and the royal court, so further regulation is required. There are concerns about the loss of village land as palace land (Rinepta, Detik.com, 18 July 2023). Furthermore, the palace, through a member of Achiel Suyanto's legal team, stated that not only village land, but also *enclave land*, which was previously a loan from the palace, would be threatened with loss because it was controlled by many parties, so it had to be returned and titled in the name of the palace. (Putsanra, Tirto.id., 22 September 2021).

Opportunities for access to village land are further regulated in Governor Regulation No. 24 Year 2024. There is an affirmation that the land of the village—a change from the term

village land—is used by the Sultanate or Duchy and the District. Other parties will be allowed as long as the kingdom and the village do not use the village land (Article 9 [2]). The new regulation also opens up new access opportunities and 'benefit streams' for the poor and unemployed to village treasury land, who previously had no formal access (Governor Regulation 24/2024, Article 11 [2]; Public Relation of Special Region of Yogyakarta, 01 June 2024). The mandate contained in the Yogyakarta Governor Regulation No. 24 of 2024 is that the village land is used for three purposes, namely cultural development, social development, and community welfare.

The problem of access for land village can be seen in the following conditions. In Srimulyo Village, Kapanewonan Piyungan, Bantul, there are problems between the government and villagers and corporate of PT Yogyakarta Isti Pratama (YIP), which manages the Piyungan Industrial Estate (Kawasan Industri Piyungan/ KIP). The area of village land for KIP in Piyungan is more than 100 hectares, covering 65.8 ha in Kalurahan Srimulyo and 57.6 ha in Kalurahan Sitimulyo (Nugraha, 2021).

Residents of Srimulyo blocked the entrance to the PT YIP factory site on Wednesday morning 21 April 2021 when they felt the damage to the village waterways due to factory activities. The damage resulted in several houses located in Padukuhan Cikal being flooded and had an impact on residents' daily activities. PT YIP is considered ignorant of the damage problem.

The government of Kalurahan Srimulyo has a problem with rent debts and the payment of the Building Land Tax (PBB) of PT YIP. This company owes the village Rp. 8 billion for the 2018-2020 arrears range (Putsanra, 2021). Initially, the use of village land in Srimulyo for KIP was not fully approved by the kalurahan government. In the course of time, Lurah Wajiran, feared that the village land that had been used for the livelihood of village officials and residents would be lost, reduced use of village land for agriculture and livestock, and concerns about environmental impacts (Nugraha, 2021).

Regarding the issue of the lease relationship between PT YIP and the Kalurahan Srimulyo, the Governor's Order No. 700/9368 dated 23 June 2020 ordered the DIY Inspectorate to recalculate the nominal arrears. A figure of 2.9 billion was obtained that must be paid by PT YIP, cancelling the calculation that should have obtained a figure of 8 billion if accumulated for arrears from 2018-2020 (Putsanra 2021). In this access to land, the regional government of Yogyakarta mediates private interests in civil relations with village entities.

Another problem is the administrative complications that accompany changes in the status of village land. A dukuh head in Sidokarto sub-district, Godean, Sleman, recognized this confusion. He faced the situation that the pelungguh he received was still private land that had been swapped with village land used for the construction of a mosque. His concern is about two things: the process of swapping involving the waqf land, the kalurahan

government and now the Panitikismo, as well as him as the pelungguh holder; and the sustainability of the economic activity in the form of resto-tourism built on the palungguh land which is very sellable at this time.

Access to village land through land use licensing is a mechanism for the village government to reorganize the structure of land use and spatial planning in the kalurahan area. Currently, access to village land is considered more restrictive by the government of Kalurahan Sriharjo, a rice field village in Kapanewonan Imogiri, Bantul. The kalurahan government prefers not to convert agricultural village land given that it is a green area, but must be strategic when relying on the rice paddy economy is not a viable option because it is not considered very favorable in terms of village revenue generation. Through BUMDes (now BUMKel, Village-owned enterprises), the Kalurahan Sriharjo applied for a permit to use village land for a 1.9-hectare agro-tourism center. The diction of 'agro-tourism', with an emphasis on 'tourism' complicated the licensing process as it was considered by the Dispertaru that the designation would shift the use of agricultural land, so the strategy chosen by the Kalurahan was to change the land use application document for 'integrated farming' economic activities including the construction of fish ponds, restaurants, and agricultural tourism, with an emphasis on 'farming'.

Another perceived difficulty is that this access mechanism requires the preparation of a *site-plan* for each application for use and ideally should be included in the *master-plan* for kalurahan development. The Kalurahan feels that the preparation of such a planning document is neither easy nor cheap. There are also challenges in terms of the licensing bureaucracy. The long series of permit applications involving the government at the Kapanewon, Regency, and Provincial levels, ministerial agencies, and Panitikismo, led the kalurahan government to form a special team under the coordination of the carik or kalurahan secretary.

In terms of examining village resource governance, Baru and Nasution (2023) highlighted the power struggle between the Village Law regime and the Specialness of Yogyakarta Law regime, resulting in dualism in governance. The study, which was conducted as qualitative research, sought to question how the village government responded to the dynamics of regime contestation in Kalurahan Sriharjo. The study concluded that there was a conflict of power dualism between the village and the Sultanate, along with the SYL regime that weakened local government control over village land. The dualism conflict has led to inconsistencies between Sriharjo village regulations and Sultanate regulations.

Access to village land also comes through a special funding scheme called Special Financial Assistance (Bantuan Keuangan Khusus/ BKK) for Land. This programme is nomenclaturally intended for the poor to utilize village land through agricultural activities. This programme, which took place in 24 Kalurahan (2022-2024), was beneficial in opening

up access for the poor, but at the same time could limit their accessibility to the programme framework.

A case that caught the public's attention was the use of village treasury land in Caturtunggal sub-village, Depok, Sleman, which was used for housing through a lease between the sub-village government and PT Deztama Putri Sentosa. The Investigation Team of the Yogyakarta High Prosecutor's Office has named Robinson Saalino as the director of the company as a suspect (April 2023). He is suspected of committing corruption in the use of TKD beyond the specified permit area, not paying rent, building without a Building Construction Permit and Nuisance Permit (*Izin Mendirikan Bangunan dan Izin Gangguan*), as well as a Land Drainage Permit (*Izin Pengeringan Lahan*) for converting agricultural land, not making payments for the certification of village treasury land, resulting in a loss of state finances worth Rp.2.4 billion. The case progressed with the naming of an official, the chief of Disperparu, as a suspect in a corruption offence. It is alleged that he received gratuities in the management of the use of village treasury land (Jogjapolitan, 2023).

As of early 2024, 5 village heads have been criminalised. The Sultan gathered the lurah and pamong who are members of the "Nayantaka", an association of Lurah and Pamong Kalurahan DIY (18 May 2024), to emphasise the issue of the transfer of land rights and efforts to reorganise it. The administration of the transfer of village land into royal land was supported by patrimonial relations within the bureaucracy in the Yogyakarta region. This approach conditioned compliance at the government and community levels (Jati, 2012; Budiadji, Purwadi and Novianto 2023).

Impact of National Strategic Projects

The context of national economic reorganization through the development design in the Master Plan for the Acceleration and Expansion of Indonesian Economic Development (MP3EI 2015-2019) has also resulted in conflicts, especially in coastal Yogyakarta. This interest places the Yogyakarta region as a Special Economic Zone (*Zona Ekonomi Khusus*) in the field of tourism as a support for the Java archipelago as a driver of national industry and services. This was then translated into a National Strategic Project during the Joko Widodo administration. An international airport was built in the Kulonprogo region at a cost of 6 trillion (2015-2020), the construction of an urban railway line worth 2.1 trillion (2017-2020), followed by a highway connecting tourist destinations in the Yogyakarta region and with the cross-region of Central Java (Kata Data 2015). However, the airport development is considered to violate democratic principles in the land acquisition process and exclude the interests of the people so that the development has received widespread resistance (Savitri, et al. 2018; Dewi and Salim, 2020).

Referring to official government documents, economic development in Yogyakarta through this accelerated project is planned until 2025 (across government regimes) (BAPPENAS 2011) with various extensions to the creation of *aerocity* and tourist economic routes connected to tourist centers in Central Java. This land acquisition process has led to further land conflicts (Yistiarani 2024). The infrastructure development has added fuel to the fire of agrarian conflicts in coastal areas that emerged just after decentralization. In this region, the conflict was caused by a planned open-pit *iron sand* mining project managed by PT Jogja Magasa Iron. Kulonprogo's coastal residents rejected the plan (Luthfi et al, 2009; Widodo, 2013).

The conflicts that occurred were motivated by differences in views between stakeholders, namely the government, PT Angkasa Pura, pro and contra communities, as well as the status of community land claimed to be on Pakualaman Ground property rights (Habib et al. 2022). Community conflicts are also related to the dynamics of the community's diverse land ownership classes (Yistiarani, 2024).

The agrarian conflict has caused deep wounds for residents, causing them to question the existence of the ruling authority and the development processes taking place in the Yogyakarta region. In the speech of one of the opponents of mining development in Kulonprogo (Widodo, 2013),

"On the peasantry that you will use as guinea pigs (experimental rabbit), we managed to support our families, our communities. It's bullshit development, if there is still eviction environmental destruction and suppression of human rights. There is no better word for us coastal farmers than 'fight back'. These actions we take do not mean that we are anti-development. It does not mean that we are rebels or treasonous. But we are also people who have the right to survive and we also have the right to be protected by the state.

["Pada kaum tani yang akan kalian gunakan untuk kelinci percobaan, kami berhasil menghidupi keluarga kami, masyarakat kami. ...Tai kucing pembangunan bila di situ masih terjadi penggusuran perusakan lingkungan dan penindasan hak asasi manusia. Tidak ada kata tepat bagi kami, para petani pesisir selain 'Lawan!'. Tindakan-tindakan tersebut kami lakukan bukan berarti kami ini anti pembangunan. Bukan berarti kami ini adalah pemberontak dan ataupun makar. Tapi kami juga orang-orang yang punya hak untuk bertahan hidup dan juga kami punya hak untuk harus dilindungi negara]."

Capitalization of Urban Space

The third context is the increasing capitalization of urban space marked by the proliferation of hotels, malls and apartments. This expansion of private development also creates

conflicts and disagreements in the community, both in land issues and environmental issues that are unique to urban areas such as the struggle for groundwater resources, open space, road access and parking management in these economic centers.

A typical urban agrarian conflict in Yogyakarta is related to the presence and construction of hotels and apartments. The massive extraction of groundwater by the hotel around the community of Miliran, Yogyakarta City, has been strongly resisted. The community feels that the water debit of household wells has decreased drastically since the operation of the 'Fave Hotel' in their area, in Miliran. The rejection took place openly and even through theatrical actions in front of the hotel when the situation was busy. This conflict received widespread attention. Watchdoc documented it in a film called "Belakang Hotel" (Watchdoc, 2014), which captured the case not only in Miliran but also in Gowongan, a neighbourhood one row south of Malioboro where there are many hotels. The struggle for space around this area also hardens in the form of social identities related to the struggle for parking spaces. Sentiments have emerged on behalf of locality and inter-generationalism, for example by calling themselves as '*Aku Cah Kene*' (I'm a native boy here) and '*Aku Cah Lawas*' (I'm the old ruler here). These terms emerged later and are different from the gangs that existed in the late 80s-90s (*Gemax, Joxin*, etc). Based on a particular regional identity, they are more politically affiliated, while the current ones emerge because of struggles over (economic) space (Luthfi et al, 2009), although both characters are now converging in the context of the struggle for and domination of strategic spatial resources in urban areas (Puspitasari, 2013).

The construction of Utara apartment since 2013 on Jalan Kaliurang KM 5.3, Caturtunggal, Sleman, is a prominent case. The conflict involved a UGM vice minister and lecturer who is also the largest shareholder of the apartment, with Karangwuni residents who felt their living space would be affected. Protests, petitions and legal processes were taken by residents, but they were criminalized with charges of damaging property in the form of promotional billboards belonging to the apartment. One of the residents was accused with 5.5 years in prison.

If you look at the trend of the last ten years, the development is indeed quite high. Until 2014 there was a rapid increase in the transfer of land rights for hotels. On average, the Yogyakarta City Licensing Office (Dinas Perizinan Kota Yogyakarta) received 55 applications for Building Permit (Ijin Mendirikan Bangunan/IMB) for hotels, and in 2013 there were 134 applications for IMB, and 104 applications in 2014. From 2011-2015, there were 97 location permits for hotel development that required 138,142 m² of land in urban areas. This means the area that has been approved for hotel development (Sesanti 2016). Although there has been a decrease in the amount of land applied for and permitted for hotel development, the number of changes in land rights and use for hotels remains large.

This has an impact on spatial changes, community land ownership, land conflicts and environmental issues.

The large number of hotels license applications opens up opportunities for inappropriate use of land with environmental impacts and opportunities for corruption, especially since 2019 when the moratorium was ended. Civil society has criticised the issue. The arrest of the Mayor of Yogyakarta by the Corruption Eradication Commission (Komisi Pemberantasan Korupsi) in June 2022 for bribery to obtain a hotel licence signalled a huge problem.

Tourism and Conservation

A series of studies have explored the complex dynamics of land and tourism conflicts in Gunung Kidul. Farid et al. (2022) and Afala (2017) both highlight the role of governance and the contentious relationship between government, local communities and tourism management in the Pindul Cave area. The potential for conflict is further exacerbated by the economic and land ownership structures that emerge along with the development of tourist attractions. Sulistyono et al. (2023) and Sekarningrum et al. (2020) emphasize the importance of community-based tourism and innovative conflict management strategies in addressing these issues. This includes environmental conservation efforts and the need for effective communication management, particularly involving local stakeholders.

Atik Damayanti, a partial landowner, is in conflict with Pokdarwis as tourism literacy community, and BUMDes of Bejiharjo Village, Gunungkidul Regency. There is a conflict in the management of Pindul Cave tourism where there are 11 competing Pokdarwis, resulting in some brokers and marketing actors manipulating the price of tours at Pindul Cave (Farid, 2022).

Sulistyo (2023) examined the strategies and policies taken by pokdarwis to overcome the conflict between environmental preservation and tourism development in the Gunung Sewu UNESCO Global Geopark area, including environmental cleaning, the use of environmentally friendly materials, restrictions on tourists, operators, and waste management.

Another similar case occurred in Bleberan Village, Gunungkidul in the management of Sri Gethuk Waterfall. The issue of social inequality and unclear division of power in the management of tourism objects is a source of conflict. There is an unclear division of authority in the management of tourist attractions due to the weak role of BUMDes so that the redistribution of welfare in the management of the Sri Gethuk Waterfall tourist attraction is unequal (Abisono et al., 2020).

Conflict over tourism management also occurred in Jogoboyo, Kulonprogo, due to the violation of the agreement to hand over the revenue from the retribution to the village

treasury. Until 2019, the Gunungkidul Tourism Office (Dinas Pariwisata) noted that tourism management conflicts also occurred at Puncak Gunung Gentong Gedangsari Gunungkidul (4G) and Watugupit in Purwosari District. The problems that arose in both locations were caused by various community groups claiming to be the rightful party to manage tourism objects. Conflicts over the management of tourism levies between community groups, village governments and district governments (Kamim, 2021).

Interestingly, the conflicts in the Gunung Kidul and Kulonprogo regions with beach tourism and geoparks are not due to the *exclusion* of communities from their agrarian spaces, but conflicts arise because they are not included as part of the tourism economy, 'for better inclusion' (McCarthy, 2020). The term 'Pokdarwis' (Kelompok Sadar Wisata, tourism literacy community)' reflects this demand for inclusiveness in tourism, rather than resisting it, by extending the meaning of awareness to business convenience standards such as visitation volume, waste management, and other tourism management standards.

The phenomenon of openness to tourism above is accompanied by the high poverty rate and migration of Gunung Kidul residents. Yogyakarta is declared as a region with a high poverty rate, reaching 11.49% of the total population. Referring to data of Central Bureau of Statistics (Badan Pusat Statistik, BPS), in 2021 the number of DIY residents below the poverty line reached 506,450 people or 12.80% of the total DIY population of 3,713,000. This poor category is based on per capita expenditure below IDR 482,855 per month. In addition to the high poverty rate, the migration flow, especially from Gunung Kidul Regency in the last five years according to BPS data, is also high. There were 15,308 migrations from Gunung Kidul to the outside. This indicates the inability of the region of origin to provide jobs that support the welfare of residents (BPS 2022 in Septi Satriani et al, 2022).

The phenomenon of population migration has led to another reality: *rural gentrification*, the abandonment of land and houses by its inhabitants as they migrate out of town (Ristiawan, Huijbens & Peters 2023b). The abandoned lands have resulted in low land prices and have been bought by many investors, including one famous artist, Raffi Ahmad, who reportedly bought 20 hectares of land to build a "Beach Club" on a hill in Gunung Kidul (Kedaulatan Rakyat, 17 December 2023). The high tourism and land market in Gunung Kidul is also linked to the patrimonial government in Yogyakarta (Ristiawan, Huijbens & Peters, 2023a).

The restoration of the sand dunes in 2007 resulted in massive evictions on the coast of Bantul. The eviction was carried out in the name of the *Parangtritis Geomaritime Science Park (PGSP)* project with the concept of research, conservation and tourism using an area of 347 hectares (PPMI DK Yogyakarta, 2016). One of the women survivors, Bu Kawit, who helped fight against this eviction explained, "I saw seven houses being demolished with

heavy equipment. The residents were still intact, and the demolition was intended for the Parangtritis eviction sample. After that in 2008, to the west of Karangbolong, there was also an eviction. Hundreds of houses were evicted and no place to move to. Then in Parangkusumo, there were also 117 houses that were evicted." He wrote about his long struggle in a book entitled "Catatan dari Orang Kecil untuk Orang Kecil/ Notes from Small People for Small People" (Kawit 2023).

Racial Discrimination

The fifth context is discrimination. At the national level, since the introduction of regional autonomy, there has been strong identity-based mobilization. This takes the form of a resurgence of indigenous peoples demanding recognition, but on the other hand there is also ethnic politicization in the form of strengthened discrimination and stereotyping of the Chinese community (Davidson, 2018).

In Yogyakarta, discrimination against the Chinese community in relation to land issues has existed for a long time, especially through the Yogyakarta Regional Head Instruction No. K-898/I/A/ 1975 on the Uniformity of Policies for Granting Property Rights to Non-Pribumi Indonesians (Penyeragaman Policy Pemberian Hak Milik kepada Seorang WNI Non Pribumi). This discrimination has strengthened again in the past two decades, especially since the case of the rejection of the transfer of property rights from Johannes Haryono Dardedono to Budi Satyagraha in 2000 by the Bantul District Land Office. The land office made the refusal decision because the applicant Budi Satyagraha was a citizen of Chinese descent, thus applying the 1975 Regional Head Instruction (BPN Bantul 2001, Case File Document).

People of Chinese descent who bought land with property rights must first convert to state land and then be given back their rights in the form of Building Rights Title (Hak Guna Bangunan) or other rights. This policy is considered an affirmative policy for the people of Yogyakarta (Puri 2013), as well as aiming to protect the people from the pressure of land acquisition for development purposes (government and private) in the early New Order period. This perspective in the form of affirmative politics certainly has no basis. Normatively, referring to land law in Indonesia as stated in Article 11 (2) of the 1960 BAL, what is called 'discrimination' is actually based on the 'class' of land ownership and not on the category of 'ethnicity'. This is also regulated by Article 5 of Yogyakarta Special Region Regulation No. 5/1954 on Land Rights in DIY, which ensures that all citizens have the right to own land. The Specialness of Yogyakarta Law also emphasizes that the head and deputy head of the region must not make discriminatory decisions (Article 16 [a]).

The discrimination became so strong that Chinese residents in Yogyakarta created an alliance called 'Forpeta NKRI' (DIY Land Care Forum for NKRI) which fought not only for Chinese property rights issues but expanded by making reports and petitions to

various state institutions regarding land conflict in Yogyakarta. However, until now the discriminatory practices and regulations have not been ended but have become even more blatant since the issuance of Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flat Housing Units, and Land Registration (Peraturan Pemerintah Nomor 18 Tahun 2021 Tentang Hak Pengelolaan, Hak Atas Tanah, Satuan Rumah Susun, dan Pendaftaran Tanah). The elucidation of Article 94 of the Government Regulation states "Basically, Indonesian citizens are the subject of rights that can have property rights. The change of building use rights into property rights is carried out in accordance with the provisions of laws and regulations. However, this provision is exempted for regions that have local wisdom policies that do not grant property rights to Indonesian citizens, such as the Special Region of Yogyakarta. [*Bahwa pada dasarnya Warga Negara Indonesia merupakan subjek hak yang dapat mempunyai hak milik. Perubahan hak guna bangunan menjadi hak milik dilakukan sesuai dengan ketentuan peraturan perundang-undangan. Namun demikian, ketentuan ini dikecualikan untuk daerah yang mempunyai kebijakan kearifan lokal belum memberikan hak milik kepada Warga Negara Indonesia seperti Provinsi Daerah Istimewa Yogyakarta*]." The diction of this explanation is vague, but it is clear enough to understand that what is meant is the non-granting of property rights to the Chinese community. The land rights regulation, which is a derivative of Law No 11/2020 on Job Creation that is supposed to apply nationally, contains a "entrustment clause" (Antoro, 2021) that specifically regulates the Yogyakarta region.

The government policy supported by the central government at the local community level appears through the reproduction of historical stigma in the past which has an impact on the treatment of the Chinese community. Even The Regional Representative Council RI member for Special Region of Yogyakarta gave a statement that those who filed a lawsuit against the land system in Yogyakarta, not to choose to live in Yogyakarta. This statement came in response to Felix Juanardo Winata's lawsuit to the Constitutional Court in 2019 (JogjaTV, 23 November 2019).

In the above case, we can see that the absence of a class perspective that looks at power relations and the structure of land ownership in Yogyakarta, can lead to a wrong reading of one's social identity or cultural approach. If this class perspective is used, then strong social groups based on land ownership, regardless of their social identity and origin, should have redistribution politics applied to them; and on the contrary, affirmation politics can be given to those with any ethnic background as long as they are economically weak or land ownership class.

Conflict Resolution Roadmap Framework

Some of the cases presented above aim to show the phenomenon of agrarian conflict in various *typologies/identifications*. These various typologies with different contexts

require different ways of understanding the conflict, so that different imaginations of resolution are born. The approaches of '*citizenship*', 'human rights' and 'politics of access' are some of the approaches that can be used as a road map in looking at the above issues.

Citizenship

Citizenship has traditionally been defined as "a particular political practice involving public rights and obligations with respect to a political community" (Bellamy 2008). This definition focuses on the rights and obligations of members towards the political community. In contrast, Bellamy creates a definition of citizenship that includes three components: *membership*, *rights* and *participation*. These three components make up the status of citizenship, so Bellamy goes on to say:

"Citizenship is a condition of civic equality. It consists of membership of a political community where all citizens can determine the terms of social cooperation on an equal basis. This status not only secures equal rights to the enjoyment of the collective goods provided by the political association but also involves equal duties to promote and sustain them – including the good of democratic citizenship itself." (Bellamy, 2008).

Membership in political associations or communities is not always state (central) institutions, but also communities within the regional or local scope. It is at this point that this study finds its significance. As Jacob and Le Meur (2010, cited in Lund 2011) discuss the concept of citizenship in relation to property ownership, they see that there are multiple citizenship-ownership statuses. While a person has national citizenship, which gives them certain rights, it is not the only significant form of ownership in the political community and the only source of rights. An increasingly used reference in African societies, for example, is what might be called "national and local citizenship". The notion of the *autochthonous*, the first comers, is often cited as a mechanism of inclusion and exclusion.

In the above perspective, there will be dualism in seeing the status of citizenship in Yogyakarta. The first status is that of a national citizen subject (*warganegara*), and the second status is that of a citizen (*warga-nagari*) from the Yogyakarta region who is contained within the royal patrimonial relationship.

Beyond understanding citizenship solely in terms of its formal status, it is important to understand it in terms of four dimensions or stratification of citizenship as schematized by Stokke (2017). In this view, modern citizenship can be understood in four interrelated dimensions: membership, legal status, rights, and participation. The meaning of citizenship is not eternal but transformative, always contextual and political: the form and

substance of citizenship are the result of competing interests, strategies and capacities in diverse political spaces. Thus, we can conclude that citizenship is not a given and fixed condition but something that is fought for in diverse political spaces. This understanding refers to the notion of "agrarian citizenship", which is "the interconnected relationship between land, power, social organization and rural citizenship in the context of different social and economic structures" (Wittman 2009).

Agrarian Justice and Human Rights

Agrarian justice is a social movement framework (Snow and Benford 1992 cited in Jennifer C. Franco and Sofía Monsalve Suárez 2021) that begins with an overarching notion of social justice as a measure of a good society and a guide for corrective social and political action (e.g. identifying conditions of injustice that must be changed).

Land struggles as a part of land conflict, are not new or a random fluke in history. Rather, they are part and parcel of the 'double movement' (Polanyi 1944 [2003]). When land or living space is commodified for the expansion of a market-driven economy and related efforts to regulate things that are 'decidedly not commodities', i.e. land, labour and money, to the market, it in turn triggers a 'counter movement'.

In the last 30 years, human rights, including human rights to land, have come to frame social movements (Claeys, 2016). It increasingly shapes the repertoire of actions, advocacy campaigns and struggles of rural working class, indigenous women, ethnic, rural and other marginalized groups (Suárez, 2013). This trend reflects a defensive reaction to a new round of capitalist encroachment and encirclement ('the global land grab') and the ways in which powerful state and non-state actors use the law to control land to facilitate multi-faceted capitalist accumulation across multiple contexts and arenas.

The 2018 United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) is an international human rights instrument that recognizes the human rights of *peasants* and *other people* working in rural areas. It recognizes their right to land, individually or collectively, including the right to have sustainable access to land and water, coastal areas, fisheries, pastures and forests, to achieve an adequate standard of living, to have a safe, peaceful and dignified place to live and to maintain cultural practices related to identity and livelihoods (Article 17.1).

Similarly, at the national level, the KOMNASHAM/ National Human Rights Commission issued Standard Norms and Regulations No. 7 of 2021 on Human Rights to Land and Natural Resources. Article number 40 states, "Human rights relating to land and natural resources are universal, meaning that everyone, whether living in cities or villages, whether rich or poor, regardless of sex, sexual orientation or gender identity, race, ethnicity, religion, language, class and political choice, is entitled to respect,

protection and fulfilment of human rights to land and natural resources." However, such covenants and norms do not automatically fulfil the ideals of the values they contain. The fulfilment of rights is a political arena that requires struggle for the rights-holding subjects.

Politics of Access

Hall, Hirsch and Li (2010) identify four schemes of the exclusion/access process. They explain that exclusion/access occurs through *regulatory schemes*, often but not always associated with state-legal instruments, which set the rules of access to land and the conditions of its use. When the state excludes people from the vicinity of a national park, for example, it is at the same time creating access to the area called the national park. When regulations designate land as royal property, it can only be done by removing land that is not royal land for example, and land that is not royal land can be in the form of private land, state land and so on. When this categorical exclusion is done, the regulation then strengthens the regulation of how to access it.

Force, on the other hand, is a form of violence or threat used to create access by excluding others. This coercion can be exercised by the state by deploying security forces, and can even be exercised by neighbouring residents who exclude others in order to, for example, benefit from parking spaces in the city. The next exclusion/access mechanism is *the market*, which works by creating a price for land or other resources. Buying land at a high price to gain access is the same as denying others who are trying to access it at a low price. *Legitimation* refers to a form of exclusion/access that is based on identity. This exclusion scheme is close to the access routes Ribot and Peluso mentioned above with access through identity and social relations. Specialness of Yogyakarta, for example, can be referred to as legitimacy based on culture and history/origin. The scheme as the identity of native-ness or originality provide the basis for exclusion of anyone who is called an outsider or foreigner. In the context of customary land, for example, access to customary land can only be obtained by excluding those who are not part of the indigenous community. In the process of recognition, there is also a process of exclusion.

Closure and Conclusion

The approach of '*citizenship*', '*human rights*', and '*politics of accesses*' will change the tendency of criminalization of various responses to people's movements and responses to conflicts. It is necessary to priorities the political position of the community as citizens, human beings with all their human rights, and dynamic political subjects in accessing agrarian resources, as the basic capital for the next process in efforts to resolve land conflicts in Special Region of Yogyakarta.

In particular, the '*politics of access*' approach is important to replace the current '*actors and institutions*' approach to land politics. The politics of access approach opens

up a broad dimension that goes beyond the understanding that it is 'regulation' that is solely an inhibiting force or cause of conflict escalation. Land conflicts accompanied by the power of exclusion take place through the power of 'coercion', 'regulation', 'market' and 'legitimacy'. By understanding the power of exclusion, it is hoped that the road map to end conflicts, restore victims' rights, and improve policies that are more inclusive will not only be pursued through legal channels, but also more broadly including encouraging the 'political' process or more precisely 'politics of access' in a broader sense.

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