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**THE PRINCIPLES OF LAND USE IN THE MORPHOLOGICAL DIMENSION OF SPATIAL
MANAGEMENT IN AN URBAN AREA OF THE PROVINCE OF SOUTH SULAWESI
(SOCIO-LEGAL REVIEW)**

Muhammad Adnan Lira

ABSTRACT

Today the utilization of residential areas in urban areas is growing rapidly. Therefore, it is necessary to control and use land optimally by increasing its efficiency and productivity to realize an orderly arrangement of tenure and use. This study aims to analyze and explain the principles of land use in the morphological dimension of spatial planning in the development of the urban area in South Sulawesi Province, the development of urban areas in South Sulawesi Province related to the Spatial Planning Strategy, and the factors influencing the development of urban areas in South Sulawesi Province related to the Spatial Planning Strategy.

It is explanatory research that surveyed social aggregation and the correlation between social unity and total population. The study was carried out in South Sulawesi Province, in two cities (Makassar and Palopo), and three regencies (Gowa, Pangkep, and Soppeng). The population includes all decision-makers of city area development, including Provincial and Regency/City Regional Government apparatus, which are subjects in the development of cities and communities involved in spatial planning. The samples were selected purposively with the number of 80 consisting of apparatus and communities from Makassar (16 respondents), Palopo (16 respondents), Gowa (16 respondents), Pangkep (16 respondents), and Soppeng (16 respondents).

There are two types of data in this study. The primary data were collected through interviews, questionnaires, and observation, while the secondary data were gathered from the literature review. Then, the primary data were analyzed using multiple regression and statistical Analysis System (SAS) while the secondary data were analyzed descriptively.

It is concluded that The principles of land use in the morphological dimensions of spatial planning in developing urban areas in South Sulawesi Province include integration, efficiency and effectiveness, harmony and balance, sustainability, openness and equality, justice, and legal protection. Even though they have been accommodated in the Provincial and Regency/City Spatial Plans, they are still not optimally used as guidelines for developing urban areas. Then, the development of urban areas in South Sulawesi Province in terms of spatial planning strategy is still not optimal to be referred to by the Provincial and District/City Spatial Planning for Urban Areas. Lastly, the development of urban areas in South Sulawesi Province is positively influenced by legal substance, legal structure, legal culture, facilities and infrastructure, legal awareness, and the environment. At the same time, the coordination factor brings a negative influence

INTRODUCTION

Land, one of Indonesia's biggest assets, must be utilized optimally for the prosperity of the nation. Therefore, regulation, control and stewardship of the land are necessary. Land consolidation can be used as a model for increasing the usability and efficiency of land as well as aligning individual interests with the social function of land to support development programs.

Today the utilization of residential areas in urban areas is growing rapidly. Mc. Auslan (1986 : 131) mentioned that the obsession to build a metropolis leads to urbanization, uncontrol horizontal physical expansion, competition, and land ownership conflict. Therefore, it is necessary to control and use land optimally by increasing its efficiency and productivity to realize an orderly arrangement of tenure and use.

The Basic Agrarian Law provided guidelines for land control and ownership. Articles 7 and 17 of the UUPA stated that land ownership should not exceed the maximum limit. So far, this regulation is only addressed to agricultural lands. Meanwhile, urban land tenure is not regulated by Article 7 and Article 17 of the BAL. Indeed, the Regulation of the Minister of Home Affairs Number SK.59/DJAI1 970 stipulates that control of urban land that exceeds five parcels must obtain permission from the Minister of Home Affairs. The Ministerial Regulation does not explicitly contain restrictions or restrictions because it does not specify how much area a person may have in each field. These provisions are only paper tigers and have no juridical provisions.

The problems faced by South Sulawesi, especially Makassar, and some other big cities there, include the need for land which continues to increase due to migration which is getting more massive. It brings an impact on land prices in the area, and because of that, social conflicts arise. On the other hand, the penetration of housing investors, especially those competing to open settlement areas, has made land issues increasingly crucial and urban spatial development increasingly out of control. This means that the area is increasingly not well planned. In other terms, Suyatno (1996:39) defined it as a city with premature suburbanization. Surbakti (1986:12) states that the implementation of urban land use is very chaotic as a consequence of inconsistent land use.

Therefore, if it is not anticipated earlier, it could lead to more various forms of social conflicts in society. The condition can worsen if the Spatial Planning (land use) in urban areas is not carried out based on the predetermined plan and monitoring of urban land use is not implemented according to the Spatial Planning (land use).

Based on the discussion above, the issue of recognizing spatial planning (land use) in the implementation of urban area development in South Sulawesi Province is important to be investigated through in-depth research.

Article 1 number 1 of Law Number 26 of 2007 concerning Spatial Planning defines space as a container consisting of land space, sea space and air space, including space within the earth as a unified territory where humans and other creatures live, carry out activities, and survive. Also, Robinson Tarigan (2005, 111) defines space as the medium on the earth which supports human and other creatures' lives.

Furthermore, Article 1 Point 2 of Law No. 26 of 2007 stipulates spatial planning as a spatial structure and spatial pattern. Thus, spatial planning is a manifestation of spatial

patterns and structures that are formed naturally and a manifestation of the natural and social processes due to continuous learning. Spatial planning and its changes are actually materialized before the structured spatial layout is changed.

Based on the definitions above, it can be concluded that space is the place gifted by God where humans can survive with their lives. While spatial planning is a process related to spatial planning, utilization, and use control.

In addition, Johara T. Jayadinata (1992:7) defined land use as the management of the utilization of the earth, including land and ocean.

This study aims to:

- 1) Analyze and explain the principles of land use in the morphological dimension of spatial planning in the development of the urban area in South Sulawesi Province.
- 2) Analyze and explain the development of urban areas in South Sulawesi Province related to the Spatial Planning Strategy.
- 3) Analyze and explain the factors influencing the development of urban areas in South Sulawesi Province related to the Spatial Planning Strategy.

METHOD

It is explanatory research that surveyed a social aggregation and the correlation between social unity and total population (Faisal, 1995: 43). The study was carried out in South Sulawesi Province, in two cities (Makassar and Palopo), and three regencies (Gowa, Pangkep, and Soppeng). The population includes all decision-makers of city area development, including Provincial and Regency/City Regional Government apparatus, which are subjects in the development of cities and communities involved in spatial planning. The samples were selected purposively with the number of 80 consisting of apparatus and communities from Makassar (16 respondents), Palopo (16 respondents), Gowa (16 respondents), Pangkep (16 respondents), and Soppeng (16 respondents).

There are two types of data in this study. The primary data were collected through interviews, questionnaires, and observation, while the secondary data were gathered from the literature review. Then, the primary data were analyzed using multiple regression and statistical Analysis System (SAS) while the secondary data were analyzed descriptively.

Findings And Discussion

A. Principles of Land Use in the Morphological Dimensions of Spatial Planning in the Development of Urban Areas in South Sulawesi Province

Urban area development policies can regulate well if a clear regulatory basis is available. For this reason, the Government make various policies regarding the implementation of urban area development patterns as outlined in several laws and

regulations, therefore an inventory as an initial activity of legal research on provisions in the field of land use is very urgent to ensure legal certainty.

A land is a place for humans to fulfill their life needs, both in the past, now, and future. Each land, forest, or mines usage is regulated. Regulation aims to protect the rights holders, the state, and the public interest..

Article 14 paragraph (1) Law no. 5 of 1960 emphasized that the Government must make a general plan regarding the supply, designation and use of earth, water and space as well as the natural resources contained therein for the purposes of:

- 1) Country;
- 2) Worship and other sacred requirements according to God Almighty;
- 3) Centers for community, social and cultural life and welfare;
- 4) Development of agricultural production, animal husbandry, fishery and other things that are in line with it;
- 5) The need to develop industry, transmigration and mining.

These provisions are related to Article 15 of Law No. 5 of 1960 which states that each individual must maintain and prevent land damage. That is, all those who have the right are obliged to use the land by considering the capability of the land. Based on the objects of agrarian law, consisting of the earth, water, space and the natural resources contained therein, the most appropriate concept according to the Directorate of Land Use (1984:1) is Agrarian Use Planning which includes:

1. *Land use planning;*
2. *Water use planning;*
3. *Air use planning;*
4. *Resources use planning.*

Furthermore, Government Regulation No. 16 of 2004 concerning Land Use Management, answering and realizing Government regulations Article 14 junction Article 15 Law no. 5 of 1960 that regulates the government's obligation to prepare plans for the use, control and ownership of land in government regulation.

Based on this government regulation, land use according to Article 1 Paragraph 1, is a pattern of land use management that includes control, use and utilization of land through consolidation of land use and regulated institutionally so that land use becomes a unified system for the benefit of a just society.

If it is examined carefully, basically, there are four essential elements in land use stewardship:

- (a) There are a series of activities/activities, including the collection of field data regarding the use, control, physical capacity, and planning for the use of land, the control is carried out integrally and coordinated with other agencies;

- (b) It is carried out based on a plan, meaning that it should be in accordance with sustainable, optimal, harmonious and balanced principles;
- (c) The existence of goals to be achieved, in this case, must be in line with the goals of development for the prosperity of the people;
- (d) Must be directly related to the placement of development projects by taking into account the list of priority scales (DSP).

Based on the purpose of land use stewardship, it is necessary to carry out the following methods:

1. Trying not to make mistakes in land use, so that data regarding the physical capacity of the land, social conditions, and community economic factors must be considered;
2. Trying to avoid mismanagement of land use, to prevent a decrease in quality (Articles 15-16 paragraphs (1) and (2) of the UUPR);
3. Increasing community demand for land needs to be controlled to avoid conflict (Article 17 UUPR);
4. Guarantee legal certainty for community land rights.

To prevent the decline in the quality of the urban, residential environment, and to improve land use and the environment, the government is building urban settlements considering that land in urban areas is very limited while the need for land is increasing. This is due to population growth and urbanization.

The development of urban settlements that require land refers to the law on land use Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia and Article 2, Article 14 and Article 15 of the UUPA.

Therefore, the development of urban settlements must be properly organized and planned in accordance with spatial planning and land use. Environmental facilities must also be provided to create a functional residential environment for community life and livelihood.

In addition, land is an important element in urban planning. Reasonable land location for each activity with limited land size as well as with population density, in the long run, has influenced urban planning concepts. In this case, land use planning is an important component in the development of urban areas.

Land use plans do not only refer to planned land use for certain sectors, but for all development activities. The land use plan organizes development projects initiated by the government or non-governmental organizations according to the policy. Land use must be planned comprehensively (overall) with various tradeoffs in mind so that values, goals, and assumptions can be achieved.

B. Development of Urban Areas in South Sulawesi Province in Terms of Spatial Planning Strategy

South Sulawesi Province according to Regional Regulation no. 9 of 2009 concerning the Spatial Plan of the Province of South Sulawesi for 2009-2029, is an elaboration of the Spatial Plan for the Mamminasata Metropolitan Area in the form of a spatial utilization pattern that can be used as a reference in developing the spatial structure of the Province and Regency/City area. Spatial use includes: plans for establishing cultivated and non-cultivated areas (protected areas), regional economic development strategies, regional transportation system plans and implementation mechanisms and indications for regional development programs in South Sulawesi Province. In general, the material contained in the regional spatial layout plan (spatial plans) is a direction for :

1. Management of protected and cultivated areas;
2. Management of rural, urban and particular areas;
3. Development of residential, forestry, agriculture, mining, industry and tourism areas and others;
4. Development of rural and urban settlement center systems;
5. Development of land, water, and air use and other resources.

The policies and strategies for regional spatial planning in South Sulawesi are implemented through the development of spatial structures and regional spatial patterns, including:

- a. Improving the access to urban services and centers of economic growth in land, sea and small islands evenly and hierarchically;
- b. Improving the quality and coverage of network services for transformation infrastructure, telecommunication, energy and water resources that are integrated and evenly distributed throughout the province; And
- c. Province strategic area development. (Article 5 of Regional Regulation No. 9 of 2009).

The South Sulawesi Provincial Spatial Plan is then further elaborated by the Regency/City in the form of a spatial use pattern which is used as a reference in the development of the district/city spatial structure, such as: Makassar City Regional Regulation No. 6 of 2006 concerning the Makassar City Spatial Planning 2005-2015 and Regional Regulation No. 18 of 2003 concerning Spatial Plans for Gowa Regency 2003-2013.

The development of Makassar City is based on its physical characteristics and progress, thus it is divided into:

1. Development Area I, aims to increase the role and function of the area based on the development of basic urban economic infrastructure;
2. Development Area II, aims to develop urban residential areas integratedly;
3. Development Area III, aims to revitalize the city;
4. Development Area IV, aims to integratively develop the area as a international integrated center for cultural activities and an integrated global business center;
5. Development Area V, aims for tourism purposes.

However, in reality, land use management in RT RW, either at the Provincial or Regency/City level had not yet synchronized, as can be seen from the following table.

Table 1
Respondent's Opinion about the Synchronization between Land Use Management and spatial plans

categories	Regions/ Cities					Total	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Synchronous	6	11	6	8	5	36	45
Less synchronous	10	2	10	8	9	39	49
Not synchronous	-	3	-	-	2	5	6
Total	16	16	16	16	16	80	100

Source: Process Primary Data, 2010.

Based on the table above, the Regency/City Governments, in determining their regional development strategies, especially urban areas, have not based policies on land use with the spatial plans. In addition, implementing the spatial plans in the development of urban areas has not yet become a policy reference, so it has not created safe, orderly, smooth, and healthy cities.

This condition is caused by insufficient data regarding land use in the development of urban areas so that in each district/city, the created urban areas are not in accordance with the spatial plans. This is illustrated in the table below.

Table 2
Respondents' Opinion about Information /Data on Urban Areas Development

Categories	Regions/Cities					Sum	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Supporting	-	6	9	8	7	30	37
Less supporting	16	10	7	2	7	44	44
Not Supporting	-	-	-	4	2	6	6
Total	16	16	16	16	16	80	100

Source: Processed Primary Data, 2010.

Based on the data above, basically, the urban area has not been managed well because there is a lack of data on land use management. Consequently, the development of urban areas in South Sulawesi is still poorly arranged. The provincial and regional spatial plans has not been implemented synchronously as each region developed its urban area independently without supervision and coordination.

Land use for the development of urban areas requires coordination between relevant and competent agencies to realize cities as targeted by the spatial plans. Based on the research findings, we identify that coordination between agencies in land use stewardship has not been well established, as shown in the following table:

Table 3
Respondents Opinions About Inter-agency Coordination in Land Use Management

Categories	Regions/Cities					Sum	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Coordinated	8	10	2	2	8	30	37
Less coordinated	8	6	14	11	8	47	59
Not coordinated	-	-	-	3	-	3	4
Total	16	16	16	16	16	80	100

Source: Processed primary data, 2010.

The table above shows that in general respondents considered coordination between agencies in land use management for the development of urban areas to be lacking (59%) or non-existent (4%). Meanwhile (37%) stated that coordination between agencies had been established. This fact seems to have caused the development of urban areas in the province of South Sulawesi to be rather chaotic and not well-planned. Obstacles leading to the coordination not being well established can be seen in the following table:

Table 4
Respondents' Opinion about the Obstacles of Coordination Between Institutions in Land Use Management

Categories	Regions/Cities					Sum	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Stewardship planning	6	9	2	6	4	27	34
Stewardship implementation	9	7	9	8	7	40	50
Acts/Sanctions	1	-	5	2	5	13	16
Total	16	16	16	16	16	80	100

Source: processed primary data, 2010.

Data in the table above indicate that the problem interrupting the coordination is the absence of the confirmation of the land-use management to all involved institutions. The findings show that 40 (50%) respondents believe that the barrier occurs in the implementation of land use management. While 27 (34 %) respondents argued that the problem lay in the absence of coordination on the land use management planning, and 13 (16%) respondents stated the absence of sanction is the cause of violation of land stewardship.

In addition to the lack of coordination in land use stewardship in regional development resulting from the poorly coordinated implementation of land use stewardship, another causal factor was that each agency considers itself to have the most authority in implementing land use stewardship. From the findings, we identified that there is a counter-authority between agencies, as can be seen in the table below.

Table 5
Respondents' Opinion About the institution which has the authority in Land Use management

Categories	Regions/ Cities					Sums	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Spatial Planning Office	7	9	10	12	14	27	34
National Land Agency	5	3	5	4	1	40	50
Office of Spatial Planning and BPN	4	4	1	-	1	13	16
Total	16	16	16	16	16	80	100

Source: Processed primary data, 2010.

Based on the data above, land use management for urban area development is institutionally handled multisectoral. The authority of land use management is held by several institutions, including Spatial Planning and Settlement Service, and the National Land Agency, both at the Provincial and Regency/City levels, so there is no single institution that handles it. Thus, in the development of urban areas in South Sulawesi Province, land use stewardship requires an integral institution that has full authority. This is to overcome the institutions of land use in the multisectoral development of urban areas, which are apparently not conducive to the development of legal arrangements for land use. Institutions that have the authority to coordinate land use ineffective urban areas development are the most appropriate parties to reorganize land use, especially in the development of urban areas in South Sulawesi Province.

C. Factors Influencing Urban Area Development in South Sulawesi Province Regarding Spatial Planning Strategy

The inefficiency of urban areas development in the Province of South Sulawesi is inseparable from several factors, such as inadequate laws and regulations regarding regional development, causing practices not in sync with the provisions of regional spatial planning at the Provincial and Regency/City levels. Another consequence is disharmony between competent agencies in the development of urban areas so that the spatial planning strategy cannot be realized as targeted.

In reality, the pattern of development of urban areas in South Sulawesi Province is influenced by several factors, and the dominant one is the coordination factor between competent agencies in land use management.

The development and supervision of urban areas in South Sulawesi Province involve various other government agencies in a cross-sectoral manner. This means that in practice there is cooperation between agencies in the form of coordination. However, the reality does not yet reflect integration and regulatory provisions are still sectoral, so that coordination is not well established.

Coordination as part of the legal structure, by Lawrence W. Friedman is categorized as an institutional element that works inseparable from functional relationships with other institutions in the form of coordination.

Likewise, Soerjono Soekanto explained that law enforcement officers, as one of the factors influencing the effectiveness of law enforcement, have positions and roles that can cause conflict, with various positions and roles (no coordination).

T-test shows that shows that the T value corresponding to variable X_7 is $T = -2,74$. The score is very significant ($\text{Prob} > |T| = 0,0078 = .0,78\%$), because it is smaller than the significance level of $\alpha = 0,05$ (5%). Thus, the Hypothesis $H_0: \beta_7 = 0$ is refused by $H_1: \beta_7 < 0$ is accepted. Thus, it can be concluded that in the confidence level of 95%, the coordination variable or the correlation between institutions (X_7) negatively influences the development of urban areas (Y) in South Sulawesi Province. In other words, the better the coordination or the collaboration between relevant institutions, the worse the quality of urban areas development in South Sulawesi, and vice versa. The regression coefficient of $\beta_7 = 0,21$ shows that if the coordination increases to 100%, the quality of urban areas development will reduce by 21%.

Compared to legal theory, based on findings above, the theory regarding the effectiveness of law enforcement can still be used as a reference in explaining the factors that influence the implementation of land use principles in the development of urban areas in South Sulawesi Province. Thus the theory of law enforcement effectiveness put forward by Soerjono Soekanto is still relevant to defend, or in other words, this research confirms the theory of legal effectiveness.

Also, the Theory of the Legal System by Lawrence W. Friedman defines the legal system in two categories:

1. *Legal structure*, namely institutions created by the legal system with various functions to support the system's work. This component can assess how the legal system serves the regular processing of legal materials;
2. *Legal substance*, namely the rules, norms, and patterns of human behavior, is evident in the legal system. Substance means products produced by people who are in the legal system, in the form of regulations and decisions that are used both by those who regulate and those who are regulated;

3. *Legal culture* consists of the values and attitudes that influence the law's work. Legal culture is a pattern of community legal awareness that crystallizes, becomes a habit, and is followed by all members of society.

Thus the Legal System Theory from Lawrence W. Friedman, based on the current findings, is still relevant, especially in explaining the workings of law in implementing urban area development patterns in South Sulawesi Province.

Pure Law (Stufen theory) from Hans Kelsen considers law as a system of norms; that is, a norm is made of higher norms, and these higher norms are also made up of even higher norms. Therefore, lower legal norms may not contradict higher legal norms.

Based on the findings, Hans Kelsen's Pure Law Teaching Theory is still relevant for studying the synchronization of laws in the development of South Sulawesi urban areas. However, studies on the factors influencing the development of urban areas in South Sulawesi did not use the theory of Hans Kelsen because he wanted to remove the science of law from non-legal elements.

A. Conclusions

1. The principles of land use in the morphological dimensions of spatial planning in developing urban areas in South Sulawesi Province include integration, efficiency and effectiveness, harmony and balance, sustainability, openness and equality, justice, and legal protection. Even though they have been accommodated in the Provincial and Regency/City Spatial Plans, they are still not optimally used as guidelines for developing urban areas.
2. The development of urban areas in South Sulawesi Province in terms of spatial planning strategy is still not optimal to be referred to by the Provincial and District/City Spatial Planning for Urban Areas.
3. The development of urban areas in South Sulawesi Province is positively influenced by legal substance, legal structure, legal culture, facilities and infrastructure, legal awareness, and the environment. At the same time, the coordination factor brings a negative influence.

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THE PRINCIPLES OF LAND USE IN THE MORPHOLOGICAL DIMENSION OF SPATIAL MANAGEMENT IN AN URBAN AREA OF THE PROVINCE OF SOUTH SULAWESI (SOCIO-LEGAL REVIEW)

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ABSTRACT

Purpose: This study aims to analyze and explain the principles of land use within the dimensions of spatial morphology in urban development patterns in South Sulawesi Province and their relevance to spatial strategy. It also aims to analyze and explain factors affecting urban development patterns in the province concerning spatial strategy.

Theoretical framework: Sustainable urban land use emphasizes balancing economic growth, environmental preservation, and social equity. It includes long-term resource sustainability, biodiversity conservation, and climate-resilient communities. Effective urban planning should prioritize inclusivity, community involvement, and sustainable transportation for accessible and functional cities. Regional development theory highlights coordinated policies for sustainable economic growth, environmental protection, and social well-being, including diversifying the local economy and enhancing education and healthcare access. Holistic regional development integrates economic, environmental, and social factors, laying the groundwork for responsible land use.

Methods: The research was conducted in five Regency/cities in South Sulawesi: Makassar, Gowa, Pangkajene and Islands, Soppeng, and Palopo, with 80 respondents selected through purposive sampling. The study employed descriptive analysis with qualitative and quantitative approaches.

Findings: The findings conclude that the principles of land use in South Sulawesi are less than optimally used as guidelines for urban development despite being incorporated into the spatial planning of the Province and Regency/Cities.

Practical implications: The implementation of urban development patterns is suboptimal in coordination with urban spatial plans of the Province and Districts. Legal factors, facilities, legal awareness, and the environment positively influence development patterns, while coordination has a negative impact.

Originality/Value: The study recommends revising or issuing spatial planning regulations following Law No. 26 of 2007. Consistent supervision, control, and sanctioning by local governments in urban development in South Sulawesi. Enhancement of facilities for the supervision and control of spatial planning. Increasing public legal awareness through the socialization of spatial arrangement regulations. Inter-agency coordination in urban development through a One-Stop Service Office for optimal access to land use permission and spatial planning following the spatial plans of the Regency/Cities.

Keywords: Land use principles; Urban development patterns; South Sulawesi Province; Spatial strategy; Spatial planning regulations.

1. INTRODUCTION

Land, one of Indonesia's most valuable assets, is vital to the nation's prosperity. To harness its full potential, the country must establish a robust framework for regulating, controlling, and stewardship of its land resources (Agrawal, 1999; Rachman et al., 2023). In this context, the concept of land consolidation emerges as a powerful model that can significantly enhance the usability and efficiency of land while harmonizing individual interests with the broader social function of land, ultimately contributing to the successful implementation of development programs.

Today, the utilization of residential areas in urban areas is growing. Mc. Auslan mentioned that the obsession with building a metropolis leads to urbanization, uncontrolled horizontal physical expansion, competition, and land ownership conflict (McAuslan, 2019). Therefore, it is necessary to control and use land optimally by increasing its efficiency and productivity to realize an orderly arrangement of tenure and use.

The Basic Agrarian Law provided guidelines for land control and ownership. Articles 7 and 17 of the UUPA stated that land ownership should not exceed the maximum limit. So far, this regulation is only addressed to agricultural lands. Meanwhile, urban land tenure is not regulated by Article 7 and Article 17 of the BAL. Indeed, the Regulation of the Minister of Home Affairs Number SK.59/DJAI/1970 stipulates that control of urban land that exceeds five parcels must obtain permission from the Minister of Home Affairs. The Ministerial Regulation does not explicitly contain restrictions or restrictions because it does not specify how much area a person may have in each field. These provisions are only paper tigers and have no juridical provisions. The problem faced by South Sulawesi, especially Makassar and some other big cities there, includes the need for land that continues to increase due to migration, which is more massive. It impacts land prices in the area, and because of that, social conflicts arise. On the other hand, the penetration of housing investors, especially those competing to open settlement areas, has made land issues increasingly crucial and urban spatial development increasingly out of control. This means that the area is increasingly not well planned. In other words, Mubarak defined it as a city with premature suburbanization (Mubarak, 2004). Implementation of urban land use is very chaotic as a consequence of inconsistent land use (Irwin, 2010). Therefore, it could lead to various social conflicts if not anticipated earlier. The condition can worsen if the Spatial Planning (land use) in urban areas is not carried out based on the predetermined plan

and monitoring of urban land use is not implemented according to the Spatial Planning (land use).

Based on the discussion above, the issue of recognizing spatial planning (land use) in implementing urban area development in South Sulawesi Province must be investigated through in-depth research. Article 1 number 1 of Law Number 26 of 2007 concerning Spatial Planning defines space as a container consisting of land space, sea space, and air space, including space within the earth as a unified territory where humans and other creatures live, carry out activities, and survive. Also, Tarigan, defines space as the medium on the earth which supports human and other creatures' lives. (Tarigan, 2018)

Furthermore, Article 1 Point 2 of Law No. 26 of 2007 stipulates spatial planning as a spatial structure and pattern. Thus, spatial planning is a manifestation of spatial patterns and structures formed naturally and a manifestation of the natural and social processes due to continuous learning. Spatial planning and its changes are materialized before the structured spatial layout is changed.

Based on the definitions above, it can be concluded that space is the place gifted by God where humans can survive with their lives. Spatial planning is a process related to spatial planning, utilization, and use control. In addition, Johara T. Jayadinata defined land use as the management of the utilization of the earth, including land and ocean (Johara, 1992).

This study aims to:

- 1) Analyze and explain the principles of land use in the morphological dimension of spatial planning in developing the urban area in South Sulawesi Province.
- 2) Analyze and explain the development of urban areas in South Sulawesi Province related to the Spatial Planning Strategy.
- 3) Analyze and explain the factors influencing the development of urban areas in South Sulawesi Province related to the Spatial Planning Strategy.

2. THEORETICAL FRAMEWORK

Sustainable development highlights the need for resource and environmental management aimed at meeting current needs without compromising the ability of future generations to meet their needs (Duran et al., 2015; Harris, 2000; Sakalasooriya, 2021; Tomislav, 2018; Waas et al., 2011). In the context of land use in urban areas, this becomes crucial as growth and changes in land use can have significant impacts on the environment and society.

This sustainable approach encourages current land use to consider not only short-term interests but also the sustainability of the environment and the needs of future generations (De Groot, 2006; Fresco & Kroonenberg, 1992; Keesstra et al., 2018). Sustainable development involves the use of natural resources that do not exceed their regeneration rate while maintaining ecosystem sustainability (Barrier, 2017; Hanley et al., 2009).

Applying the theory of sustainable development to land use in these areas requires a balance between economic growth, environmental protection, and social justice (Leal et al., 2023; Pires et al., 2024). Sustainable land use should consider land availability for future needs, preserve biodiversity, reduce environmental impacts, and enhance community resilience to climate change (Cowie et al., 2011; Saavedra & Budd, 2009; Smith et al., 2013, 2016).

Effective urban planning principles involve planned, inclusive, and sustainable development strategies. Successful urban planning is one that makes cities more accessible to everyone, organizes life and work in the right places, and creates beautiful and functional spatial arrangements (Hall, 2014). Effective planning must consider the needs of local communities and promote their participation in decision-making. Community-based development becomes an essential element in ensuring that land use meets the needs of local communities.

Furthermore, sustainable transportation aspects must also be considered. Developing efficient and environmentally friendly transportation systems can reduce air pollution and congestion while improving accessibility and connectivity within urban areas.

Regional development theory considers economic, environmental, and social aspects in land use. Successful regional development requires synergy between coordinated economic, environmental, and social policies (Huggins & Izushi, 2015; Porter, 2011). Regional development theory emphasizes the need for policies that result in sustainable economic growth, natural environmental preservation, and improved social well-being (Forum & Development, 2001). This may include diversifying the local economy, preserving vulnerable ecosystems, and improving access to education and healthcare services for the population.

Holistic regional development will take into account various factors, including economic needs, environmental sustainability, and social welfare. This forms the basis for responsible land use in the region.

3. METHOD

It is explanatory research that surveyed a social aggregation and the correlation between social unity and total population.(De Vaus & de Vaus, 2013; Henn et al., 2005; Shipman, 2014) The study was conducted in South Sulawesi Province in two cities (Makassar and Palopo) and three regencies (Gowa, Pangkep, and Soppeng). The population includes all decision-makers of city area development, including Provincial and Regency/City Regional Government apparatus, which are subjects in developing cities and communities involved in spatial planning. The samples were selected purposively with the number of 80 consisting of apparatus and communities from Makassar (16 respondents), Palopo (16 respondents), Gowa (16 respondents), Pangkep (16 respondents), and Soppeng (16 respondents).

In this study, two distinct types of data were employed for analysis. Primary data were collected through interviews, questionnaires, and direct observations from the research subjects or participants. Secondary data were acquired through a comprehensive literature review, wherein we gathered existing information from reliable sources such as books, journal articles, and other pertinent references related to the research topic.(B. L. Brown et al., 2011; P. A. Brown, 2008)

The primary data we collected were subjected to in-depth statistical analysis, specifically using multiple regression analysis, to identify relationships and influences among various variables under investigation.(Keith, 2019; Montgomery et al., 2021) Additionally, we utilized the latest version of Statistical Analysis System (SAS) software for data processing and to conduct complex statistical analyses.(Cody, 2018; Khattree & Naik, 2018; Stroup et al., 2018) These analyses aided us in identifying patterns, trends, and associations among the primary data variables.

On the other hand, the secondary data were analyzed descriptively. We synthesized information from the existing literature to better understand the research context and support the findings from the primary data analysis.(Nassaji, 2015; Walliman, 2021) This approach allowed us to describe the evolution of concepts, previous research findings, and existing frameworks within the relevant literature. By combining these two types of data, we were able to produce a comprehensive and in-depth analysis of our research topic, making a novel contribution to the understanding of the subject matter.(P. A. Brown, 2008)

4. RESULT AND DISCUSSION

4.1. PRINCIPLES OF LAND USE IN THE MORPHOLOGICAL DIMENSIONS OF SPATIAL PLANNING IN THE DEVELOPMENT OF URBAN AREAS IN SOUTH SULAWESI PROVINCE

Urban area development policies can be regulated well if a clear regulatory basis is available. For this reason, the Government makes various policies regarding implementing urban area development patterns as outlined in several laws and regulations; therefore, an inventory as an initial activity of legal research on provisions in the field of land use is very urgent to ensure legal certainty.

A land is a place for humans to fulfill their life needs, both in the past, now, and in the future. Each land, forest, or mine usage is regulated. Regulation aims to protect the rights holders, the state, and the public interest.

Article 14 paragraph (1) Law no. 5 of 1960 emphasized that the Government must make a general plan regarding the supply, designation, and use of earth, water, and space as well as the natural resources contained therein for:

- 1) Country;
- 2) Worship and other sacred requirements according to God Almighty;
- 3) Centers for community, social, and cultural life and welfare;
- 4) Development of agricultural production, animal husbandry, fishery, and other things that are in line with it;
- 5) There is a need to develop industry, transmigration, and mining.

These provisions are related to Article 15 of Law No. 5 of 1960, which states that each individual must maintain and prevent land damage. That is, all those who have the right are obliged to use the land by considering the capability of the land. Based on the objects of agrarian law, consisting of the earth, water, space, and the natural resources contained therein, the most appropriate concept, according to the Directorate of Land Use, is Agrarian Use Planning, which includes

1. Land use planning;
2. Water use planning;
3. Air use planning;
4. Resources use planning.

Furthermore, Government Regulation No. 16 of 2004 concerning Land Use Management, answering and realizing Government regulations Article 14 junction Article 15 Law no. 5 of 1960 regulates the government's obligation to prepare plans for land use, control, and ownership in government regulation.

Based on this government regulation, land use, according to Article 1 Paragraph 1, is a pattern of land use management that includes control, use, and utilization of land through consolidation of land use and regulated institutionally so that land use becomes a unified system for the benefit of a just society.

If it is sifted through, there are four essential elements in land use stewardship:

- (a) There are a series of activities/activities, including the collection of field data regarding the use, control, physical capacity, and planning for the use of land; the control is carried out integrally and coordinated with other agencies;
- (b) It is carried out based on a plan, meaning that it should follow sustainable, optimal, harmonious, and balanced principles;
- (c) The existence of goals to be achieved, in this case, must be in line with the goals of development for the prosperity of the people;
- (d) It must be directly related to the placement of development projects by considering the list of priority scales (DSP).

Based on the purpose of land use stewardship, it is necessary to carry out the following methods:

1. Trying not to make mistakes in land use, so that data regarding the physical capacity of the land, social conditions, and community economic factors must be considered;
2. Trying to avoid mismanagement of land use to prevent a decrease in quality (Articles 15-16 paragraphs (1) and (2) of the UUPR);
3. Increasing community demand for land needs to be controlled to avoid conflict (Article 17 UUPR);
4. Guarantee legal certainty for community land rights.

To prevent the decline in the quality of the urban and residential environment and to improve land use and the environment, the government is building urban settlements, considering that

land in urban areas is minimal while the need for land is increasing. This is due to population growth and urbanization.

The development of urban settlements that require land refers to the law on land use Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia and Article 2, Article 14 and Article 15 of the UUPA.

Therefore, the development of urban settlements must be appropriately organized and planned following spatial planning and land use. Environmental facilities must also create a functional residential environment for community life and livelihood.

In addition, land is an essential element in urban planning. Reasonable land location for each activity with limited land size as well as with population density, in the long run, has influenced urban planning concepts. In this case, land use planning is an essential component in the development of urban areas.

Land use plans refer to planned land use for specific sectors and all development activities. According to the policy, the land use plan organizes development projects initiated by the government or non-governmental organizations. Land use must be planned comprehensively (overall) with various tradeoffs in mind to achieve values, goals, and assumptions.

4.2. DEVELOPMENT OF URBAN AREAS IN SOUTH SULAWESI PROVINCE IN TERMS OF SPATIAL PLANNING STRATEGY

South Sulawesi Province, according to Regional Regulation No. 9 of 2009 concerning the Spatial Plan of the Province of South Sulawesi for 2009 - 2029, is an elaboration of the Spatial Plan for the MAMMINASATA Metropolitan Area in the form of a spatial utilization pattern that can be used as a reference in developing the spatial structure of the Province and Regency/City area. Spatial use includes plans for establishing cultivated and non-cultivated areas (protected areas), regional economic development strategies, regional transportation system plans, implementation mechanisms, and indications for regional development programs in South Sulawesi Province. In general, the material contained in the regional spatial layout plan is a direction for:

1. Management of protected and cultivated areas;
2. Management of rural, urban, and particular areas;
3. Development of residential, forestry, agriculture, mining, industry and tourism areas and others;
4. Development of rural and urban settlement center systems;
5. Development of land, water, and air use and other resources.

The policies and strategies for regional spatial planning in South Sulawesi are implemented through the development of spatial structures and regional spatial patterns, including:

- a. Improving access to urban services and centers of economic growth in land, sea, and small islands evenly and hierarchically;
- b. Improving the quality and coverage of network services for transformation infrastructure, telecommunication, energy, and water resources that are integrated and evenly distributed throughout the province; and
- c. Province strategic area development. (Article 5 of Regional Regulation No. 9 of 2009).

The South Sulawesi Provincial Spatial Plan is then further elaborated by the Regency/City in the form of a spatial use pattern, which is used as a reference in the development of the district/city spatial structure, such as Makassar City Regional Regulation No. 6 of 2006 concerning the Makassar City Spatial Planning 2005-2015 and Regional Regulation No. 18 of 2003 concerning Spatial Plans for Gowa Regency 2003-2013.

The development of Makassar City is based on its physical characteristics and progress; thus, it is divided into:

1. Development Area I aims to increase the role and function of the area based on the development of basic urban economic infrastructure;
2. Development Area II aims to develop urban residential areas integrated;
3. Development Area III aims to revitalize the city;
4. Development Area IV aims to interactively develop the area as an international integrated center for cultural activities and an integrated global business center;
5. Development Area V aims for tourism purposes.

However, land use management in spatial plans, either at the provincial or regional/city level, had not yet synchronized, as can be seen from the following Table.

Table 1. Respondent's Opinion about the Synchronization between Land Use Management and Spatial Plans.

Categories	Regions/ Cities					Total	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Synchronous	6	11	6	8	5	36	45
Less synchronous	10	2	10	8	9	39	49
Not synchronous	-	3	-	-	2	5	6

Total	16	16	16	16	16	80	100
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Source: Research Data Analysis by Authors, 2023

Based on the Table above, the Regency/City Governments, in determining their regional development strategies, especially urban areas, have not based policies on land use with the Spatial plans. In addition, implementing Spatial plans in the development of urban areas has not yet become a policy reference, so it has not created safe, orderly, smooth, and healthy cities. This condition is caused by insufficient data regarding land use in the development of urban areas, so in each district/city, the created urban areas are not following the Spatial Plans. This is illustrated in the Table below.

Table 2. Respondents' Opinions about Information/Data on Urban Areas Development

Categories	Regions/Cities					Sum	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Supporting	-	6	9	8	7	30	37
Less supporting	16	10	7	2	7	44	44
Not Supporting	-	-	-	4	2	6	6
Total	16	16	16	16	16	80	100

Source: Research Data Analysis by Authors, 2023

Based on the data above, the urban area has not been managed well because there is a lack of data on land use management. Consequently, the development of urban areas in South Sulawesi is still poorly arranged. The provincial and regional Spatial plans have not been implemented synchronously, as each region developed its urban area independently without supervision and coordination.

Land use for the development of urban areas requires coordination between relevant and competent agencies to realize cities as targeted by the Spatial plans. Based on the research findings, we identify that coordination between agencies in land use stewardship has not been well established, as shown in the following Table:

Table 3. Respondents Opinions About Inter-Agency Coordination in Land Use Management

Categories	Regions/Cities					Sum	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Coordinated	8	10	2	2	8	30	37
Less coordinated	8	6	14	11	8	47	59
Not coordinated	-	-	-	3	-	3	4
Total	16	16	16	16	16	80	100

Source: Research Data Analysis by Authors, 2023

The Table above shows that respondents generally considered coordination between agencies in land use management for the development of urban areas to be lacking (59%) or non-existent (4%). Meanwhile (37%) stated that coordination between agencies had been established. This fact seems to have caused the development of urban areas in the province of South Sulawesi to be somewhat chaotic and not well-planned. Obstacles leading to the coordination not being well established can be seen in the following Table:

Table 4. Respondents' Opinion about the Obstacles of Coordination Between Institutions in Land Use Management.

Categories	Regions/Cities					Sum	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Stewardship planning	6	9	2	6	4	27	34
Stewardship implementation	9	7	9	8	7	40	50
Acts/Sanctions	1	-	5	2	5	13	16
Total	16	16	16	16	16	80	100

Source: Research Data Analysis by Authors, 2023

Data in the Table above indicate that the problem interrupting the coordination is the absence of the confirmation of the land-use management to all involved institutions. The findings show that 40 (50%) respondents believe that the barrier occurs in implementing land use management. While 27 (34 %) respondents argued that the problem lay in the absence of coordination on the land use management planning, and 13 (16%) respondents stated that the absence of sanction is the cause of violation of land stewardship.

In addition to the lack of coordination in land use stewardship in regional development resulting from the poorly coordinated implementation of land use stewardship, another causal factor was that each agency considers itself to have the most authority in implementing land use stewardship. From the findings, we identified that there is a counter-authority between agencies, as can be seen in the Table below.

Table 5. Respondents' opinions about the institution that has the authority in Land Use management

Categories	Regions/Cities					Sums	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Spatial Planning Office	7	9	10	12	14	27	34

National Land Agency	5	3	5	4	1	40	50
Office of Spatial Planning and BPN	4	4	1	-	1	13	16
Total	16	16	16	16	16	80	100

Source: Research Data Analysis by Authors, 2023

Based on the data above, land use management for urban area development is institutionally handled in a multisectoral manner. The authority of land use management is held by several institutions, including the Spatial Planning and Settlement Service and the National Land Agency, both at the provincial and regional/city levels, so no single institution handles it. Thus, land use stewardship requires an integral institution with full authority in developing urban areas in South Sulawesi Province. This is to overcome the institutions of land use in the multisectoral development of urban areas, which are not conducive to the development of legal arrangements for land use. Institutions with the authority to coordinate land use ineffective urban area development are the most appropriate parties to reorganize land use, especially in developing urban areas in South Sulawesi Province.

4.3. FACTORS INFLUENCING URBAN AREA DEVELOPMENT IN SOUTH SULAWESI PROVINCE REGARDING SPATIAL PLANNING STRATEGY

The inefficiency of urban area development in the Province of South Sulawesi is inseparable from several factors, such as inadequate laws and regulations regarding regional development, causing practices not to be coordinated with the provisions of regional spatial planning at the provincial and regional/city levels. Another consequence is disharmony between competent agencies in the development of urban areas so that the spatial planning strategy cannot be realized as targeted. In reality, the development pattern of urban areas in South Sulawesi Province is influenced by several factors, and the dominant one is the coordination factor between competent agencies in land use management.

Developing and supervising urban areas in South Sulawesi Province involve various other cross-sectoral government agencies. This means that, in practice, there is cooperation between agencies through coordination. However, the reality does not reflect that integration and regulatory provisions are still sectoral, so coordination is not well established.

Coordination as part of the legal structure, by Lawrence W. Friedman, is categorized as an institutional element that works inseparably from functional relationships with other institutions in the form of coordination. (Lawrence Meir Friedman & Hayden, 2017) Likewise,

Soerjono Soekanto explained that law enforcement officers, as one of the factors influencing the effectiveness of law enforcement, have positions and roles that can cause conflict, with various positions and roles (no coordination).(Soekanto, 1986)

T-test shows that the T value corresponding to variable X_7 is $T = -2,74$. The score is very significant ($\text{Prob} > \text{ITI} = 0,0078 = .0,78\%$) because it is smaller than the significance level of $\alpha = 0,05$ (5%). Thus, the Hypothesis $H_0: \beta_7 = 0$ is refused by $H_1: \beta_7 < 0$ is accepted. Thus, it can be concluded that in the confidence level of 95%, the coordination variable or the correlation between institutions (X_7) negatively influences the development of urban areas (Y) in South Sulawesi Province. In other words, the better the coordination or the collaboration between relevant institutions, the worse the quality of urban area development in South Sulawesi, and vice versa. The regression coefficient of $\beta_7 = 0,21$ shows that if the coordination increases to 100%, the quality of urban area development will reduce by 21%.

Compared to legal theory, based on the findings above, the theory regarding the effectiveness of law enforcement can still be used as a reference in explaining the factors that influence the implementation of land use principles in the development of urban areas in South Sulawesi Province. Thus, the theory of law enforcement effectiveness put forward by Soerjono Soekanto is still relevant to defend; in other words, this research confirms the theory of legal effectiveness.

Also, the Theory of the Legal System by Lawrence W. Friedman (Lawrence M Friedman, 1975) defines the legal system in two categories:

1. *Legal structure*, namely institutions created by the legal system with various functions to support the system's work. This component can assess how the legal system serves the regular processing of legal materials;
2. *Legal substance*, namely the rules, norms, and patterns of human behavior, is evident in the legal system. Substance means products produced by people who are in the legal system, in the form of regulations and decisions that are used both by those who regulate and those who are regulated;
3. *Legal culture* consists of the values and attitudes influencing the law's work. Legal culture is a pattern of community legal awareness that crystallizes, becomes a habit, and is followed by all members of society.

Thus, the Legal System Theory from Lawrence W. Friedman (Lawrence M Friedman, 1975), based on the current findings, is still relevant, especially in explaining the workings of law in implementing urban area development patterns in South Sulawesi Province.

Pure Law (Stufen theory) from Hans Kelsen considers law as a system of norms; that is, a norm is made of higher norms, and these higher norms are also made up of even higher norms. Therefore, lower legal norms may not contradict higher legal norms. Based on the findings, Hans Kelsen's Pure Law Teaching Theory is still relevant for studying the synchronization of laws in the development of South Sulawesi urban areas.(Kelsen, 1967) However, studies on the factors influencing the development of urban areas in South Sulawesi did not use Hans Kelsen's theory because he wanted to remove the science of law from non-legal elements.

5. CONCLUSIONS

In the context of developing urban areas in South Sulawesi Province, several fundamental principles of land use have been identified within the spatial planning framework. These principles encompass integration, efficiency, effectiveness, harmony, balance, sustainability, openness, equality, justice, and legal protection. While these principles have been formally incorporated into the Provincial and Regency/City Spatial Plans, their practical implementation as guiding principles for urban development has not been fully optimized.

Furthermore, the strategic aspect of urban development in South Sulawesi Province has not reached its full potential as a reference point for Provincial and District/City Spatial Planning for Urban Areas. This suggests that the alignment between development strategies and spatial plans could be further improved to enhance urban development.

Several factors have been found to influence the development of urban areas in South Sulawesi Province. These factors include legal aspects such as substance, structure, and cultural norms, as well as the availability of facilities, infrastructure, legal awareness, and the prevailing environmental conditions. It is important to note that while these factors have a positive impact on urban development, the coordination factor appears to have a negative influence, indicating the need for enhanced coordination mechanisms in the planning and execution of urban development initiatives.

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THE PRINCIPLES OF LAND USE IN THE MORPHOLOGICAL DIMENSION OF SPATIAL MANAGEMENT IN AN URBAN AREA OF THE PROVINCE OF SOUTH SULAWESI (SOCIO-LEGAL REVIEW)

^a Muhammad Adnan Lira

ABSTRACT

Purpose: This study aims to analyze and explain the principles of land use within the dimensions of spatial morphology in urban development patterns in South Sulawesi Province and their relevance to spatial strategy. It also aims to analyze and explain factors affecting urban development patterns in the province concerning spatial strategy.

Theoretical framework: Sustainable urban land use emphasizes balancing economic growth, environmental preservation, and social equity. It includes long-term resource sustainability, biodiversity conservation, and climate-resilient communities. Effective urban planning should prioritize inclusivity, community involvement, and sustainable transportation for accessible and functional cities. Regional development theory highlights coordinated policies for sustainable economic growth, environmental protection, and social well-being, including diversifying the local economy and enhancing education and healthcare access. Holistic regional development integrates economic, environmental, and social factors, laying the groundwork for responsible land use.

Methods: The research was conducted in five Regency/cities in South Sulawesi: Makassar, Gowa, Pangkajene and Islands, Soppeng, and Palopo, with 80 respondents selected through purposive sampling. The study employed descriptive analysis with qualitative and quantitative approaches.

Findings: The findings conclude that the principles of land use in South Sulawesi are less than optimally used as guidelines for urban development despite being incorporated into the spatial planning of the Province and Regency/Cities.

Practical implications: The implementation of urban development patterns is suboptimal in coordination with urban spatial plans of the Province and Districts. Legal factors, facilities, legal awareness, and the environment positively influence development patterns, while coordination has a negative impact.

Originality/Value: The study recommends revising or issuing spatial planning regulations following Law No. 26 of 2007. Consistent supervision, control, and sanctioning by local governments in urban development in South Sulawesi. Enhancement of facilities for the supervision and control of spatial planning. Increasing public legal awareness through the socialization of spatial arrangement regulations. Inter-agency coordination in urban development through a One-Stop Service Office for optimal access to land use permission and spatial planning following the spatial plans of the Regency/Cities.

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OS PRINCÍPIOS DO USO DA TERRA NA DIMENSÃO MORFOLÓGICA DA GESTÃO ESPACIAL EM UMA ÁREA URBANA DA PROVÍNCIA DE SULAWESI DO SUL (REVISÃO SOCIOJURÍDICA)

RESUMO

Objetivo: Este estudo tem como objetivo analisar e explicar os princípios do uso da terra dentro das dimensões da morfologia espacial em padrões de desenvolvimento urbano na província de Sulawesi do Sul e sua relevância para a estratégia espacial. Tem também como objetivo analisar e explicar os fatores que afetam os padrões de desenvolvimento urbano na província no que diz respeito à estratégia espacial.

Estrutura teórica: O uso sustentável da terra urbana enfatiza o equilíbrio entre crescimento econômico, preservação ambiental e equidade social. Inclui sustentabilidade de recursos a longo prazo, conservação da biodiversidade e comunidades resilientes ao clima. Um planejamento urbano eficaz deve priorizar a inclusão, o envolvimento comunitário e o transporte sustentável para cidades acessíveis e funcionais. A teoria do desenvolvimento regional destaca políticas coordenadas para o crescimento econômico sustentável, a proteção ambiental e o bem-estar social, incluindo a diversificação da economia local e a melhoria do acesso à educação e aos cuidados de saúde. O desenvolvimento regional holístico integra fatores econômicos, ambientais e sociais, estabelecendo as bases para o uso responsável da terra.

Métodos: A pesquisa foi realizada em cinco Regência/cidades em Sulawesi do Sul: Makassar, Gowa, Pangkajene e Ilhas, Soppeng e Palopo, com 80 entrevistados selecionados através de amostragem intensiva. O estudo empregou análise descritiva com abordagens qualitativas e quantitativas.

Constatações: Os resultados concluem que os princípios de uso da terra em Sulawesi do Sul são menos do que otimamente utilizados como diretrizes para o desenvolvimento urbano, apesar de serem incorporados no planejamento espacial da Província e Regência/Cidades.

Implicações práticas: A implementação de padrões de desenvolvimento urbano é subótima em coordenação com os planos de ordenamento urbano da Província e Distritos. Fatores legais, instalações, consciência legal e meio ambiente influenciam positivamente os padrões de desenvolvimento, enquanto a coordenação tem um impacto negativo.

Originalidade/valor: O estudo recomenda a revisão ou emissão de regulamentos de ordenamento do território seguindo a Lei nº 26 de 2007. Supervisão, controle e sanções consistentes por governos locais no desenvolvimento urbano em Sulawesi do Sul. Reforço das instalações de supervisão e controle do ordenamento do território. Aumentar a conscientização jurídica pública através da socialização dos regulamentos de arranjos espaciais. Coordenação interagências no desenvolvimento urbano através de um balcão único de serviço para acesso otimizado à permissão de uso do solo e planejamento espacial seguindo os planos espaciais da Regência/Cidades.

Palavras-chave: princípios de uso da terra, padrões de desenvolvimento urbano, Província Sulawesi do Sul, estratégia espacial, regulamentos de ordenamento do território.



1 INTRODUCTION

Land, one of Indonesia's most valuable assets, is vital to the nation's prosperity. To harness its full potential, the country must establish a robust framework for regulating, controlling, and stewardship of its land resources (Agrawal, 1999; Rachman et al., 2023). In this context, the concept of land consolidation emerges as a powerful model that can significantly enhance the usability and efficiency of land while harmonizing individual interests with the broader social function of land, ultimately contributing to the successful implementation of development programs.

Today, the utilization of residential areas in urban areas is growing. Mc. Auslan mentioned that the obsession with building a metropolis leads to urbanization, uncontrolled horizontal physical expansion, competition, and land ownership conflict (McAuslan, 2019). Therefore, it is necessary to control and use land optimally by increasing its efficiency and productivity to realize an orderly arrangement of tenure and use.

The Basic Agrarian Law provided guidelines for land control and ownership. Articles 7 and 17 of the UUPA stated that land ownership should not exceed the maximum limit. So far, this regulation is only addressed to agricultural lands. Meanwhile, urban land tenure is not regulated by Article 7 and Article 17 of the BAL. Indeed, the Regulation of the Minister of Home Affairs Number SK.59/DJAI 970 stipulates that control of urban land that exceeds five parcels must obtain permission from the Minister of Home Affairs. The Ministerial Regulation does not explicitly contain restrictions or restrictions because it does not specify how much area a person may have in each field. These provisions are only paper tigers and have no juridical provisions.

The problem faced by South Sulawesi, especially Makassar and some other big cities there, includes the need for land that continues to increase due to migration, which is more massive. It impacts land prices in the area, and because of that, social conflicts arise. On the other hand, the penetration of housing investors, especially those competing to open settlement areas, has made land issues increasingly crucial and urban spatial development increasingly out of control. This means that the area is increasingly not well planned. In other words, Mubarak defined it as a city with premature suburbanization (Mubarak, 2004). Implementation of urban land use is very chaotic as a consequence of inconsistent land use (Irwin, 2010). Therefore, it could lead to various social conflicts if not anticipated earlier. The condition can worsen if the Spatial Planning (land use) in



urban areas is not carried out based on the predetermined plan and monitoring of urban land use is not implemented according to the Spatial Planning (land use).

Based on the discussion above, the issue of recognizing spatial planning (land use) in implementing urban area development in South Sulawesi Province must be investigated through in-depth research. Article 1 number 1 of Law Number 26 of 2007 concerning Spatial Planning defines space as a container consisting of land space, sea space, and air space, including space within the earth as a unified territory where humans and other creatures live, carry out activities, and survive. Also, Tarigan, defines space as the medium on the earth which supports human and other creatures' lives. (Tarigan, 2018)

Furthermore, Article 1 Point 2 of Law No. 26 of 2007 stipulates spatial planning as a spatial structure and pattern. Thus, spatial planning is a manifestation of spatial patterns and structures formed naturally and a manifestation of the natural and social processes due to continuous learning. Spatial planning and its changes are materialized before the structured spatial layout is changed.

Based on the definitions above, it can be concluded that space is the place gifted by God where humans can survive with their lives. Spatial planning is a process related to spatial planning, utilization, and use control. In addition, Johara T. Jayadinata defined land use as the management of the utilization of the earth, including land and ocean (Johara, 1992).

This study aims to:

- 1) Analyze and explain the principles of land use in the morphological dimension of spatial planning in developing the urban area in South Sulawesi Province.
- 2) Analyze and explain the development of urban areas in South Sulawesi Province related to the Spatial Planning Strategy.
- 3) Analyze and explain the factors influencing the development of urban areas in South Sulawesi Province related to the Spatial Planning Strategy.

2 THEORETICAL FRAMEWORK

Sustainable development highlights the need for resource and environmental management aimed at meeting current needs without compromising the ability of future generations to meet their needs (Duran et al., 2015; Harris, 2000; Sakalasooriya, 2021; Tomislav, 2018; Waas et al., 2011). In the context of land use in urban areas, this becomes



crucial as growth and changes in land use can have significant impacts on the environment and society.

This sustainable approach encourages current land use to consider not only short-term interests but also the sustainability of the environment and the needs of future generations (De Groot, 2006; Fresco & Kroonenberg, 1992; Keesstra et al., 2018). Sustainable development involves the use of natural resources that do not exceed their regeneration rate while maintaining ecosystem sustainability (Barrier, 2017; Hanley et al., 2009).

Applying the theory of sustainable development to land use in these areas requires a balance between economic growth, environmental protection, and social justice (Leal et al., 2023; Pires et al., 2024). Sustainable land use should consider land availability for future needs, preserve biodiversity, reduce environmental impacts, and enhance community resilience to climate change (Cowie et al., 2011; Saavedra & Budd, 2009; Smith et al., 2013, 2016).

Effective urban planning principles involve planned, inclusive, and sustainable development strategies. Successful urban planning is one that makes cities more accessible to everyone, organizes life and work in the right places, and creates beautiful and functional spatial arrangements (Hall, 2014). Effective planning must consider the needs of local communities and promote their participation in decision-making. Community-based development becomes an essential element in ensuring that land use meets the needs of local communities.

Furthermore, sustainable transportation aspects must also be considered. Developing efficient and environmentally friendly transportation systems can reduce air pollution and congestion while improving accessibility and connectivity within urban areas.

Regional development theory considers economic, environmental, and social aspects in land use. Successful regional development requires synergy between coordinated economic, environmental, and social policies (Huggins & Izushi, 2015; Porter, 2011). Regional development theory emphasizes the need for policies that result in sustainable economic growth, natural environmental preservation, and improved social well-being (Forum & Development, 2001). This may include diversifying the local economy, preserving vulnerable ecosystems, and improving access to education and healthcare services for the population.



Holistic regional development will take into account various factors, including economic needs, environmental sustainability, and social welfare. This forms the basis for responsible land use in the region.

3 METHOD

It is explanatory research that surveyed a social aggregation and the correlation between social unity and total population.(De Vaus & de Vaus, 2013; Henn et al., 2005; Shipman, 2014) The study was conducted in South Sulawesi Province in two cities (Makassar and Palopo) and three regencies (Gowa, Pangkep, and Soppeng). The population includes all decision-makers of city area development, including Provincial and Regency/City Regional Government apparatus, which are subjects in developing cities and communities involved in spatial planning. The samples were selected purposively with the number of 80 consisting of apparatus and communities from Makassar (16 respondents), Palopo (16 respondents), Gowa (16 respondents), Pangkep (16 respondents), and Soppeng (16 respondents).

In this study, two distinct types of data were employed for analysis. Primary data were collected through interviews, questionnaires, and direct observations from the research subjects or participants. Secondary data were acquired through a comprehensive literature review, wherein we gathered existing information from reliable sources such as books, journal articles, and other pertinent references related to the research topic.(B. L. Brown et al., 2011; P. A. Brown, 2008)

The primary data we collected were subjected to in-depth statistical analysis, specifically using multiple regression analysis, to identify relationships and influences among various variables under investigation.(Keith, 2019; Montgomery et al., 2021) Additionally, we utilized the latest version of Statistical Analysis System (SAS) software for data processing and to conduct complex statistical analyses.(Cody, 2018; Khattree & Naik, 2018; Stroup et al., 2018) These analyses aided us in identifying patterns, trends, and associations among the primary data variables.

On the other hand, the secondary data were analyzed descriptively. We synthesized information from the existing literature to better understand the research context and support the findings from the primary data analysis.(Nassaji, 2015; Walliman, 2021) This approach allowed us to describe the evolution of concepts, previous research findings, and existing frameworks within the relevant literature. By combining these two



types of data, we were able to produce a comprehensive and in-depth analysis of our research topic, making a novel contribution to the understanding of the subject matter. (P. A. Brown, 2008)

4 RESULT AND DISCUSSION

4.1 PRINCIPLES OF LAND USE IN THE MORPHOLOGICAL DIMENSIONS OF SPATIAL PLANNING IN THE DEVELOPMENT OF URBAN AREAS IN SOUTH SULAWESI PROVINCE

Urban area development policies can be regulated well if a clear regulatory basis is available. For this reason, the Government makes various policies regarding implementing urban area development patterns as outlined in several laws and regulations; therefore, an inventory as an initial activity of legal research on provisions in the field of land use is very urgent to ensure legal certainty.

A land is a place for humans to fulfill their life needs, both in the past, now, and in the future. Each land, forest, or mine usage is regulated. Regulation aims to protect the rights holders, the state, and the public interest.

Article 14 paragraph (1) Law no. 5 of 1960 emphasized that the Government must make a general plan regarding the supply, designation, and use of earth, water, and space as well as the natural resources contained therein for:

- 1) Country;
- 2) Worship and other sacred requirements according to God Almighty;
- 3) Centers for community, social, and cultural life and welfare;
- 4) Development of agricultural production, animal husbandry, fishery, and other things that are in line with it;
- 5) There is a need to develop industry, transmigration, and mining.

These provisions are related to Article 15 of Law No. 5 of 1960, which states that each individual must maintain and prevent land damage. That is, all those who have the right are obliged to use the land by considering the capability of the land. Based on the objects of agrarian law, consisting of the earth, water, space, and the natural resources contained therein, the most appropriate concept, according to the Directorate of Land Use, is Agrarian Use Planning, which includes

1. Land use planning;
2. Water use planning;



3. Air use planning;
4. Resources use planning.

Furthermore, Government Regulation No. 16 of 2004 concerning Land Use Management, answering and realizing Government regulations Article 14 junction Article 15 Law no. 5 of 1960 regulates the government's obligation to prepare plans for land use, control, and ownership in government regulation.

Based on this government regulation, land use, according to Article 1 Paragraph 1, is a pattern of land use management that includes control, use, and utilization of land through consolidation of land use and regulated institutionally so that land use becomes a unified system for the benefit of a just society.

If it is sifted through, there are four essential elements in land use stewardship:

- (a) There are a series of activities/activities, including the collection of field data regarding the use, control, physical capacity, and planning for the use of land; the control is carried out integrally and coordinated with other agencies;
- (b) It is carried out based on a plan, meaning that it should follow sustainable, optimal, harmonious, and balanced principles;
- (c) The existence of goals to be achieved, in this case, must be in line with the goals of development for the prosperity of the people;
- (d) It must be directly related to the placement of development projects by considering the list of priority scales (DSP).

Based on the purpose of land use stewardship, it is necessary to carry out the following methods:

1. Trying not to make mistakes in land use, so that data regarding the physical capacity of the land, social conditions, and community economic factors must be considered;
2. Trying to avoid mismanagement of land use to prevent a decrease in quality (Articles 15-16 paragraphs (1) and (2) of the UUPR);
3. Increasing community demand for land needs to be controlled to avoid conflict (Article 17 UUPR);
4. Guarantee legal certainty for community land rights.

To prevent the decline in the quality of the urban and residential environment and to improve land use and the environment, the government is building urban settlements,



considering that land in urban areas is minimal while the need for land is increasing. This is due to population growth and urbanization.

The development of urban settlements that require land refers to the law on land use Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia and Article 2, Article 14 and Article 15 of the UUPA.

Therefore, the development of urban settlements must be appropriately organized and planned following spatial planning and land use. Environmental facilities must also create a functional residential environment for community life and livelihood.

In addition, land is an essential element in urban planning. Reasonable land location for each activity with limited land size as well as with population density, in the long run, has influenced urban planning concepts. In this case, land use planning is an essential component in the development of urban areas.

Land use plans refer to planned land use for specific sectors and all development activities. According to the policy, the land use plan organizes development projects initiated by the government or non-governmental organizations. Land use must be planned comprehensively (overall) with various tradeoffs in mind to achieve values, goals, and assumptions.

4.2 DEVELOPMENT OF URBAN AREAS IN SOUTH SULAWESI PROVINCE IN TERMS OF SPATIAL PLANNING STRATEGY

South Sulawesi Province, according to Regional Regulation No. 9 of 2009 concerning the Spatial Plan of the Province of South Sulawesi for 2009 - 2029, is an elaboration of the Spatial Plan for the MAMMINASATA Metropolitan Area in the form of a spatial utilization pattern that can be used as a reference in developing the spatial structure of the Province and Regency/City area. Spatial use includes plans for establishing cultivated and non-cultivated areas (protected areas), regional economic development strategies, regional transportation system plans, implementation mechanisms, and indications for regional development programs in South Sulawesi Province. In general, the material contained in the regional spatial layout plan is a direction for:

1. Management of protected and cultivated areas;
2. Management of rural, urban, and particular areas;



3. Development of residential, forestry, agriculture, mining, industry and tourism areas and others;
4. Development of rural and urban settlement center systems;
5. Development of land, water, and air use and other resources.

The policies and strategies for regional spatial planning in South Sulawesi are implemented through the development of spatial structures and regional spatial patterns, including:

- a. Improving access to urban services and centers of economic growth in land, sea, and small islands evenly and hierarchically;
- b. Improving the quality and coverage of network services for transformation infrastructure, telecommunication, energy, and water resources that are integrated and evenly distributed throughout the province; and
- c. Province strategic area development. (Article 5 of Regional Regulation No. 9 of 2009).

The South Sulawesi Provincial Spatial Plan is then further elaborated by the Regency/City in the form of a spatial use pattern, which is used as a reference in the development of the district/city spatial structure, such as Makassar City Regional Regulation No. 6 of 2006 concerning the Makassar City Spatial Planning 2005-2015 and Regional Regulation No. 18 of 2003 concerning Spatial Plans for Gowa Regency 2003-2013.

The development of Makassar City is based on its physical characteristics and progress; thus, it is divided into:

1. Development Area I aims to increase the role and function of the area based on the development of basic urban economic infrastructure;
2. Development Area II aims to develop urban residential areas integrated;
3. Development Area III aims to revitalize the city;
4. Development Area IV aims to interactively develop the area as an international integrated center for cultural activities and an integrated global business center;
5. Development Area V aims for tourism purposes.

However, land use management in spatial plans, either at the provincial or regional/city level, had not yet synchronized, as can be seen from the following Table.



Table 1. Respondent’s Opinion about the Synchronization between Land Use Management and Spatial Plans.

Categories	Regions/ Cities					Total	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Synchronous	6	11	6	8	5	36	45
Less synchronous	10	2	10	8	9	39	49
Not synchronous	-	3	-	-	2	5	6
Total	16	16	16	16	16	80	100

Source: Research Data Analysis by Authors, 2023

Based on the Table above, the Regency/City Governments, in determining their regional development strategies, especially urban areas, have not based policies on land use with the Spatial plans. In addition, implementing Spatial plans in the development of urban areas has not yet become a policy reference, so it has not created safe, orderly, smooth, and healthy cities. This condition is caused by insufficient data regarding land use in the development of urban areas, so in each district/city, the created urban areas are not following the Spatial Plans. This is illustrated in the Table below.

Table 2. Respondents' Opinions about Information/Data on Urban Areas Development

Categories	Regions/Cities					Sum	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Supporting	-	6	9	8	7	30	37
Less supporting	16	10	7	2	7	44	44
Not Supporting	-	-	-	4	2	6	6
Total	16	16	16	16	16	80	100

Source: Research Data Analysis by Authors, 2023

Based on the data above, the urban area has not been managed well because there is a lack of data on land use management. Consequently, the development of urban areas in South Sulawesi is still poorly arranged. The provincial and regional Spatial plans have not been implemented synchronously, as each region developed its urban area independently without supervision and coordination.

Land use for the development of urban areas requires coordination between relevant and competent agencies to realize cities as targeted by the Spatial plans. Based on the research findings, we identify that coordination between agencies in land use stewardship has not been well established, as shown in the following Table:



Table 3. Respondents Opinions About Inter-Agency Coordination in Land Use Management

Categories	Regions/Cities					Sum	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Coordinated	8	10	2	2	8	30	37
Less coordinated	8	6	14	11	8	47	59
Not coordinated	-	-	-	3	-	3	4
Total	16	16	16	16	16	80	100

Source: Research Data Analysis by Authors, 2023

The Table above shows that respondents generally considered coordination between agencies in land use management for the development of urban areas to be lacking (59%) or non-existent (4%). Meanwhile (37%) stated that coordination between agencies had been established. This fact seems to have caused the development of urban areas in the province of South Sulawesi to be somewhat chaotic and not well-planned. Obstacles leading to the coordination not being well established can be seen in the following Table:

Table 4. Respondents' Opinion about the Obstacles of Coordination Between Institutions in Land Use Management.

Categories	Regions/Cities					Sum	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Stewardship planning	6	9	2	6	4	27	34
Stewardship implementation	9	7	9	8	7	40	50
Acts/Sanctions	1	-	5	2	5	13	16
Total	16	16	16	16	16	80	100

Source: Research Data Analysis by Authors, 2023

Data in the Table above indicate that the problem interrupting the coordination is the absence of the confirmation of the land-use management to all involved institutions. The findings show that 40 (50%) respondents believe that the barrier occurs in implementing land use management. While 27 (34 %) respondents argued that the problem lay in the absence of coordination on the land use management planning, and 13 (16%) respondents stated that the absence of sanction is the cause of violation of land stewardship.

In addition to the lack of coordination in land use stewardship in regional development resulting from the poorly coordinated implementation of land use stewardship, another causal factor was that each agency considers itself to have the most authority in implementing land use stewardship. From the findings, we identified that there is a counter-authority between agencies, as can be seen in the Table below.



Table 5. Respondents' opinions about the institution that has the authority in Land Use management

Categories	Regions/Cities					Sums	%
	Makassar	Gowa	Pangkep	Soppeng	Palopo		
Spatial Planning Office	7	9	10	12	14	27	34
National Land Agency	5	3	5	4	1	40	50
Office of Spatial Planning and BPN	4	4	1	-	1	13	16
Total	16	16	16	16	16	80	100

Source: Research Data Analysis by Authors, 2023

Based on the data above, land use management for urban area development is institutionally handled in a multisectoral manner. The authority of land use management is held by several institutions, including the Spatial Planning and Settlement Service and the National Land Agency, both at the provincial and regional/city levels, so no single institution handles it. Thus, land use stewardship requires an integral institution with full authority in developing urban areas in South Sulawesi Province. This is to overcome the institutions of land use in the multisectoral development of urban areas, which are not conducive to the development of legal arrangements for land use. Institutions with the authority to coordinate land use ineffective urban area development are the most appropriate parties to reorganize land use, especially in developing urban areas in South Sulawesi Province.

4.3 FACTORS INFLUENCING URBAN AREA DEVELOPMENT IN SOUTH SULAWESI PROVINCE REGARDING SPATIAL PLANNING STRATEGY

The inefficiency of urban area development in the Province of South Sulawesi is inseparable from several factors, such as inadequate laws and regulations regarding regional development, causing practices not to be coordinated with the provisions of regional spatial planning at the provincial and regional/city levels. Another consequence is disharmony between competent agencies in the development of urban areas so that the spatial planning strategy cannot be realized as targeted. In reality, the development pattern of urban areas in South Sulawesi Province is influenced by several factors, and the dominant one is the coordination factor between competent agencies in land use management.

Developing and supervising urban areas in South Sulawesi Province involve various other cross-sectoral government agencies. This means that, in practice, there is cooperation between agencies through coordination. However, the reality does not reflect



that integration and regulatory provisions are still sectoral, so coordination is not well established.

Coordination as part of the legal structure, by Lawrence W. Friedman, is categorized as an institutional element that works inseparably from functional relationships with other institutions in the form of coordination. (Lawrence Meir Friedman & Hayden, 2017) Likewise, Soerjono Soekanto explained that law enforcement officers, as one of the factors influencing the effectiveness of law enforcement, have positions and roles that can cause conflict, with various positions and roles (no coordination). (Soekanto, 1986)

T-test shows that the T value corresponding to variable X_7 is $T = -2,74$. The score is very significant ($\text{Prob} > \text{ITI} = 0,0078 = .0,78\%$) because it is smaller than the significance level of $\alpha = 0,05$ (5%). Thus, the Hypothesis $H_0: \beta_7 = 0$ is refused by $H_1: \beta_7 < 0$ is accepted. Thus, it can be concluded that in the confidence level of 95%, the coordination variable or the correlation between institutions (X_7) negatively influences the development of urban areas (Y) in South Sulawesi Province. In other words, the better the coordination or the collaboration between relevant institutions, the worse the quality of urban area development in South Sulawesi, and vice versa. The regression coefficient of $\beta_7 = 0,21$ shows that if the coordination increases to 100%, the quality of urban area development will reduce by 21%.

Compared to legal theory, based on the findings above, the theory regarding the effectiveness of law enforcement can still be used as a reference in explaining the factors that influence the implementation of land use principles in the development of urban areas in South Sulawesi Province. Thus, the theory of law enforcement effectiveness put forward by Soerjono Soekanto is still relevant to defend; in other words, this research confirms the theory of legal effectiveness.

Also, the Theory of the Legal System by Lawrence W. Friedman (Lawrence M Friedman, 1975) defines the legal system in two categories:

1. *Legal structure*, namely institutions created by the legal system with various functions to support the system's work. This component can assess how the legal system serves the regular processing of legal materials;
2. *Legal substance*, namely the rules, norms, and patterns of human behavior, is evident in the legal system. Substance means products produced by people who



are in the legal system, in the form of regulations and decisions that are used both by those who regulate and those who are regulated;

3. *Legal culture* consists of the values and attitudes influencing the law's work. Legal culture is a pattern of community legal awareness that crystallizes, becomes a habit, and is followed by all members of society.

Thus, the Legal System Theory from Lawrence W. Friedman (Lawrence M Friedman, 1975), based on the current findings, is still relevant, especially in explaining the workings of law in implementing urban area development patterns in South Sulawesi Province.

Pure Law (Stufen theory) from Hans Kelsen considers law as a system of norms; that is, a norm is made of higher norms, and these higher norms are also made up of even higher norms. Therefore, lower legal norms may not contradict higher legal norms. Based on the findings, Hans Kelsen's Pure Law Teaching Theory is still relevant for studying the synchronization of laws in the development of South Sulawesi urban areas.(Kelsen, 1967) However, studies on the factors influencing the development of urban areas in South Sulawesi did not use Hans Kelsen's theory because he wanted to remove the science of law from non-legal elements.

5 CONCLUSIONS

In the context of developing urban areas in South Sulawesi Province, several fundamental principles of land use have been identified within the spatial planning framework. These principles encompass integration, efficiency, effectiveness, harmony, balance, sustainability, openness, equality, justice, and legal protection. While these principles have been formally incorporated into the Provincial and Regency/City Spatial Plans, their practical implementation as guiding principles for urban development has not been fully optimized.

Furthermore, the strategic aspect of urban development in South Sulawesi Province has not reached its full potential as a reference point for Provincial and District/City Spatial Planning for Urban Areas. This suggests that the alignment between development strategies and spatial plans could be further improved to enhance urban development.

Several factors have been found to influence the development of urban areas in South Sulawesi Province. These factors include legal aspects such as substance, structure,



and cultural norms, as well as the availability of facilities, infrastructure, legal awareness, and the prevailing environmental conditions. It is important to note that while these factors have a positive impact on urban development, the coordination factor appears to have a negative influence, indicating the need for enhanced coordination mechanisms in the planning and execution of urban development initiatives.



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