

Dynamics Of Land Acquisition Policy Amidst Local Wisdom Case: Route Deviation Not in Accordance with Planning

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ABSTRACT

Land acquisition for infrastructure development often faces complex dynamics, especially when there are changes in the route that are not in accordance with the initial planning. This study examines the route deviation policy in the Peterongan Irrigation Network project in Jombang Regency, which aims to avoid socio-cultural conflicts, especially related to the presence of ancestral graves. A qualitative approach with a case study method was used through interviews, observations, and documentation. The research findings indicate that the route realignment carried out remains within the scope of the Location Determination Permit, resulting in land and budget efficiency. However, this change was not followed by complete administrative procedures, such as official map revision and public re-consultation, thereby raising issues of transparency and potential legal risks. Additionally, significant budget revision reflects challenges in public fund management. This study emphasizes the importance of implementing principles of transparency, public participation, and legal compliance in land acquisition so that infrastructure development runs effectively and fairly. Recommendations are provided to strengthen land acquisition governance that is responsive to local wisdom values and legally and financially accountable.

Keywords : *accountability, budget management, land acquisition, route deviation, transparency*



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INTRODUCTION

Public infrastructure development requires fair, transparent, and accountable land acquisition mechanisms (Yasim et al., 2025). Complexity and disputes in this process are often major obstacles (Ghimire et al., 2017), not only in Indonesia but also in Nepal, Malaysia, India, and Ethiopia, which show that weak transparency and accountability often lead to project delays and a decline in government legitimacy (Ansari & Ghimire, 2024; Kassa & Mussa, 2024). In Indonesia, land acquisition is regulated through regulatory evolution from Presidential Decree Number 5 of 1960, Law Number 2 of 2012, to Government Regulation Number 19 of 2021, which emphasizes stakeholder involvement at every stage: planning, preparation, implementation, and handover of results (Pham et al., 2025). However, the implementation of regulations still faces gaps between legal provisions and field practices (Marchello et al., 2023).

Transparency is defined as the provision of public services that are open, easily accessible, and easily understood (Pratama, 2021). In the context of land acquisition, transparency refers to openness in management and implementation

that is accessible to the public (Ho et al., 2021). Law No. 2 of 2012 requires that the land acquisition process be conducted fairly and openly, covering all stages from planning to the handover of results (Rosmidah & Pebrianto, 2020). The aim is to realize government accountability and prevent corruption, collusion, nepotism (Robbani & Nadhif, 2024), as well as encourage community participation (Ramadhana et al., 2020). Its implementation requires coherent rules and transparent reporting mechanisms (Dagnew, 2022).

Accountability refers to an organization's obligation to exercise its authority and fulfill its mandated responsibilities (Citrayanti & Yuhertiana, 2021). According to Pratama (2021), accountability can be grouped into five types: (1) accountability for probity and legality, which is the obligation to behave probity and obey the law; (2) managerial accountability, which is the efficient and effective management of an organization; (3) program accountability, which is the achievement of objectives with optimal alternatives; (4) policy accountability, which is the responsibility for the policies taken; and (5) financial accountability, which is the economical, efficient, and effectively without waste. In land acquisition, accountability refers to the obligation of all parties to be accountable for their actions in accordance with Law No. 2 of 2012.

Land disputes are complex and multidimensional issues that require both legal and non-legal approaches (BBWS Brantas, 2018). Legal regulations must be clear and firm to prevent arbitrary decisions (Ghimire et al., 2017). Regulatory compliance is important to prevent land conflicts and ensure good governance (Dagnew, 2022). Conflicts in land acquisition are not only related to economic aspects but also to the social and cultural values of the local community, requiring a sensitive approach to the local context and the ability to adapt regulations (Kangas et al., 2022).

A critical aspect of transparency in land acquisition is public consultation, which is the process of interaction between the government and the community to reach an agreement on the location of development (Lei, 2024). Public consultation is not just a formality, but a means of active community participation to improve decision quality (Astuti & Isnaeni, 2024). In this case, although consultation was conducted, community objections were not fully followed up. This raises questions about the effectiveness of the implementation of the principle of transparency. Meanwhile, the aspect of accountability, both in terms of compliance with the law (probity and legality) and financial accountability, is a major concern because the route change was made without a review by the Provincial Government as required by regulations, and the budget revision due to the route change raises questions about the efficiency of public fund use (Pratama, 2021).

The Peterongan Irrigation Network project aims to provide irrigation water supply for the Siman Irrigation Area covering 6,605 hectares. However, the project faced a route change due to community opposition to the route passing through the ancestral graves of the Bani Umar family in Ngudirejo Village. Although public consultation had been conducted, community objections were not followed up according to Law Number 2 of 2012 Article 20 procedures, which requires a public re-consultation within 30 working days. Changes to the route were made without Provincial Government review and without official map revision, potentially violating Government Regulation Number 19 of 2021. The significant budget revision from Rp. 3,588,502,800 (2018) to Rp. 42,523,026,000 (2023) raises questions about the efficiency of public fund use.

Similar phenomena do not only occur in Indonesia. Research in Nepal, China, Malaysia, India, and Ethiopia shows that weak transparency and accountability in land acquisition often cause project delays, community dissatisfaction, and reduced government legitimacy (Ansari & Ghimire, 2024; Ghimire et al., 2017; Kassa & Mussa, 2024). On the other hand, technocratic compromise practices such as route deviation for cost efficiency, as occurred in the Shanghai waste treatment project, show a dilemma between project effectiveness and governance principles (Otsuki, 2021).

This research aims to analyze how route deviation policies in the Land Acquisition project for Peterongan Irrigation Network, particularly in Ngudirejo Village, affect the implementation of transparency and accountability principles, despite inconsistencies with land acquisition legal regulations. Specifically, this study seeks to: (1) examine the background and decision-making process of route deviation in the context of local wisdom and social conflict; (2) evaluate the implementation of transparency principles in public consultation and stakeholder communication; (3) assess the accountability aspects, both in terms of legal compliance (probity and legality) and financial management; and (4) identify the implications of administrative procedural gaps on land acquisition governance. Through these objectives, this research aims to provide a comprehensive understanding of the tensions between regulatory compliance and practical adaptability in infrastructure development projects that involve sensitive local cultural values.

This research contributes to the development of public governance theory in the context of land acquisition with social dimensions and local wisdom, provides empirical perspectives on regulatory implementation at the local level, and offers constructive policy recommendations for strengthening responsive and accountable governance. This research is expected to emphasize the importance of transparency, public participation, and legal compliance so that infrastructure development runs effectively and fairly by accommodating local wisdom values and good governance principles and can enrich academic discourse.

RESEARCH METHOD

This research used a qualitative approach with a case study method to analyze land acquisition policy dynamics in the context of the Peterongan Irrigation Network route deviation in Jombang Regency. The route deviation policy, which did not conform to the initial planning, caused delays, cost overruns, and indications of non-compliance with Law Number 2 of 2012 and Government Regulation Number 19 of 2021.

The case study method was selected because the research focused on contemporary phenomena in real-life contexts where the boundaries between phenomena and context could not be clearly distinguished, and researchers had little control over events. This method allowed an in-depth exploration of how route deviation policies affected the implementation of transparency and accountability principles amid social conflict and local community wisdom.

The research was conducted in Ngudirejo Village and the impacted Kedawung Village, Diwek Subdistrict, Jombang Regency, East Java, where conflicts and the route deviation occurred. This location was chosen because it was the epicenter of social conflict and local wisdom related to ancestral graves that

influenced land acquisition policy changes. The study took place over three months, from April to June 2025.

Data were collected through in-depth interviews with key informants from various related agencies, direct participatory observation in the field, and documentation related to the land acquisition process. The key informants were actors and stakeholders in land acquisition, as presented in Table 1 below.

Tabel 1. Key Informants

AGENCY		KEY INFORMANT NAME
1.	BBWS Brantas;	
a.	PPK Land Acquisition	Mr. Rojikan, SE., MM.
b.	PPK Operation Maintenance Maintenance Groundwater Irrigation Utilization (OP PIAT) – previously PPK Irrigation and Swamp II	Mrs. Eny Setyoningrum, ST. MT.
2.	National Land Agency of Jombang Regency;	
a.	Head of Land Acquisition Section	Mr. Haris Kurniawan Waluyoadi, S.Si.T., MH.
3.	Ngudirejo Village Government;	Mr. Lantarno
a.	Head of Ngudirejo Village	
b.	Heirs of the Family of the Late Mr. Bani Umar	Mr. Nurul Yaqin
c.	Affected Community due to Route Deviation	Mr. M. Syaifuddin

Data were analyzed using an interactive model from Miles *et al.* (2014), including the stages of data condensation, data presentation, and conclusion drawing and verification. With this approach, the research aims to obtain deep and detailed understanding of transparency and accountability aspects, as well as identify obstacles and solutions in the implementation of land acquisition in the project.

RESULTS AND DISCUSSION

Background of Route Deviation

The Peterongan Irrigation Network project has been planned since 1999 to provide irrigation water supply to the Siman Irrigation Area covering 6,605 hectares. The original route required land area of 355,120 m² with a length of 17,756 meters passing through 19 villages in 5 subdistricts. Conflict arose when the planned route passed through the ancestral grave of the Bani Umar family in Ngudirejo Village. The family expressed objections through a letter to BBWS Brantas during public consultation in 2020, with five main reasons:

- The route affects the location of Bani Umar's grave;
- Disrupts educational facility development plans;
- Breaks the historical value unity between mosque and grave;
- Makes the grave an isolated area; and
- Endangers student safety.

In early 2023, BBWS Brantas decided on a route deviation policy because the prolonged mediation process from 2020-2023 could not be resolved. This decision was taken based on suggestions from the objecting family, by moving the route to

an old water channel that became the border between Ngudirejo Village and Kedawung Village. The land conflict that occurred in Ngudirejo Village and impacted Kedawung Village is part of the classic and complex problems in the land acquisition process for BBWS Brantas irrigation projects. The rejection came from a resident named Mr. Nurul Yaqin because the original project route passed through his family's ancestral grave, Bani Umar. Although technically it did not directly hit, the old route was within the family grave area, which raised concerns and rejection from the family and surrounding community.

Information from various informants including: PPK Land Acquisition BBWS Brantas, Commitment Making Official for Irrigation and Swamp II, Head of Land Acquisition Section at the National Land Agency in Jombang Regency, Ngudirejo Village Government, and affected communities revealed that the decision to deviate the route was taken to avoid further conflict. However, the communication process regarding route changes was deemed not transparent. Many residents did not clearly know the reasons for this change, including because information was only conveyed unilaterally through letters or limited meetings, not through dialogical and open forums. This was stated by Mr. M. Syaifuddin as an affected community member from the interview results as follows:

"I was never informed directly".

".... initially, what spread in the surrounding community was not actually affected by the grave, but about separating the Bani Umar family grave from the surrounding community residents. I didn't follow the rest. However, in the end there was a decision that this route was diverted to the south of the grave".

This research showed that the lack of comprehensive information dissemination can increase the potential for new conflicts. Several informants stated that they had conducted socialization and field checks, but on the other hand, affected communities felt that such information was never conveyed directly and clearly. Transparency and public participation at every stage of land acquisition becomes very important. Historical and social reasons, such as the existence of graves, mosques, and educational institutions, should be conveyed openly to build understanding and prevent prolonged conflicts.

Route Deviation Policy Implementation

The Land acquisition policy in the Peterongan irrigation network development experienced conflict because the original project route split the Bani Umar family grave. Although the original route technically still allowed passage without completely destroying the grave, rejection from the related family, especially Mr. Nurul Yaqin, delayed this project. This rejection was based on concerns about grave separation that was considered to damage the family's historical and spiritual values. Route deviation emerged as a compromise solution between the Government and affected communities. The deviation proposal was first communicated through a letter by the family to BBWS Brantas, then facilitated through deliberation involving Village Government, BBWS Brantas, Regency Government, and the Bani Umar family. The deviation route was chosen to pass

through a drainage channel at the border between Kedawung Village and Ngudirejo Village, which was considered the best solution to avoid prolonged conflict.



Figure 1. Peterongan Irrigation Network Route Deviation Map

In implementing land acquisition for infrastructure projects, inconsistencies between initial planning and field implementation are often found, which reflect the capacity and coordination of *stakeholder*. According to PPK Irrigation and Swamp II, explained in the interview results as follows:

".... we still involve the province but only limited to communication and consultation, indeed not related to route changes in land acquisition earlier".

".... because the Location Determination permit process requires a longer process, they suggested it was not necessary, as long as the new diverted route is still within the area or extent covered by the Location Determination permit".

Based on interviews with related informants, route changes are allowed as long as they are still within one area and do not exceed the area listed in the Location Determination permit. This is what was done by the Land Acquisition Commitment Making Official BBWS Brantas together with the Irrigation and Swamp II Construction Commitment Making Official at that time to engineer the route area so that it was still covered by the Location Determination permit and did not need to revise the permit. The Land Acquisition Commitment Making Official BBWS Brantas revealed as follows:

"The area is indeed not the same but still covers and does not exceed the area stated in the Location Determination permit. If the length is still the same, but the width becomes smaller".

In practice, the changed route was found to be shorter and more efficient than the original route, with a smaller area but still in accordance with the Location Determination permit. This route change had a positive impact because it reduced

land needs and compensation costs without reducing project function. However, changes must be made with good communication to all stakeholders and still comply with land acquisition rules so as not to cause negative technical or social impacts.

Table 2. Changes in Land Requirement Area

Village Name	Area According To Location Determination	Area After Route Deviation
1. Ngudirejo Village	48.730,00 m ²	23.432,00 m ²
2. Kedawung Village	16.279,00 m ²	23.977,70 m ²
TOTAL	65.009,00 m²	47.409,70 m²

Administratively, these changes are engineering conducted by related agencies to streamline land needs without having to change official permits, thus avoiding lengthy bureaucratic processes that could delay the project. However, route change implementation must be done carefully through adequate communication with all stakeholders and ensure it does not cause detrimental technical or social impacts, while still complying with applicable land acquisition laws and regulations.

The route deviation decision still refers to the Location Determination permit and without official route map changes reported to the Provincial Government. This raises indications of administrative non-compliance and potential legal defects because Government Regulation No. 19 of 2021 requires valid and updated development location map attachments. Nevertheless, the technical route engineering conducted by the Government shows adaptive flexibility to resolve conflicts and accelerate project completion.

Legally, route changes without official procedures and without Location Determination permit amendments can be considered violations of rules governing infrastructure development transparency and legality. However, the route deviation decision-making process shows compromise and informal negotiation mechanisms between Government and affected communities that have not been explicitly regulated in laws. This legal uncertainty becomes a gap that must be anticipated through regulatory revision so that route adjustment processes can be conducted legally and transparently without causing tension or delays.

This condition risks triggering legal disputes in the future, both by communities and parties who feel harmed due to unclear legality of the deviation route. However, on the other hand, this administrative incompleteness might be viewed as a form of Government efficiency and flexibility in responding to emergency social conflict situations that could delay projects.

The success indicators in implementing this route deviation policy include:

- a. *Pressure from Various Parties*; Implementation of the land acquisition project for this irrigation network must be completed within the applicable permit time limit to avoid extending the Location Determination permit and budget overruns. Time pressure and demands for construction project completion by December 15, 2023, as the end of the Location Determination permit validity and the end of construction work contracts in the same year, encouraged route deviation decision-making as a pragmatic and adaptive solution.

- b. *Community Participation as Planning Subjects*; Affected communities were always actively involved in route replanning, including providing alternative deviation solutions, especially the third route proposal that became the border between Ngudirejo Village and Kedawung and was accepted as the final solution. Additionally, community acceptance and satisfaction reflected by majority resident support who felt benefited because land acquisition impact became more minimal, only affecting backyard or gardens, not residences. This process reflects an inclusive, responsive, and collaborative development approach making communities discussion partners, not just policy objects. This involvement increases transparency and reduces conflicts and shifts paradigms from top-down to bottom-up that can create transparency through socialization and deliberation together, and build positive synergy between BBWS Brantas, Village Government, and affected communities in resolving prolonged social conflicts.

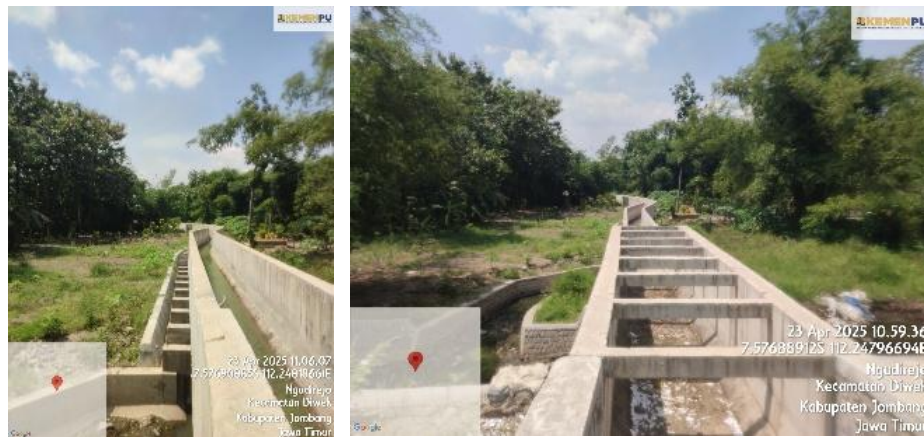


Figure 2. Results of Peterongan Irrigation Network Route Deviation Policy Determination

Transparency Analysis

The Transparency implementation is reflected in public consultation implementation in 2020 in Jogoroto Village. Public consultation in the context of land acquisition is regulated in Law number 2 of 2012 as a dialogical communication process to achieve understanding and agreement. This concept is designed as a democratic mechanism that allows communities to actively participate in infrastructure development planning that impacts their lives. According to Escobar (2012), dialogical communication requires responsive, open interaction oriented towards creating shared meaning.

In organizing the preparation stage, several activities that must be conducted by the Provincial Government or Governor in accordance with Government Regulation number 19 of 2021, as presented in the scheme in figure 3 below.

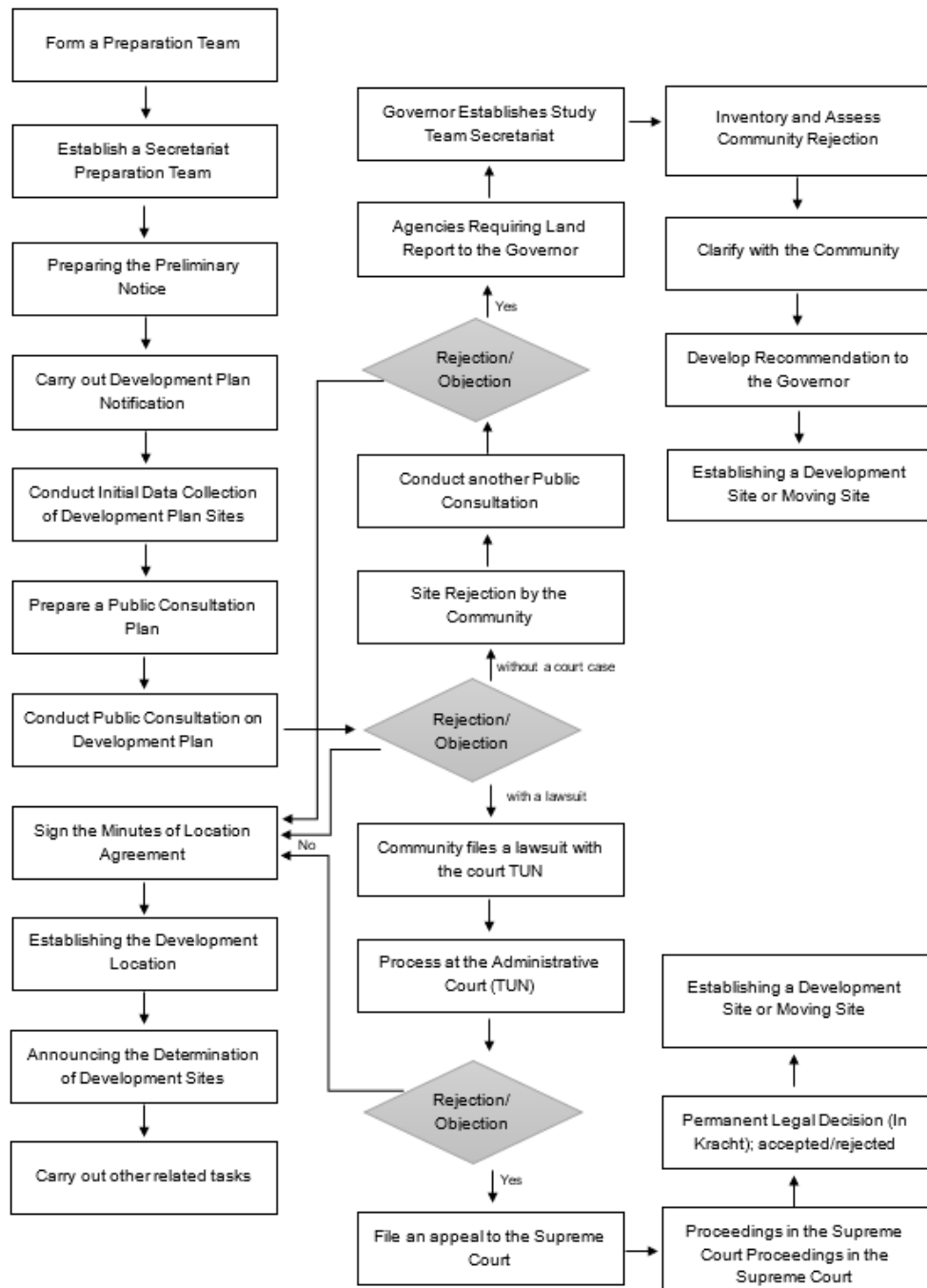


Figure 3. Organizing the Preparatory Stage of Land Acquisition

This research reveals significant gaps between regulations and field implementation. Although Law Number 2 of 2012 Article 20 regulates the obligation to implement public re-consultation within 30 working days when there are community objections, in practice this was not implemented by the Provincial Government. The absence of Mr. Nurul Yaqin in public consultation implementation, but still writing to BBWS Brantas, shows that the representation mechanism through letters entrusted to the Village Head does not meet dialogical communication principles as intended in Law number 2 of 2012 article 19. The law contains involvement of entitled parties, in this case affected communities, can be

done through power of attorney representation from and by parties entitled to the planned development location (Republik Indonesia, 2012).

Based on interview results with the Head of Land Acquisition Section, he stated:

"Power of Attorney and correspondence are something where materially it is very different. Power of Attorney, there is still someone present. Authorized to another party who is present, although this person is not a person or party affected by this land acquisition process".

Conveying objections through correspondence without direct presence in public consultation does not meet the definition of "dialogical communication" as mandated by Law number 2 of 2012. More critically, not implementing public re-consultation as regulated in Article 20 shows procedural violations.

Accountability Analysis

Accountability for Probity and Legality

This accountability demands the Government and all related parties to comply with applicable laws, regulations and procedures in an honestly and transparent manner during the land acquisition process (Mahmudi, 2010). In route deviation research, procedural violations were found in public consultation implementation in terms of not implementing public re-consultation as regulated in Law number 2 of 2012 Article 20, which requires public re-consultation implementation within 30 working days when there are community objections, indicating non-compliance with the *due process* established in the land acquisition regulations.

Additionally, lack of transparency in determining significant route change policies but not followed by official documents and formal notification to the Provincial Government or affected communities. The absence of new route maps in Location Determination documents violates Government Regulation number 19 of 2021, which requires valid and updated development location map attachments. This could potentially nullify the legal legitimacy of the entire land acquisition process.

Financial accountability

Financial accountability demands public budget use efficiently, effectively, economically, and transparently (Mahmudi, 2010). Ineffectiveness in absorbing community aspirations in the Peterongan Irrigation Network project creates negative impact chains that lead to:

- a. continued rejection from affected communities;
- b. prolonged social conflict (2020-2023);
- c. development plan revision without strong legal basis; and
- d. significant budget inefficiency.

Additionally, the Government ignores legal obligations in public consultation implementation according to Law number 2 of 2012 articles 19 and 20, implying that the development process becomes not final and not normatively inclusive or contract failure, thus losing legal legitimacy. The Government also potentially cannot account for the budget accountably and validly. Project implementation is based on processes that are not yet final or normatively inclusive; Public legitimacy

towards development processes and government governance is damaged. The consequences in this case are:

- a. Increased Social Costs: components in this cost are used to suppress community conflicts;
- b. Increased additional administrative costs for mediation processes from 2020 to 2023 or coordination related to Location Determination permit revision, because the Government needs to allocate additional resources for these activity allocations.

The Financial accountability picture in this study is reflected in the interviews with several informants, who believe that budget efficiency was found during compensation payment implementation. The BBWS Brantas Commitment Making Official stated as follows:

"Yes, the budget was reduced. This is due to the absence of land acquisition and maximizing the use of available water channels".

Similarly, Village Government also stated that realization would be more expensive if many houses were affected by acquisition. However, due to this deviation, communities who initially had their residences affected were replaced with backyards or gardens behind houses, thus minimizing compensation costs. However, this research found significant budget revision at the end of 2023 from planning and appraisal realization results for Ngudirejo Village and Kedawung Village acquisition, as presented in tables 3 and 4 below.

Table 3. Peterongan Irrigation Network Land Acquisition Budget Planning

NO.	VILLAGE NAME	TOTAL NJOP LARAP 2018	RKA-KL	
			END OF DEC 2022	END OF DEC 2023
1.	Land Acquisition for Peterongan Irrigation Network	3.588.502.800	5.000.000.000	42.523.036.000

Table 4. Peterongan Irrigation Network Land Acquisition Budget Realization

NO.	VILLAGE NAME	REALIZATION
		APPRAISAL
1.	Ngudirejo Village	10.372.265.100
2.	Kedawung Village	10.741.850.351
	TOTAL REALIZATION	21.114.115.451

The changes in budget planning as shown in table 3 above, show significant budget planning increases from LARAP document in 2018 which only needed total budget of Rp. 3,588,502,800,- to Rp. 5,000,000,000,- at the beginning of 2023 to final revision in 2023 to Rp. 42,523,026,000,-. This significant increase reflects changes in cost assumptions and substantial land acquisition scope expansion compared to initial plans.

The PPK of Land Acquisition clarified that the total budget planning change at the end of December 2023 reaching Rp. 42,523,026,000,- represents all total Land Acquisition activities for Peterongan Irrigation Network stage III in Fiscal Year 2023. These activities include completing several villages for this project, as still listed in the Location Determination permit. The realization of these activities, as presented in table 5 below.

Tabel 5. Peterongan Irrigation Network Land Acquisition Budget Realization 2023

NO.	VILLAGE NAME	PLANNING	REALIZATION
A.	Last Revision of Planning 2023	42.523.026.000	-
B.	Budget Realization of Peterongan Irrigation Network Land Acquisition 2023	-	39.910.076.201
1.	Ngudirejo Village	-	10.372.265.100
2.	Kedawung Village	-	10.741.850.351
3.	Jogoroto Village	-	5.339.005.944
4.	Sawiji Village	-	4.299.027.849
5.	Mayangan Village	-	9.157.926.957
	TOTAL	42.523.026.000	39.910.076.201
	REMAINING BUDGET REALIZATION		2.612.949.799

Based on confirmation from the PPK of Land Acquisition, from budget planning of Rp. 42,523,026,000,- and total activity realization of Rp. 39,910,076,201,- shows that realization progress has reached approximately 93.85%. Remaining budget of Rp. 2,612,949,799,- is still within reasonable limits caused by: (a) appraisal results lower than initial estimates; (b) there is budget efficiency towards acquired land prices; and some land that was not acquired such as water channels in Ngudirejo Village.

CONCLUSION

The study of land acquisition policy dynamics in the Peterongan Irrigation Network route deviation revealed that the adaptive route changes successfully avoided prolonged social conflicts related to ancestral graves, allowing the project to continue. However, decision-making lacked full transparency and accountability, with public consultations failing to meet legal standards, reducing process

legitimacy. Key procedural violations and absent official documentation raised legal and administrative risks, while a large budget increase from 2018 to 2023 highlighted inefficiencies in planning and fund management. The prolonged conflict also led to higher social and administrative costs. Future research should explore effective models for integrating local wisdom into land acquisition processes while strengthening participatory and transparent governance to balance development needs with community values.

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