

FAIR AND INCLUSIVE LAND ACQUISITION IMPLEMENTATION TO PREVENT ENVIRONMENTAL DEGRADATION AND THE MARGINALIZATION OF AFFECTED COMMUNITIES

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Abstract

Land acquisition for development in the public interest plays an important role in infrastructure development; however, it may have adverse impacts on food security, livelihoods, social welfare, and the environment of affected communities. This study examines the impacts of land acquisition and land appropriation on local communities and explores how infrastructure development can be implemented fairly and inclusively to prevent environmental degradation and community marginalization. This study employs a normative juridical method using statutory and conceptual approaches. The study relies on secondary data obtained through a literature review, comprising primary, secondary, and tertiary legal materials, which are analyzed using a descriptive-analytical approach. The results indicate that land acquisition that is not implemented fairly and inclusively may lead to the loss of productive land, declining food security, disruption of livelihoods, and increased socioeconomic vulnerability and community conflicts. Therefore, infrastructure planning and development should incorporate the principles of justice, transparency, participation, and inclusivity while taking into account community protection and environmental sustainability. Accordingly, land acquisition must be able to balance development interests with the protection of rights, community welfare, and environmental sustainability.

Keywords: Land Acquisition; Agrarian Justice; Affected Communities.

INTRODUCTION

Land acquisition activities involving the acquisition of land often result in the displacement of local communities, fundamentally altering the ways in which they use land. This process is clearly illustrated by studies in Cambodia, where large-scale land acquisitions have triggered both direct and indirect land-use change (iLUC), resulting in relocation and loss of access to land (Nicholas R. Magliocca et al., 2019). Displaced populations often attempt to compensate for the loss of resources by clearing marginal land, thereby exacerbating environmental degradation and competition over resources. Furthermore, studies have shown that inequitable land acquisition contributes to food insecurity and unsustainable livelihoods, consequently undermining the well-being of affected groups (Peijun Li et al., 2021).

Land-use transformations resulting from such acquisitions often involve a shift from subsistence agriculture to commercial crops, placing further pressure on local food systems. This shift is particularly prevalent in regions such as Africa, where land

expropriation contributes to declining agricultural productivity and increasing competition over increasingly scarce resources (Luxon Nhamo et al., 2022). Consequently, communities face substantial challenges to their food security and overall resilience, stemming from changes induced by these processes.

The cumulative impacts of land acquisition and land-use change manifest in various forms of environmental degradation, which in turn lead to declining livelihoods. Displacement often deprives individuals of access to fertile agricultural land, forcing them to relocate to less productive areas where they struggle to maintain food production systems (Christoph Oberlack et al., 2021). This situation creates a vicious cycle of poverty and environmental degradation, as displaced communities face barriers to accessing resources, ultimately resulting in weakened social cohesion and increased socioeconomic vulnerability (Alinor A. Osman & Gumataw K. Abebe, 2023).

Research highlights that when local communities lose their land, their agricultural practices may decline, resulting in a significant deterioration in local food security and exacerbating existing inequalities. For example, studies have shown that the displacement of inter-riverine communities in Somalia has led to a sharp increase in urban migration driven by resource scarcity and conflict. The interaction between land acquisition and environmental impacts disrupts local economies, threatening food sovereignty and community well-being.

When the cumulative impacts of land loss place pressure on food systems, they can trigger social contestation and conflict. Communities displaced by large-scale land acquisitions often resist injustices arising from new land-use arrangements, leading to civil tensions and conflicts related to ownership and access to resources. These social tensions are further exacerbated by external pressures, such as rising global food prices and climate change, which make access to the resources required for food production increasingly difficult (John Anku et al., 2022).

Infrastructure development frequently causes environmental degradation, thereby posing significant challenges to sustainability. In Kenya, for example, urban development projects reflect a growing tendency to overlook ecological risks, which can result in adverse environmental impacts and undermine community interests (Janet Mburu, 2024). Despite increasing efforts to integrate green infrastructure, conceptual gaps remain regarding the socioeconomic implications of such recommendations, particularly in terms of economic feasibility and the governance mechanisms required for their effective implementation.

Furthermore, the drive to expand infrastructure adjacent to coastal urban areas has resulted in pronounced socioeconomic inequalities. Case studies of PIK 2 and Kamal Muara demonstrate that the failure to ensure equitable access to resources leads to the marginalization of traditional communities and informal workers, thereby exacerbating social disparities within the context of urban development. The UN-Habitat New Urban Agenda calls for urban policies that promote social inclusion and the equitable

distribution of resources, which are essential for mitigating the contradictions between rapid development and ecological integrity (Keyshia C. Tania, 2025).

The call for socially inclusive infrastructure highlights the urgent need to embed principles of justice within urban planning frameworks. Socially inclusive infrastructure has been shown to be essential not only for disaster risk reduction but also for promoting urban resilience and environmental sustainability (Wilfred Lunga et al., 2025). It is therefore essential that infrastructure projects undertaken through land acquisition activities prioritize community engagement and promote local ownership in order to bridge existing socioeconomic disparities and ensure that environmental benefits are distributed across all demographic groups.

RESEARCH METHOD

This study employs a normative juridical research method. Normative juridical research is a form of legal research conducted through the examination of literature materials or secondary data (Eyda Kurnia et al., 2023). The normative juridical method was employed because this study analyzes and examines, from normative and literature-based perspectives, the assessment of compensation in land acquisition for development in the public interest.

This study employs two approaches, namely the statute approach and the conceptual approach (Nyoman N. S. Hayati, Sri Warjiyati, & Muwahid, 2021). The statute approach is conducted by examining all laws, statutory provisions, and regulations relevant to the legal issues under investigation. The conceptual approach is an approach in legal research that provides an analytical perspective for addressing and resolving the issues under examination.

RESULT AND DISCUSSION

1. The Implementation of Land Acquisition and Land Appropriation Affects Food Security, Livelihoods, and the Social Welfare of Affected Local Communities

The implementation of land acquisition for development in the public interest is fundamentally a legal instrument required to provide land for infrastructure development that has social and strategic functions for society (Kusumawati, M. P., 2023). However, land acquisition is not merely related to the process of transferring or relinquishing land rights, but also concerns the sustainability of the lives of communities that have long depended on the land for their economic and social needs. In this context, land acquisition that fails to consider the socioeconomic conditions of affected communities may lead to consequences such as the loss of access to productive resources, changes in land-use patterns, and a weakening of communities' ability to sustain their livelihoods. This study shows that land appropriation that is not implemented fairly and inclusively has the potential to result in the loss of productive

land, the marginalization of affected communities, and a decline in food security and social welfare.

From the perspective of food security, land occupies a highly important position because it constitutes one of the main foundations of food production, particularly for rural communities whose livelihoods depend on agricultural activities. Land acquisition that reduces productive agricultural land can directly decrease communities' capacity to produce food for household consumption as well as for local markets. Changes in land use from agricultural to non-agricultural purposes may also disrupt local food systems because communities lose access to production resources that were previously directly available to them. Studies on land-use change indicate that land appropriation may encourage a shift from subsistence agriculture toward commercial activities, which under certain conditions can increase pressure on local food systems and increasingly limited resources. Therefore, infrastructure development involving agricultural land needs to consider its impact on the sustainability of food production and community access to food sources (Bachtiar, E. E., Tapi, T., Saputra, H., Budicahyono, M. E., & Konyep, E., 2025).

The impact on food security is subsequently closely related to the livelihoods of affected communities. The loss of land does not merely mean the loss of an object of ownership or control, but may also signify the loss of productive capital and a source of income. For farmers, for example, land is the primary means of carrying out production activities. When such land is acquired for development, communities that previously earned income from agricultural activities must seek alternative employment or other sources of income. The problem becomes more complex when communities lack sufficient skills, capital, or economic access to transition to new occupations. Such conditions may reduce household economic capacity and increase dependence on other resources that may not provide the same level of productivity. The literature used in this study indicates that the displacement of communities from productive agricultural land may force them to move to less productive areas, making it increasingly difficult to sustain food production systems and livelihoods.

From a social perspective, the loss of land may also alter the structure of local community life. In society, land has not only economic value but also a social function, as it serves as a space for family activities, relationships among community members, and various social practices that have developed over long periods of time. When communities are relocated or lose access to their land, social relations and community cohesion may be disrupted. These changes may create socioeconomic vulnerability, particularly among communities that lack alternative resources. The studies underlying this research indicate that the loss of community access to land may reduce agricultural practices, weaken local food security, and exacerbate existing inequalities. Therefore, the success of land acquisition cannot be measured solely by the availability of land for

development, but must also be assessed by the extent to which the process is capable of maintaining or improving the socioeconomic conditions of affected communities.

Land acquisition that fails to provide adequate protection for affected communities may also trigger social conflict. When communities feel that they have lost resources without being provided with a fair, transparent, and participatory process, resistance to development projects or new land uses may arise. Such conflicts may concern ownership, control, access to resources, or dissatisfaction with changes in land functions. Pressure on food systems and sources of livelihood may further intensify social tensions, especially when communities lack adequate economic alternatives after losing their land. In this study, such conditions are described as a relationship among land appropriation, pressure on resources, food insecurity, and social conflict. Therefore, social aspects must be positioned as an integral part of every stage of land acquisition and should not be treated merely as an additional consequence after the acquisition process has been completed.

From the perspective of agrarian law, these issues demonstrate the importance of situating land acquisition within a framework that balances development interests and the protection of community rights. Law Number 5 of 1960 concerning Basic Agrarian Principles, Law Number 2 of 2012 concerning Land Acquisition for Development in the Public Interest, and Government Regulation Number 19 of 2021 concerning the Implementation of Land Acquisition for Development in the Public Interest form part of the normative framework used in this study. These regulations indicate that land acquisition must be placed within a legal mechanism that provides legal certainty while also taking into account the interests of parties whose land is affected. In the context of this study, a legal approach cannot be limited to examining whether the formal procedures of land acquisition have been fulfilled, but must also assess whether their implementation is capable of protecting the sustainability of the lives of affected communities.

The provision of compensation in land acquisition needs to be understood more broadly as part of efforts to restore the socioeconomic conditions of affected communities. The loss of productive land may create long-term impacts that cannot always be addressed solely through financial compensation. Communities may lose employment, social networks, access to food sources, and economic opportunities that were previously derived from the land. Therefore, the implementation of land acquisition must take into account the socioeconomic conditions of communities, including groups with higher levels of vulnerability. The principle of justice in land acquisition requires that communities should not be positioned merely as objects of development, but rather as subjects with interests and rights to participate in processes that directly affect their lives. This is consistent with research findings on infrastructure development that emphasize the importance of community involvement and local ownership in reducing socioeconomic disparities.

The implementation of land acquisition and land appropriation is therefore closely related to the food security, livelihoods, and social welfare of local communities. Land acquisition carried out without considering the sustainability of the social and economic functions of land has the potential to result in the loss of productive land, reduced food production capacity, disruption of livelihoods, increased socioeconomic vulnerability, and the emergence of conflict within communities. Conversely, land acquisition that is implemented fairly, transparently, participatively, and inclusively can reduce these negative impacts while ensuring that infrastructure development continues to serve the public interest without sacrificing the sustainability of affected communities' lives. Accordingly, the success of land acquisition should not be measured solely by the availability of land for development, but must also include the preservation of livelihoods, food security, social welfare, and the overall sustainability of communities affected by land acquisition.

2. Infrastructure Planning and Development Can Be Implemented Fairly and Inclusively to Prevent Environmental Degradation and Community Marginalization in the Land Acquisition Process

Infrastructure planning and development in the land acquisition process should fundamentally be situated within a framework that balances development interests with the protection of communities and the environment (Tenong et al., 2021). Development in the public interest is indeed intended to improve public services and support economic growth, but its implementation must not disregard the social and ecological impacts arising from changes in land use. In this study, land acquisition is understood not merely as a process of providing land for development, but also as a process that can alter the social, economic, and environmental structures of affected communities. Therefore, development planning should identify, from the outset, the potential loss of productive land, changes in livelihoods, environmental degradation, and risks of community marginalization so that development interests do not impose disproportionate social burdens on particular groups.

The principle of justice in land acquisition planning requires that the benefits of development and the burdens it creates be distributed proportionately. Communities whose land is used for development should not become the only parties bearing the consequences of development while its benefits are enjoyed broadly by society without due regard for those directly affected. Within the context of agrarian law, land has a social function, meaning that individual interests and the public interest must be placed in a balanced relationship. The legal framework used in this study, namely Law Number 5 of 1960, Law Number 2 of 2012, and Government Regulation Number 19 of 2021, serves as the normative foundation for land acquisition for development in the public interest. Accordingly, the principle of public interest cannot be interpreted as a justification for disregarding the rights and interests of affected communities.

Inclusivity is also an important element in land acquisition planning. Affected communities must be given opportunities to participate in processes related to changes in land use and infrastructure development. Such involvement is necessary so that development planning is not based solely on technical and economic considerations, but also takes into account the social conditions of communities located within development areas. Community participation can serve as a means of identifying needs, concerns, and potential impacts that may not be visible in planning processes that are purely administrative in nature. This study emphasizes that infrastructure development needs to prioritize community involvement and promote local ownership as a means of bridging existing socioeconomic disparities. Through this approach, communities are not merely positioned as recipients of development impacts, but also as participants in the development planning process itself.

Fair planning must also consider the ecological impacts of changes in land use. Large-scale land appropriation can result in both direct and indirect land-use changes, including community relocation and loss of access to resources. If communities that lose their land subsequently clear or utilize other, less productive land, pressure on resources and the environment may increase. This demonstrates that the impacts of land acquisition do not necessarily end at the development site but may extend to other areas through changes in land-use patterns. Therefore, development planning needs to consider cumulative environmental and social impacts, rather than focusing solely on the direct impacts on the parcels of land being acquired. Such an approach is important for preventing a cycle of land loss, excessive exploitation of new resources, and environmental degradation.

Preventing environmental degradation in infrastructure development is also closely related to the ability of the government and project implementers to integrate ecological considerations into the planning process. Infrastructure development that fails to account for environmental risks may cause ecological damage and ultimately generate adverse impacts on communities. The studies examined in this manuscript indicate that urban development may overlook ecological risks, resulting in harmful environmental impacts and weakening community interests. Therefore, environmental considerations must form part of the decision-making process from the planning stage onward, rather than being treated merely as corrective measures after development has taken place. The integration of environmental considerations is also essential to ensure that development can proceed sustainably without reducing the environment's capacity to support community life in the future.

Furthermore, inclusive development needs to give particular attention to groups that occupy more vulnerable social and economic positions. Traditional communities, farmers, informal workers, and other groups that depend directly or indirectly on land resources may face greater risks when changes in land use occur. If the land acquisition process is oriented solely toward administrative completion and securing land for

projects, these groups may become marginalized because they lose access to resources without possessing sufficient capacity to adapt. Studies of coastal urban development examined in this research show that unequal access to resources can reinforce the marginalization of traditional communities and informal workers. This demonstrates that infrastructure development must be designed by considering the fairer distribution of benefits and access to resources.

From a governance perspective, fair and inclusive land acquisition planning requires transparency, participation, and mechanisms that allow communities to express their interests effectively. Land acquisition is a process that has direct consequences for land rights and the sustainability of community life, and therefore decision-making processes must be legally and socially accountable. The normative juridical approach employed in this study provides a basis for understanding the importance of consistency between land acquisition implementation and statutory regulations, as well as the principle of justice as an objective of law. Accordingly, compliance with legal procedures must go hand in hand with substantive attention to community protection. A process that formally complies with legal requirements but disregards the social and environmental conditions of affected communities may ultimately generate inequality and conflict in the implementation of development.

Fair and inclusive infrastructure planning and development must therefore be understood as a process that simultaneously integrates development interests, community protection, and environmental sustainability. Land acquisition must not merely result in the availability of land for development, but should also ensure that the process does not cause environmental degradation or the marginalization of affected communities (Sitanggang, D. F. D., 2026). Community participation, equitable distribution of benefits, protection of vulnerable groups, and consideration of ecological impacts are essential elements in achieving just land acquisition. Through such an approach, infrastructure development can continue to serve the public interest without sacrificing the rights, livelihoods, and sustainability of local communities. Therefore, justice and inclusivity should be positioned as fundamental principles at every stage of land acquisition, from planning and implementation to infrastructure development and utilization.

CONCLUSION

The implementation of land acquisition and land appropriation for infrastructure development has significant implications for the food security, livelihoods, and social welfare of affected local communities. Land acquisition that is not implemented fairly and inclusively may result in the loss of productive land, reduced food production capacity, disruption of livelihoods, and increased socioeconomic vulnerability. For communities whose livelihoods depend on the agricultural sector, the loss of land represents not only the loss of an asset but also the loss of a means of production, a

source of income, and an integral part of community social life. Therefore, the success of land acquisition should not be measured solely by the availability of land for development, but also by the extent to which the process provides protection and ensures the sustainability of the lives of affected communities.

Infrastructure planning and development must be implemented based on the principles of justice, transparency, participation, and inclusivity while taking into account environmental sustainability and the protection of vulnerable groups affected by development. Community involvement in the land acquisition process is essential to ensure that development is not solely oriented toward physical infrastructure objectives but also considers the proportional distribution of development benefits and burdens. Furthermore, ecological and social impacts must be considered from the planning stage to prevent environmental degradation and community marginalization. Accordingly, land acquisition for development in the public interest should be positioned as a process that balances development interests with the protection of rights, livelihood sustainability, food security, community welfare, and environmental conservation, thereby ensuring that development genuinely serves the public interest in a just and sustainable manner.

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