

# **The Utilization of Sumatra Toll Road in Building the Economy: a hope or just wishful thinking?**

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## **Abstract**

This study investigates whether the operation of the Trans Sumatra Toll Road to improve the welfare of the Indonesian people is a realistic goal or merely a pipe dream. This research is normative legal research using secondary data sources gleaned from a literature review, and it is prescriptive in nature. Several prior studies on the effects of the operation of the Trans Sumatra Toll Road are indicated by the findings. This research will focus on the study of the operationalization of the Trans Sumatra Toll Road from the perspective of positive impacts as opportunities that can be maximized, as well as minimizing the potential for the emergence of inhibiting factors as concrete forms of challenges that must be confronted based on the study's perspective (economic, social, and legal) that have direct contact with community life. A comprehensive study of the operationalization of the Trans Sumatra Toll Road is anticipated to contribute academically to the basis for consideration in order to maximize opportunities for positive impacts and minimize challenges in the form of impeding factors for the operation of the Trans Sumatra Toll Road in an effort to improve the well-being of the Indonesian people.

**Keywords;** Operationalization; Trans Sumatra Toll Road; Opportunities; Challenges;

## **Introduction**

The economy, as an essential sector in supporting the sustainability of a country, plays a vital role in regulating people's welfare. The perception index of economic development figures shows the level of economic activity and the standard of living of the people in it. Article 33 of the 1945 Constitution of the Republic of Indonesia, which will be called the 1945 Constitution of the Republic of Indonesia from now on, says that the state has to improve the social welfare of its citizens and society.

The Indonesian government plans to construct toll roads stretching on the order of 4,620,510 km. unfortunately, only 757,470 m (16%) of that length has been constructed to date. Several studies on toll road construction sites show that the problem of low public participation and attendant resistance as a factor that has contributed to the low level of toll road completion (Nurhadi Susanto 2019). The construction of toll roads is one of the infrastructure projects that contributes to the improvement of the quality of life of the citizenry and economic development. Constructing toll roads generates a lot of benefits, including the creation of an efficient flow of traffic in developing areas

(M.A. Berawi, P. Miraj, A.R.B. Berawi, Gunawan, & K. Mikaelse 2018). N. Low and J. Odgers (2012) say that economic growth can be helped by making the distribution of goods and services more efficient and effective.

The construction of toll roads can lessen the burden on government expenditure by increasing the participation of toll road users (T. Liu, M. Bennon, M.J. Garvin, & S. Wang 2017). The economic development of a country can also be found in collective agreements between countries globally through global negotiations across the characteristics of the use of indicators and perceptual value thresholds for a variable used to measure the level of a country's economy. National economic planning techniques can be used to regulate the direction of the national economic development of a country (C.R. Blitzer, P.B. Clark, & L. Taylor 1975).

Infrastructure development is one of the factors that can influence the direction of the country's development by increasing the connectivity and access of the public or those who wish to exploit the potential of existing resources in the region, with the final goal desired, namely to encourage the economic growth of a country. Infrastructure is related to social welfare and the quality of economic growth in a region, as indicated by an indication that an area with better infrastructure quality has a better level of social protection and quality of economic growth (Ministry of Public Works and Public Housing of the Republic of Indonesia). Indonesia's potential for economic growth is relatively stable at 5%, accompanied by an improvement in the unemployment rate index, which has decreased (from 9.75 in 2007 to 5.13% in 2018) and a decreasing poverty rate index (from 16.58%), shows the positive potential of the Indonesian economy in the trend of sluggish international economic trade (Ministry of National Development Planning of the Republic of Indonesia/National Development Planning Agency 2011).

Based on data from the Central Bureau of Statistics (BPS), it shows that Sumatra Island ranks second in Indonesia in terms of the speed of regional development, as evidenced by the figure for Gross Domestic Product, which touched 23.8% in 2018 of the total Indonesian GDP. The Gross Domestic Product figure of Sumatra Island is only inferior to Java Island as an area that has the highest Gross Domestic Product figure of 57.6%. It makes sense because, according to the Central Bureau of Statistics of Republic Indonesia (2018), Java Island is the center of economic and trading activities in Indonesia. It is hoped that the enormous potential of Sumatra Island can be used to support Indonesia's development through accelerating economic growth and the distribution of infrastructure development. So, it is hoped that it will help the island of Sumatra become a financial hub where people from Europe, Africa, South Asia, East Asia, and Australia can get to markets (Hutama Karya Co. Ltd.).



**<Fig. 1>** Projection of Sumatra Island's Economic Potential Mix (Ministry of National Development Planning of the Republic of Indonesia / National Development Planning Agency 2011)

Based on data from the Master Plan Acceleration and Expansion of Indonesia Economic Development 2011-2025 compiled by the Ministry of National Development Planning / National Development Planning Agency, it shows that the island of Sumatra has 11 regional centers that serve as the central sector of the economy by utilizing various potential strategic economic commodities such as Coconut Sait, Getah Rubber, coal, shipping, steel combined with the geographical conditions of Sumatra Island which are ideal for trading investment (Ministry of National Development Planning of the Republic of Indonesia / National Development Planning Agency 2011).

However, it is unfortunate that the massive potential of the economic sector possessed by the island of Sumatra is not accompanied by adequate quality infrastructure. I am evidenced by the extra cost and time required in shipping goods for trading commodities to several trading areas in Java. The length of time for delivery of commodity goods ranges from 3 to 4 days at vital ports and the high cost of shipping goods using sea freight forwarding services/shipment cost (Hutama Karya Co. Ltd.).

The development of infrastructure quality is considered a necessity that must be carried out immediately to increase the enormous economic potential of Indonesia (R. Anas, O.Z. Tamin, R.Z. Tamin, & S.S. Wibowo. 2017).. The construction of toll roads is one way to improve the quality of infrastructure to increase the trade activity of goods and services commodities that have economic values (Suci Atma Hardika & Jeki Ardianto 2020). With the issuance of Presidential Regulation Number 100 of 2014 jo. Presidential Regulation Number 117 of 2015 concerning the Acceleration of Toll Road Development in Sumatra.

The President gave PT Hutama Karya (Persero) an assignment from now on, referred to as PT Hutama Karya, as one of the State-Owned Enterprises to carry out the construction of the Trans Sumatra Toll Road (from now on referred to as the Trans Sumatra Toll Road). The Trans Sumatra Toll Road development consists of 2 parts, namely the main corridor (along 1,813 km stretching from Bakauheni to Banda Aceh). The supporting corridor (along 795 km connecting several areas such as Sibolga, Padang, and Bengkulu to the main corridor route) is one of the government's efforts to improve the infrastructure's quality of Sumatra.

The implementation of the Trans Sumatra Toll Road construction cannot be separated from the various real challenges that can be encountered. The problem for the development of the Trans Sumatra Toll Road, in general, is related to the impact of the economic sector as well as the social area, which can be found in several stages, including the pre-construction stage, the construction stage, or the post-construction stage which directly impacts the people of Sumatra Island, or for the Indonesian people in general. Therefore, based on the background description above, the writer is interested in examining the opportunities and challenges of the operation of the Trans Sumatra Toll Road, often analogous to a 'double-edged knife,' namely the existence of contrasting differences that go hand in hand and cannot be separated due to being integrated.

The operation of the Trans Sumatra Toll Road is one of the substantial efforts to improve the connectivity of Indonesians who use toll road services to accelerate their business activities. The success of accelerating the development of the economic wheels of the Indonesian people can be maximized through the operation of the Trans Sumatra Toll Road. It is hoped that the operation of the Trans Sumatra Toll Road, which connects most of the vital areas of Sumatra Island, is expected to increase the connectivity of the Sumatran people in particular, as well as the Indonesian nation in general.

Increasing time efficiency is the main factor driving the operation of the Trans Sumatra Toll Road as a stimulus in driving the economy of all elements of society. The Trans Sumatra Toll Road as a part of macro infrastructure requires careful preparation. The operation of the Trans Sumatra Toll Road is expected to be able to make a positive contribution to the Indonesian people. However, it also requires caution in its implementation. This implementation due to the potential inhibiting factors that could threaten the existence of the initial objective of the operation of the Trans Sumatra Toll Road.

In this research, we will discuss comprehensively the efforts that can be made to maximize the positive impact as a real opportunity that can be provided. We can minimize the inhibiting factors as a manifestation of the real challenges of the operation of the Trans Sumatra Toll Road from the perspective (economic, social and legal) as a vital aspect, which is in direct contact with the needs of society. So it is hoped that through this research, it can contribute to a comprehensive study for stakeholders in determining the direction of policies that are oriented towards maximizing the use of opportunities and can optimally minimize challenges in the operation of the Trans Sumatra Toll Road as an effort to improve the welfare of the Indonesian people.

Based on the background description above, in this study, the authors are interested in discussing several problem formulations related to the substance of the research. First, what efforts can be made to maximize the positive impact arising from the operation of the Trans Sumatra Toll Road in order to improve the welfare of the Indonesian people? Second, namely, what efforts can be made to minimize the challenges that are hindering factors for the operation of the Trans Sumatra Toll Road, which is used to improve the welfare of the Indonesian people? Based on the results of a judicial review of opportunities and challenges that are integrated, the operation of the Trans Sumatra Toll Road is projected to optimize opportunities and minimize obstacles that can be found in the research so that they can be used as consideration for related stakeholders who have authority over the operation of the Trans Sumatra Toll Road.

In this study, the authors used a type of doctrinal law research, namely, to collect legal materials through a literature study in the form of secondary data. The research that was conducted was prescriptive and produced arguments and reviews on the impact of the operation of the Trans Sumatra Toll Road on Indonesian Communities. This research is authoritarian through an assessment of the rule of law, legal principles, and legal doctrines relevant to solving the problem formulations that the authors examine in this study. The author uses several research approaches, namely the statue approach, the case approach, and the conceptual approach.

## **The Utilization of Sumatra Toll Road in Building the Economy**

The construction of the Trans Sumatra Toll Road, which stretches from Bakauheni Lampung to Banda Aceh in general consists of two main corridors (along 1,813 km stretching from Bakauheni to Banda Aceh) and supporting passages (along 795 km connecting several areas such as Sibolga, Padang and Bengkulu to the main corridor route) is one of the government's efforts to improve the quality of infrastructure on the island of Sumatra. The Trans Sumatra Toll Road operation connects nine provinces in Sumatra, which mostly lie on the northern coast of the island, enabling the optimization of Indonesia's economic potential

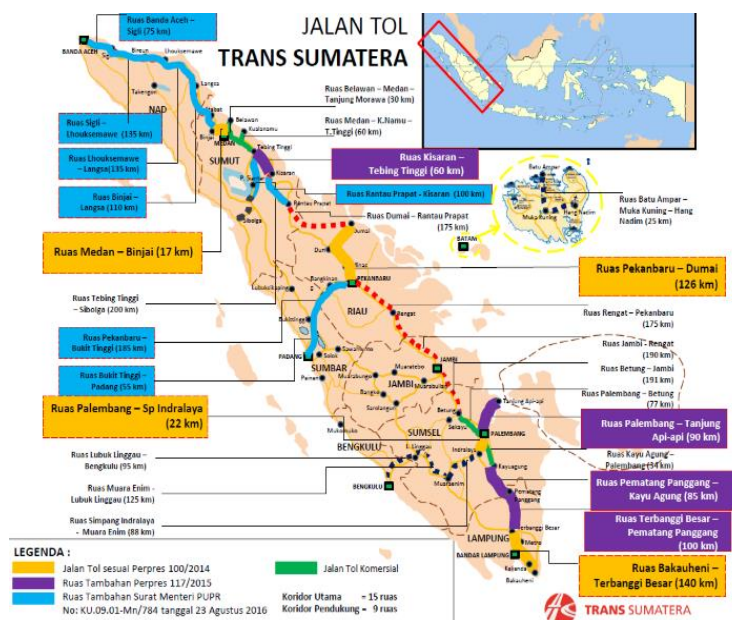


through sea transportation modes with other countries in the north of the island of Sumatra (Hutama Karya Co.Ltd.).

Sumatra Island is one of the strategic areas projected as one of the gateways to Indonesia's trade economy. The island of Sumatra as a center for production and processing of agricultural products and a national energy barn is a great opportunity that can be exploited and managed to improve the economic and social welfare of the Indonesian people (K. Schwabb 2020).

Based on data from the World Economic Forum in the annual report The Global Competitiveness Report 2019, Indonesia is ranked 50th out of 141 countries in the global economic competition ranking index based on the Industrial Revolution 4.0. Indonesia's position has dropped by five places when referring to the 2018 index. I am because the growth in the quality of access to access/services is developing relatively slowly even though there has been an increase in innovation in facing a large market (R. Lasubuda 2013).

The prospect of Indonesia's economic growth in 2019 has a positive trend based on the Gross Domestic Product growth rate index, especially from the transportation sector, which plays a role of 8.8% in increasing the Indonesian Gross Domestic Product index in 2019 (K. Schwabb 2020). The economic opportunities that may arise from the Trans Sumatra Toll Road operation on the island of Sumatra are intended to increase trade activity in goods and services using land transportation modes. Indonesia, as one of the countries awarded with the geographical position of the archipelago, is one of the apparent advantages in forming an axis of maritime traffic between countries on various continents (L. Alfirman 2019). To meet the economic potential of Sumatra Island as one of the Republic of Indonesia's significant parts, the construction of the Trans Sumatra Toll Road is a concrete manifestation of increasing economic growth through optimizing the quality of road infrastructure.



<Fig. 2> Projection of Trans Sumatra Toll Road Operation (Hutama Karya Co. Ltd.)

Based on the projected data for the construction of the Trans Sumatra Toll Road owned by PT Hutama Karya as one of the State-Owned Enterprises based on Presidential Regulation Number 117 of 2015 which was given a direct assignment by the President in building the

Trans Sumatra Toll Road consisting of 24 toll roads, has several the deadline for completion is divided into the various scope of assignments such as funding, technical planning, construction implementation, operation, and maintenance (Hutama Karya Co. Ltd.).

Opportunities for operating the Trans Sumatra Toll Road from the perspective of legal studies are in the form of legal standing that has accommodated the operation of the Trans Sumatra Toll Road in several statutory regulations, including the Presidential Regulation, the Regulation of the Minister of Public Works and Public Housing of the Republic of Indonesia, as well as being integrated with several provisions of regional regulations or an agreement with the leadership of the competent authority in the region.

The operation of the Trans Sumatra Toll Road on Sumatra Island is a direct assignment as stipulated in Presidential Regulation Number 117 of 2015 to PT Hutama Karya in carrying out the construction of toll roads consisting of 24 toll roads with several stages of the operation process from the pre-construction stage (planning, funding), the construction stage (development), and the post-construction stage (operation and maintenance) according to the assignments given in Presidential Regulation Number 117 of 2015 concerning the Acceleration of Toll Road Development in Sumatra.

The Trans Sumatra Toll Road operation, which consists of several stages, requires regulatory synergy in implementing this. According to the author's opinion, the operational assignment carried out by PT Hutama Karya is based on Presidential Regulation Number 117 of 2015, which is normative and is a general order. The Trans Sumatra Toll Road operation requires technical regulations, which can be found in several Ministerial regulations, which outline the technical rules for implementing the Trans Sumatra Toll Road operational stages, which are tailored to the characteristics of each area.

In addition to the regulations that have been made by the central government, the operation of the Trans Sumatra Toll Road has also involved regional leaders/officials in each area traversed by the toll road as a form of optimizing the synergy of related stakeholders. They have a role in the operation of the Trans Sumatra Toll Road. The existence of regulations that are used as legal standing and efforts to create synergy between related officials at the central and officials at the regional level. The synergy of laws and regulations that accommodate the Trans Sumatra Toll Road operation cannot stand alone as a legal aspect. However, it also has a connection with the economic and social elements that underlie the order of life in society. According to Klaus Schwab, the three fundamental aspects that can affect the pattern of social life in each region depend on legal, economic, and social issues (J. Chi & S. Waugman 2017).

The operational opportunities for the Trans Sumatra Toll Road, if examined from a legal perspective from an economic perspective, are broadly intended to encourage improvement in the quality of road infrastructure, especially the quality of toll roads as connecting roads that can increase efficiency in the use of time and costs rather than using conventional routes. The potential of various natural resources as well as significant energy products owned by Sumatra Island is a natural gift that must be maximized by the community as a form of gratitude to God Almighty, the implementation of the construction of the Trans Sumatra Toll Road as a form of appreciation to take advantage of this potential with output increasing growth. The community's economy, in particular as residents who are directly affected by the operation of the Trans Sumatra Toll Road and increase national economic growth.

The operation of the Trans Sumatra Toll Road, which stretches from the northern tip of Sumatra Island (Banda Aceh) to the north tip of Sumatra Island (Lampung) is projected to accelerate the distribution of natural products and energy products (Natural Gas in Banda Aceh, Rubber in Medan, Petroleum in Riau, Palm oil in Palembang, coal in Palembang, and coffee in Bandar Lampung) as a small part of the enormous potential for economic commodity goods and services owned by the island of Sumatra. The Trans Sumatra Toll Road operation requires a large amount of financial support, both during the construction process of completing the entire road section and the method of operating the first phase of the toll road section.

According to the explanation by Arif Budimanta as Deputy Chair of the National Economy and Industry Committee as a representative of PT Hutama Karya (Persero), he said that with the operation of the Trans Sumatra Toll Road it is hoped that it can move the economy of Sumatra Island while placing Indonesia as part of the Asian Highway Network so that it can adapt the country's progress. The people's Republic of China in connecting trade activities through toll roads (high way). The quality of toll road services as an improvement in the quality of infrastructure access for the PRC has proven to be able to place the country as part of the world trade route, impacting the contribution of 40% to international GDP (P. Dorimulu 2019).

Besides, the author also uses several previous studies that have relevance to toll road operation's positive impact as an opportunity to improve the quality of people's lives. According to Sumaryoto, another positive economic impact could lie in the increase in land prices, which boosted the communities' economic progress around the toll road area. The rise in land prices around the toll road area has triggered an increase in business activities in various stages (production, distribution, and consumption) (Sumaryoto 2010).

According to Muhammad Harum and Sutriani in the National Academic Journal of Architecture Volume 4 Number 1 2017, it is related to the influence of the construction of the Sutami toll road that crosses several urban villages in the Makassar area of South Sulawesi in affecting the value of the surrounding land. The increase in the amount of land around toll road areas is influenced by several factors, including the distance from the road, utility network, accessibility, land area, and the distance to the city center.

Referring to this research, the authors then correlate the various factors above as the positive impact of the Trans Sumatra Toll Road operation as opportunities that can be exploited. First, the distance factor from the road correlates with land value prices. With the Trans Sumatra Toll Road construction that divides around residential areas, it can trigger an increase in business activities around toll roads so that it can increase the value of land owned by the community (R. Lasubuda 2013).

Second, the utility network (electricity network, water drainage, communication channels) can increase economic benefits for the community. A good quality utility network can attract investors to open businesses/businesses around the Trans Sumatra Toll Road area with the output of increasing the social strata of the community through economic improvement which can also increase profits for business investors who want to open trading activities due to its strategic location and adequate network access. In supporting trade activities.

Third, the accessibility factor can cut distances, travel times, and transportation costs when traveling. With this efficiency, the Trans Sumatra Toll Road operation can attract trade

service actors and the general public in using toll roads to accelerate mobilization to the places they want to go. The efficiency of costs, time, and distance can drive the effectiveness of trade distribution performance so that it is expected to increase the intensity of trade volume. The increase in the strength of trade volume is expected to provide additional revenue to local governments that manage the area lined by the Trans Sumatra Toll Road so that they can carry out economic development programs in improving the welfare of the community.

Fourth, the land area factor correlates with the conversion of land use functions to a strategic place in conducting trading activities. The construction of the Trans Sumatra Toll Road is expected to be able to trigger investors to open new businesses around the toll road area which is still empty because in general, land clearing for new toll roads tries to avoid crowded places for land acquisition (people's houses, strategic locations for the community's economy). It is hoped that the opening of new businesses in the vicinity of the Trans Sumatra Toll Road area can create new jobs for the people around the city.

Fifth, the factor of access to the city center is one of the essential elements that investors make before starting a business. The operation of the Trans Sumatra Toll Road, which is strategically located towards several cities targeted for increased trade mobilization, is a magnet that can attract investors to carry out trading business activities around the operating area of the Trans Sumatra Toll Road. With the large amount of capital invested by investors, it is hoped that it can increase regional financial income through investors' taxes when carrying out trading activities.

If examined from a legal perspective on social aspects, the Trans Sumatra Toll Road's operational opportunities are generally related to the positive impacts that can be given from the social issue as opportunities that can be exploited. Referring to the positive effect on the economic sector as an opportunity, it can also be used in improving the social welfare of the people living around the operating area of the Trans Sumatra Toll Road. The operation of the Trans Sumatra Toll Road, which can play a role in improving the economic condition of the community directly through the opening of new job opportunities, or through indirect positive impacts through the benefit of the inclusion of additional funds into the regional treasury, can be used to improve the quality of the community's economy through local economic development programs.

The economic aspects that live and develop in people's lives substantially cannot be separated from the social issues inherent in it. It is hoped that the increase in economic welfare in the lives of the people around the Trans Sumatra Toll Road area is expected to reduce the frequency of crime cases / criminal acts as a form of the social disease (theft, robbery, grabbing, etc.) which is motivated by economic limitations. Although it is undeniable that the operation of the Trans Sumatra Toll Road can have a direct impact on increasing social welfare, with the existence of the Trans Sumatra Toll Road it is hoped that it can increase the mobilization of trade traffic which leads to improving the quality of the regional economy around the Trans Sumatra Toll Road.

The increasing economic activity resulting from the Trans Sumatra Toll Road operation, according to the author's opinion, can occur in various business sectors, including in the industrial area, the plantation sector, and the shipping service, and the mining sector. The positive impact in the social industry that exists in the industrial sector is related to the operation of the Trans Sumatra Toll Road, which can trigger investor interest in investing in the area,



with the presence of a new type of industry it is hoped that it can absorb labor to minimize social diseases that are motivated by economic factors.

The positive impact in the social sector that exists in the plantation sector related to the operation of the Trans Sumatra Toll Road lies in the tendency of people to switch professions from gardeners to workers in other economic areas who have better incomes to minimize social diseases in social life. The positive impact in the social sector in the mining sector related to the Trans Sumatra Toll Road operation lies in the tendency of people to switch professions from mining workers to other more beneficial economic areas.

Although economically it has very profitable potential, according to Bintang in a scientific journal in UIR Law Review Volume 3 Number 1 2019, it states that the majority of small communities who carry out mining activities tend to carry out mining activities illegally (E. Latifah & M.B. Pratama 2019), with the existence of new jobs as one of the impacts of the operation of the Trans Sumatra Toll Road, it can prevent people from committing criminal acts as a form of social disease that is often found in people's lives.

### **The Challenge is to Improve the welfare of the Indonesian People.**

Sumatra Island is one of the strategic areas to be projected as one of the gateways to Indonesia's trade economy. The island of Sumatra as a center for production and processing of agricultural products as well as a national energy barn is a great opportunity that can be exploited and managed in improving the economic and social welfare of the Indonesian people (Hutama Karya Co. Ltd.). The Trans Sumatra Toll Road operation to increase the mobilization of trade and residents around the area is a great opportunity that cannot be separated from the potential losses that may arise from the operation of the toll road.

The challenges that exist in the operation of the Trans Sumatra Toll Road have a secure connection with the operating obstacles in all the stages contained therein. Apart from the various positive impacts of the Trans Sumatra Toll Road operation, the author wants to analyze the challenges that are generally in the form of potential losses received by the community as the impact of toll road operation. Ayu Andayani and Lissy La Paix, in a scientific paper published in The Journal of Transport and Land Use Volume 12 Number 1 2019 issued by the University of Minnesota Center for Transportation Studies, stated that toll road construction is one of the main roads in increasing investment development. In developing countries, if used optimally (A.I.G. Andani, K. Geurs, & L.L.P. Puello 2019).

According to Triana, Ali, Saifuddin, and Fanan in scientific publications in the Proceedings of the National Seminar & Scientific Meetings published by the Darussalam Banyuwangi Islamic Institute Research Network, in general states that toll road construction can lead to socio-economic changes in the communities living around the project. Toll roads (Sumaryoto 2010). According to the author's opinion, the socio-economic changes that occur in cities around the toll road area can be positive (profit opportunities obtained from toll road operation) and negative (challenges of losses that can arise from toll road operation). Then, the author uses several previous studies to strengthen the author's argument in examining the problems in the form of threats of loss to the community as a result of the Trans Sumatra Toll Road operation.

According to Sumaryoto, some of the challenges that can be encountered in the operation of toll roads can pose a threat of harm to the community in the economic sector (sales of goods and services for the small town are reduced, some people feel that the construction of

toll roads makes it difficult for residents to travel to other places around the road area. toll), the social sector (shifting patterns of community life that ignore environmental conditions) (J. Chi & Waugman 2017).

Based on the description of the challenges that can be found in the construction and operation of toll roads, it is then linked to the process of the Trans Sumatra Toll Road as one of the government's discourses in improving the quality of infrastructure services through toll road construction based on a pure study perspective from the perspective of legal studies on economic and economic aspects. integrated, so that the discussion on the challenges of operating the Trans Sumatra Toll Road cannot be studied partially from a legal perspective alone, however, an analysis of problems in terms of social and economic aspects must be carried out under the theory of binding theory from Junwook Chi & Samuel Waugaman about the factors forming the pattern of social life structure (J. Chi & Wangman 2017).

The challenge of operating the Trans Sumatra Toll Road from the perspective of legal studies is the impact of losses as one of the problems that can be encountered. According to the author's opinion, the challenge of operating the Trans Sumatra Toll Road lies in the regulation of land acquisition, which is detrimental to the community because land acquisition does not match the actual market economic price. Legal control regulatory factors for land price exemption that sometimes pay less attention to the economic value of the land. Land acquisition for the Trans Sumatra Toll Road, which is hampered by several road sections, is that it has not been entirely resolved.

The price of land released by the government is based on several previous studies that the author uses, Agus Suroño and Evan Wirawan conducted one of which. Agus and Evan's research in the De Jure Legal Research Journal Volume 17 Number 4 December 2017, published by the Indonesian Legal Research Association in collaboration with the Research and Development Agency for Law and Human Rights of the Ministry of Law and Human Rights of the Republic of Indonesia, states that people who affected as victims of land acquisition are required to obtain land acquisition close to or have conformity to the real economic price of the land. In his research which examines the impact of toll road construction in Kendal, which has not guaranteed legal protection and justice for victims, it is proven by the amount of compensation which is sometimes very far from the economic value of land owned by the community (A. Suroño 2016).

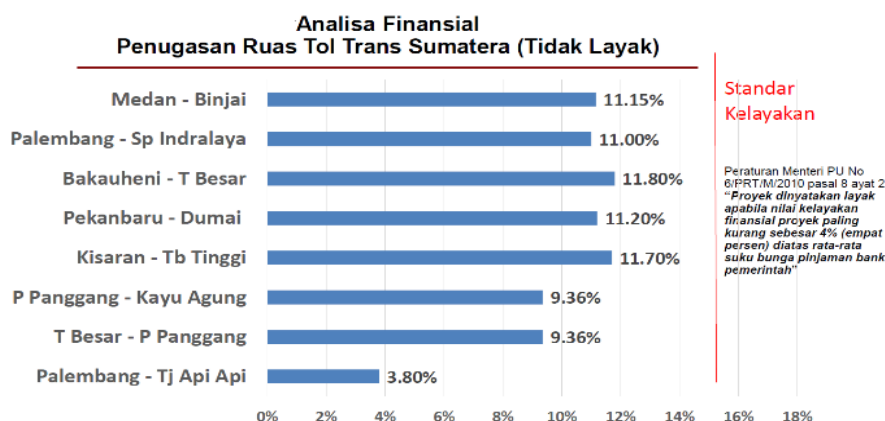
Meanwhile, several other studies conducted by Ervan Wirawan in the Youth Political Journal Volume 6 Number 1 2017, published by Airlangga University, broadly discuss the protection of the rights of the people living around the Jombang-Mojokerto toll road area which have not been fully fulfilled by the road developer. According to the residents, compensation for the land acquired is far from an economic price that does not follow the market price. The developer and the government handling the toll land acquisition case in Jombang have formed a team of Land Acquisition Committee, which functions to estimate land prices (A. Suroño 2016).

The existence of different perspectives of interest has sparked the debate of conflict of interest between the Land Acquisition Committee team, which estimated the price value was indeed better than before. However, the estimated price was still not following the desired price level desired by the community. So like it or not, the people around the area still have to submit to a government authority when carrying out land acquisition as an implementation of the principle of social interests over individual interests (E. Wirawan 2017).

Referring to this research, the authors correlate the legal factors above as one of the challenges associated with the operation of the Trans Sumatra Toll Road on the island of Sumatra. In the opinion of the author. The legal challenges faced by PT Hutama Karya in the operation of the Trans Sumatra Toll Road are also almost the same as a land acquisition, which should be adjusted to the actual economic price of the land. Based on several descriptions of the challenges of operating the Trans Sumatra Toll Road from a legal perspective, it cannot stand alone and affects aspects of the order of life in society, namely economic and social issues (E. Wirawan 2017).

The challenges of operating the Trans Sumatra Toll Road, when examined from a legal perspective on an economic aspect, broadly comprise various factors. Referring to several previous explanations or research, according to Sumaryoto in the scientific publication of the Journal of Rural and Development Volume I Number 2 August 2010 issued by the Center for Rural Research and Regional Development Institute for Research and Community Service, University of Sebelas Maret, several challenges in the economic sector as a result of operations Toll roads include the results of toll feasibility studies on several sections that do not meet the feasibility standards, the emergence of new unemployment and poverty rates due to the decreasing frequency of sales of goods and services, and the inadequate quality of human resources in meeting the standardization of workers in the new economic sector (Sumaryoto 2010).

Referring to this research, the authors then correlate the various factors above as negative impacts as a manifestation of challenges to the operation of the Trans Sumatra Toll Road on the island of Sumatra. First, the author uses the results of the feasibility study for the Trans Sumatra Toll Road section that does not meet the eligibility standards stipulated in the Regulation of the Minister of Public Works and Public Housing Number 6 / PRT / M / 2010 according to the explanation explained by PT Hutama Karya according to the table below.



**<Fig. 3>** Results of Financial Analysis of Trans Sumatra Toll Road Assignments (Hutama Karya Co. Ltd.)

Based on the financial analysis table for the assignment of the Trans Sumatra Toll Road, PT Hutama Karya presented the projected development report and the operation of the Trans Sumatra Toll Road. Based on Article 8 paragraph (2) Regulation of the Minister of Public Works and Public Housing Number 6 / PRT / M / 2010, which states that the financial feasibility of the Trans Sumatra Toll Road project can be said to meet the eligibility standard if it meets at least 4% (four percent) above. Average government bank lending rates. According to the author's opinion, the government's reference interest rate, which ranges from 8-8.5%, is

a necessity that must be carried out by PT Hutama Karya as the executor of the construction assignment for the operation of the Trans Sumatra Toll Road project.

In the opinion of the author, the high level of reference interest rates owned by the government is unfortunate. They were integrating the Trans Sumatra Toll Road development and operation as one of the significant infrastructure projects projected by the government by involving various stakeholders, with the public's dominance as representatives of the state rather than the private sector. High loan interest rates provided by state banks can be implemented if toll road users meet the minimum criteria for passing vehicles.

The operation of the first eight toll road sections, as described by PT Hutama Karya, is based on the number of frequencies of passing vehicles that have not met the predetermined target. Based on Article 8 paragraph (3) and paragraph (4) Regulation of the Minister of Public Works and Public Housing Number 6 / PRT / M / 2010, in outline states, the minister of finance's authority can provide Government Guarantee in the form of Compensation.

Suppose the financial viability of the Trans Sumatra Toll Road project has not improved. In that case, the Minister of Finance may propose to the government to provide land and construction to increase the project's financial viability value to 4% above the average government bank loan interest rate with due regard to project priorities. And the availability of the Indonesian National Budget. According to the author, this is less effective because the government has to spend more money preparing the Trans Sumatra Toll Road construction.

Supposedly, the government formed instructions to state banks to reduce loan interest rates. The direction to reduce the interest rate on government loans is a concrete step in bypassing the long process, namely when the government must provide Compensation, then proceed with the provision of land and construction. According to the author's opinion, the two steps above have similarities in the use of financial assistance in supporting the construction and operation of the Trans Sumatra Toll Road, so that the instruction to reduce the interest rate on government bank loans is an ideal step in reducing the number of funds needed and reducing the stages in meeting shortages. Financial for the Trans Sumatra Toll Road project.

Second, namely factors in the emergence of new unemployment and poverty rates due to the decreasing frequency of goods and services as a result of toll road operations. The Trans Sumatra Toll Road operation that passes through the area on the island of Sumatra is a boon for most people, but can also be a problem for some groups of people. According to Triana, Ali, Saifuddin, and Fanan stated that some of the negative impacts of toll road construction could affect the people's economic income which decreased because trade and service activities carried out by the community were diverted, due to the tendency for road users to use toll roads, which had an impact on reducing the intensity of residents visiting or conducting trade activities in the area (T.R. Noor, A. Hamdan, Saifuddin, & M.A. Fanan 2019).

The emergence of new unemployment and poverty can also arise as one of the negative impacts of toll road operation. The Trans Sumatra Toll Road operation on the Island of Sumatra, which crosses various regions, is primarily used to streamline time, cost, and distance for road users. However, with the tendency of the majority of road users to use toll roads, they will not cross the original areas used by the community in conducting trading activities. The decrease in the frequency of trading activities in the unique space where toll road operations had not yet been passed could trigger a decline in community income, leading to new unemployment and poverty figures.



Third, namely, the factor that the quality of human resources around the area is not ready to meet the qualifications of workers requested by the new company. The Trans Sumatra Toll Road operation that crosses several areas on the island of Sumatra is a blessing because it can trigger the growth of the industrial sector around the toll road area. According to Junwook & Samuel in the publication of freelance scientific papers published by the Marshall University Center for Business and Economic Research, the construction of toll roads does offer a more significant positive impact than the adverse effects, but, inevitably, trade in goods and services that has been existed before the operation of the toll road would decline and even disappear due to the tendency of road users to choose to use the toll road mode with consideration of efficiency in various sectors (J. Chi & S. Waugaman 2017).

The quality of human resources around the area must be improved to meet the work requirements required by new companies, which arise as a real impact of the development of industrial estates from toll road operations. The operation of the Trans Sumatra Toll Road that crosses several areas on the island of Sumatra tends to form a new industrial sector in the form of a company. World competition is getting tighter, causing good labor competition in the country. The ASEAN Economic Community (AEC) era encourages the open entry of labor, and this is a real loss for people living around toll areas if they do not improve the quality of their human resources so they can compete with other workers.

The challenge of operating the Trans Sumatra Toll Road, when examined from a legal perspective on the social aspects, is primarily related to some of the impacts of losses arising from the operation of the Trans Sumatra Toll Road. According to Triana, Ali, Saifuddin, and Fanan stated that some of the effects of the social aspects that can be caused by the operation of toll roads, namely that it takes time to return for the community to adjust and start social activities in a new environment, such as adjustments to social organizations, changes to operations. Community (T.R. Noor, A. Hamdan, Saifuddin, & M.A. Fanan 2019).

Referring to this research, the authors correlate the social factors above as one of the challenges associated with the operation of the Trans Sumatra Toll Road on the island of Sumatra. According to the author, adjustments to social activities that exist in society can primarily work if there is a human activator in it, namely culture. The wheels of organization and community activities driven by the community have characteristics that adapt to the habits that develop in social life.

Community activities that develop in social life are symbols of habits that are influenced by various factors. When the Trans Sumatra Toll Road was operational, which crossed several areas on Sumatra Island, it intersected with the surrounding communities. The existence of people who have to move as one of the impacts of the Trans Sumatra Toll Road construction is something that cannot be avoided. The movement of a group of people to a new area requires time to adapt to new environmental conditions, new geographical conditions so that it takes time to form new habits of people in carrying out their lives.

## **Conclusion**

The operation of the Trans Sumatra Toll Road as an effort to improve the welfare of the Indonesian people requires careful planning. This research will discuss comprehensively the efforts that can be made to optimize positive impacts as real opportunities and minimize the inhibiting factors that are the real challenges of the operation of the Trans Sumatra Toll Road. Referring to several previous studies, according to the author's opinion, there has not

been any research that comprehensively examines the opportunities and challenges that can be found in the operation of the Trans Sumatra Toll Road based on the perspective of studying the fundamental aspects that develop in the life order of Indonesian society. A comprehensive study based on the perspective of aspects (economic, social, and legal) as fundamental aspects that directly touch people's lives, it is hoped that this research can examine the operationalization of the Trans Sumatra Toll Road comprehensively. This research is projected to provide recommendations to stakeholders who have the authority to operate the Trans Sumatra Toll Road so that it is expected to optimize its positive impact as a form of concrete opportunities and minimize inhibiting factors as a real challenge in efforts to improve the welfare of the Indonesian people.

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