

TURNITIN IFRANI - Opportunities and challenges of implementing the legal policy of the warehouse receipt system in improving farmers welfare and food security

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Opportunities and challenges of implementing the legal policy of the warehouse receipt system in improving farmers welfare and food security

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Abstract

Aim: A common agricultural problem in Indonesia is falling prices during the main harvest season. Farmers could not retain their crops any further due to a lack of funds and insufficient storage facilities. This condition is usually exploited by middlemen and loan sharks to make a big profit. The application of warehouse receipts to improve farmer welfare as a marketing model for agricultural commodities is a new innovative term that this study introduces and explores its impact on farmers' welfare and food security.

Methodology: The investigation technique applied was judicial decisions study, supplemented with field conducting advice, by conducting a literature study examining various literature, laws, and regulations. The research team has also carried out field research by conducting in-depth interviews. Researchers are divided into two targets for field research, namely informants from government circles and informants from the community.

Findings: Results revealed that juridical the SRG policy made by the government with the aim of the welfare of farmers had provided legal protection for farmers, both in terms of guarantees in banking institutions, other financial institutions, and legal protection for farmers who use the warehouse receipt system, both for disbursing bank loans with guarantees. Warehouse receipts and security in the form of invoices raised can be transferred; Second, in practice, the government policy still faces obstacles in its implementation. The factors that become obstacles include: (1) an unawareness among farmers about the availability of warehouse receipts. (2) The numbers of intermediaries who use warehouse receipts, causing the warehousing receipts to be inaccurate. (3) There are banking concerns about the reduced value of assets in implementing warehouse receipts as collateral; the internal banking regulations constrain this.

Implications/Novel Contribution: This article examines the recent innovations and the advantages and difficulties that they present. Its primary focus is on foodstuff logistical, including cost control, material handling, shipping, forecasting, and warehousing receipts. Banks prefer fixed assets or real and fixed assets, and if possible, the value can increase or increase in the next few years. We need intervention from the central and local governments that provide a sense of security for banks in providing credit using warehouse receipt guarantees to improve the farmer's welfare.

Keywords: Agri policy, Warehouse receipt system, Farmers, Food security, Welfare of farmers

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INTRODUCTION

Warehousing and storage Invoices, which are contractual securities supported by the underlying stock, are an important feature of most manufacturing governments' markets and business sectors (Blue, Trauger, Kurtz, & Dittmer, 2021). When farmers and corporate entities shift stockpiles of farm products, intermediate or completed goods into a quickly marketable item, the stock market is considerably improved, especially in the agriculture sector. Warehousing invoices can be exchanged, resold, exchanged, used as security to cover the debt, or recognized for payment against a financial instrument such as a financial instrument because they are debt securities. However, many advanced and developing states cannot employ warehousing invoices due to social structural flaws, the most common of which are listed below (Lacroix & Varangis, 1996).

- Due to government participation in the commodity sector, there are few opportunities to establish commercial buffering.
- Weak enforcement, legislative, and organizational framework to sustain a warehousing invoicing structure
- The government's corporate group, particularly its financial system, has little or no experience with invoices raised.

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The government then tried to solve this problem by establishing a Commodity Auction Market, People's Business Credit, and a Warehouse Receipt System (hereinafter referred to as SRG) (Astarini, Pharmawati, Defiani, & Siddique, 2020). With the SRG, farmers are not too rushed to sell their crops because they can still store their crops in accredited warehouses and use their warehouse receipt documents as collateral for credit at the bank. When the market price has improved, farmers can sell goods and pay off credit and get the remaining money from the sale.

Through the SRG, "it is easier for farmers to carry out trade transactions without having to carry agricultural products everywhere, but simply by showing a replacement document called Warehouse Receipt." Inventory receipts can be decided to trade, transmitted, used as credit assets, and used as facts to retrieve products from the storehouse (Astuti & Bawono, 2021). Warehouse receipts can be traded through the stock exchange (Commodity Futures Exchange/Stock Exchange) and outside the stock exchange (Commodity Auction Market/Main Market). The Warehouse Receipt Guarantee Method is the outcome of more evolution of the Beneficiary Assurance Network, particularly as it relates to the purpose of protection for transportable goods in the production of food, plantation, and fishery crops stocks (Coulter & Onumah, 2002; Giwanatara & Hendrawan, 2021).

In terms of warehousing management, basic general technology, such as autonomous guided trucks, can greatly assist in product flow (AGV). Productivity gains and lower labor and capital expenditures are also possible with the usage of AGV. Perhaps the most significant advantage of employing AGVs to move items is the ability to handle their course, allowing the facilities to be reorganized as needed (Jagtap et al., 2021; Raj & Singh, 2020).

Agricultural financing through SRG can be obtained from banking institutions, financial services that are not banks, and traders looking to buy derivative products outstanding dues via or outside the stock market. In this way, warehouse receipts can often change hands to increase the volume of trade and financial transactions, which are expected to boost national economic progress and improve farmer welfare (Fanzo & Davis, 2021).

So far, small farmers' harvested goods cannot be used as credit collateral because there is no law regulating it. However, after the passage of Law No. 9 of 2006 about the Automated Storage and retrieval Program, as revised by Law No. 9 of great impact on students Modifications to Law No. 9 of 2006 concerning the Invoice Scheme (SRG Act) (Number) and its essential in making sure, these issues have begun to be addressed. In the application of the SRG in Indonesia, most of it is still applied in the island of Java, very little is applied outside Java, for example on the island of Kalimantan as a large island in Indonesia, there is only one SRG, namely in Barito Kuala Regency, South Kalimantan Province (Hendra, 2021).

South Kalimantan Province has wetlands, in the form of tidal lands, mostly in the form of peat swamps covering an area of 191,022 ha, which is dominant in Barito Kuala Regency, which has an area of 99,234 ha, but of this area, only 85% is used the rest is idle land. The area of 15% that is not cultivated on a farm-scale is due to the internal constraints of the tidal wetlands of peat swamps in the form of physical, chemical, and water management characteristics that do not support farming activities—inhibiting physical properties related to shrinkage, thickness, and physical condition of the land (Ferrianta & Fauzi Makki, 2015). Inhibiting soil chemical properties is related to soil acidity and low soil hygiene, while the inhibiting water management factor is related to inundation variations. Many factors determine the development of the SRG, including infrastructure readiness, coordination of stakeholders in the warehouse receipt system, and the selection of commodities subject to storage (Hutagalung, 2009).

Conceptually, the SRG can be implemented in the field and can provide benefits to all SRG actors, especially the final target, namely farmers. However, the results of secondary data tracing found that the implementation of the SRG was relatively slow, as seen from the development of the number and value of warehouse receipts issued by warehouse managers during the 2008–2014 period. At the beginning of the operation of the SRG in 2008, the amount and value of warehouse receipts (RG) were 16 RG and Rp1.43 billion, respectively, while in 2014, the amount and value of RG were 596 RG and Rp124.97 billion, respectively (Sofyan & Soedewi, 1980). The amount and value of GM are relatively small in terms of agricultural commodities production. In addition, the types of commodities being stored are relatively limited to commodities of grain, rice, corn, and coffee, although according to the SRG Law, it is possible to store various types of commodities.

Problem Statement

Limiting characteristics in the political landscape are the main obstacle to developing Warehousing invoice processes in Indonesia. The article describes how this difficulty might be handled, with the most important being establishing stakeholder engagement behind the program, depending on knowledge from projects completed in Indonesia over the last year (Coulter & Onumah, 2002). This article looks at how building a standardized warehousing invoicing system for small farmers will help boost the effectiveness of farm products in Developing and emerging nations, ultimately boosting the sustainable economy in Indonesia. Thus, it necessitates an in-depth exploration of Indonesia's current warehousing invoices system related to this unique phenomenon and provides the theoretical and contextual significance of this research. This research is a significant advance for innovations in the Indonesian agro-business model and an important advance in regional and developing country context, making this research more vital for advancing the field.

LITERATURE REVIEW

Warehouse Receipt System Policy as an Alternative Solution Model for Improving the Welfare of Farmers in Indonesia. The issue, distribution, assurance, and payment of automated storage and retrieval activities are part of the land delivery network (van Delden et al., 2021). Meanwhile, a Warehousing Invoice is a certificate prepared by the Logistics Manager to confirm possession of goods held in the facility. Warehousing Receipts are issued to all commodities owners who deposit their items in a store. After the proprietor of the items distributes the products, the supervisor generates a Warehousing Invoice for each storing goods (Tsary & Suryono, 2020).

Warehousing Manager who is appointed as an accredited institution and is legally incorporated, the Conformity Assessment Agency, in this case, is the bank itself. When farmers reap their harvests, then they store some of the commodities of their harvest in a warehouse, which in this case is managed by the warehouse manager, who is a legal entity whose job is to store and maintain and maintain and be responsible for the existence of quality goods stored in his warehouse. or warehouse owned by someone else that he operates. This Warehouse Manager issues a warehouse receipt (A document stating the existence of an item that is stored in actual quantity or quality) (Wall, 2021). Only then will this warehouse receipt be handed over to the proprietor of the items who stores the items in the warehousing; the certificate or document is re-analyzed by the Adjustment Agency. Their tasks include carrying out a sequence of goals for evaluating or proving particular requirements for items, procedures, technologies, or people are met. This institution will provide items certifications that comprise, among other things, the certification date and time of issuing, the identification of the products' ownership, the quantity, kind, and value of product held, and the method of evaluating the goods and the period for which the goods are made. And this agency is in charge of ensuring that the state of the products matches the conditions stated in the license (van Delden et al., 2021).

The warehouse receipt holder has the right to items stored in the warehousing, which can be proven by the warehousing invoice he carries, it can also be transferred to another party (Spiker, Reinhardt, & Bruening, 2020). The transfer of warehousing invoices is adjusted to the form of warehouse receipts itself. Warehouse receipts in the name of the warehouse are transferred by cession, while warehouse receipts based on orders are transferred by means of an endorsement. It is also stipulated that every time a warehouse receipt is transferred, the transferor be required to report to the Institute for Enrollment (Sofyan & Soedewi, 1980). The Institute for Enrollment here is described in legal entity that has been given permission by the Monitoring Agencies to manage warehouse invoices and warehouse receipt derivatives which include recording, storage, transfer of books, ownership, imposition of guarantee rights, reporting, and provision of information systems and networks, namely PT. Kliring Berjangka Indonesia (Persero). Meanwhile, the party receiving the transfer of warehouse receipts must notify the binding of warehouse receipts to the Institute for Enrollment and Warehousing Manager (Spiker et al., 2020).

In the event that the Warehouse Receipt is lost or damaged, the Warehouse Manager is obligated to publish a Replacement Warehousing invoice at the request of the Warehousing invoice Holder (Setiyono, Susanti, Khoidin, & Santoso, 2019). The replacement warehouse receipt has the same legal force as the replaced Warehouse Receipt. For the sake of authenticity, transfer of warehousing invoice is carried out using an authentic deed or a notary deed. (Salim, 2004). Meanwhile, the transfer of Warehouse Receipt on Order is carried out by endorsement accompanied by submission of Warehouse Receipt documents (Sajimin, Asikin, & Suhartana, 2019).

The transfer of warehousing receipts may occur due to inheritance, grants, buying and selling, and/or other

causes justified by law, because of the liquidation of a corporate organization that was once an automated storage and retrieval holder, such as the owner of products (Rob & Cattaneo, 2021). Warehousing invoices can also be utilized as a form of financial security or as members will receive.

Warehouse Receipt Derivatives are derivatives of Warehouse Receipts which can be in the form of Warehouse Receipt futures contracts, Options for Warehouse Receipts, Warehouse Index, Warehouse Receipt discount securities, or other derivatives from Warehouse Receipts as Financial Instruments. Warehouse Receipts and derivatives of Warehouse Receipts can be exchanged on or off the stock market (Sofyan & Soedewi, 1980). Whereas warehouses are all immovable and immovable rooms with the aim of not being visited by the public, but specifically to be used as storage facilities for commodities that can be sold in general and that satisfy the Secretary's other conditions (Putra & Kansil, 2020). A warehouse in a warehouse invoice system must meet technical requirements as a storage area for goods (Patria, 2020). Accredited warehouses can be in the form of warehouses owned by BUMN companies (for example Bulog warehouses) or private warehouses.

Any mobile thing that can be saved for a long period and exchanged generally is referred to as a good (Nurliristiwa, Azheri, & Razak, 2020). As for what is meant by mixed goods are goods that are naturally or customarily deemed equivalent in trading practice and have the same unit and can be stored in a mixed manner. Generally, goods in the warehouse receipt system are agricultural/plantation/fishery products (Salim, 2004).

Warehouse receipt holders are goods owners or parties who receive more transfer of goods owners or other parties who receive transfers from goods owners or other parties who receive further transfers. Because warehousing receipts are securities that can be transferred and traded many times, the most recent warehouse receipt holder is the most entitled to the goods stored in the warehouse (Sajimin et al., 2019).

The warehouse manager is a party that conducts warehousing business, both self-owned and other people's warehouses, which stores, as well as the things that the proprietor of the products stores, maintains, and manages. The warehouse manager is the party entitled to issue warehouse receipts (Number). The warehousing manager must be a legal organization that has acquired the Supervision Agency's permission. Accredited warehousing managers can be in the form of State-Owned Enterprises (BUMN) such as PT Bhandra Graha Rekha, Perum Bulog, PT Pertamina, PT Sang Hyang Sri, PT Indonesian Trading Company, PT Pelindo, and others. The warehouse manager can also be in the form of a private company (e.g., PT Bogasari, Wicaksana Distribution Company) or in the form of a cooperative (Rob & Cattaneo, 2021).

Warehousing invoice guarantee rights are collateral rights imposed on warehouse receipts for debt repayment, which gives priority to the recipient of guarantee rights against other lenders (Mardia, Rukmana, Mahyuddin, Fachrie, & Hastuti, 2021). The guarantee rights agreement is a follow-up agreement (accessory) of the payables agreement which becomes the main agreement (Nugraheni, 2018). Each warehouse receipt issued can only bear one debt guarantee. In addition, warehouse receipts as ownership documents can be used as full collateral for debt without requiring any other collateral (Lacroix & Varangis, 1996).

A guarantee rights agreement contract is used to impose assurance obligations on invoices raised (Anitasari, 2015). Making the guarantee right agreement deed must be made before a notary as an authentic deed, so that it has legal force the guarantee rights giver defaults, the guarantor seems to have the option to market the guarantee object through a resale or retail outlet on his little authority (Gunawan, Kuwornu, Datta, & Nguyen, 2019). The model of selling the object of guarantee for warehouse receipts on one's own power without asking for court fiat is similar to the sale of the object of collateral for the Guarantee through the Parate Executive.

According to Subekti, Parate Executive is carrying out his own right or taking his own right, in the sense that without the intermediary of a judge, which aimed at collateral to sell the goods himself (Hanim & Noorman, 2020). According to Tartib Parate Executive, it is an execution carried out by the holder of the security right (pawn and mortgage) without the assistance or interference of the District Court but only based on the assistance of the State Auction Office (Hidayah, Nasyi'ah, & Jundiani, 2019). Meanwhile, according to Herowati Poesoko, the implementation of the Parent Executive is the easiest and simplest way for creditors to recover their debt when the debtor is in default, compared to execution through assistance or interference by the district court (Rabbi, Oláh, Popp, Máté, & Kovács, 2021). If the borrower is in failure, this signifies, the lender can carry out the execution of the object of guarantee without having to ask for fiat from the Head of the District Court, and therefore the

procedure is easier and costs less. Hariyani (2017) Parate Executive comes from the word paraat, which means the right is ready to be in the hands of creditors to sell the collateral in public on the basis of their power as if it were selling their own property (Hariyani, 2017).

The minister in the warehouse receipt system, which carries out governmental issues in the trade sector or known as the Minister of Trade. The Warehousing Invoice System Supervisory Agency is an organizational unit that reports to the government and has the power to issue directives, regulation and supervision of the warehouse receipt (Number). The warehousing invoice supervisory agency is currently known as the Commodity Futures Trading Supervisory Agency (Number).

In the warehousing invoice system, Conformity Assessment Agency is also known, which means a recognized educational organization that carries out a collection of actions to assess or show that certain requirements concerning items, services, and/or personnel have been met (Rabbi et al., 2021).

Warehousing Invoice Registration Center is a legal entity that has permission was given from the Warehouse Receipt System Supervisory Agency to administer Warehousing Invoice and Warehouse Receipt derivatives which include recording, storage, book-entry, ownership, imposition of security rights, reporting, and provision of information systems and networks (Nugraheni, 2018).

The purpose of enacting the SRG is stated in the Explanation of the SRG Law, which states that the law is meant to continue providing clarity, assure and defend the public interest, smooth flow of goods, the efficiency of goods expenses, and the opportunity to produce a more encouraging regional economy the rate at which the country is developing (Nurliristiwa et al., 2020).

Convergence among the centralized administration, localities, and related industries that assist the SRG, as well as the Commodity Auction Market, is required for this goal. So that the SRG can become one of the pillars of national economic development based on kinship according to the foundations of economic democracy as the embodiment of Pancasila and the 1945 Constitution (Nicastro & Carillo, 2021).

The purpose of implementing the SRG is expressed in the preamble to the SRG Law which reads:

1. Whereas the Warehouse Receipt System, based on Pancasila and the Republic of Indonesia's 1945 Constitution, aspires to increase society's welfare through equality;
2. Whereas to meet the needs of business actors in the Warehouse Receipt System sector, it is necessary to regulate the Warehouse Receipt Guarantee Agency;
3. Although, in light of the factors mentioned in symbols a and b, it is required to establish a Law on Warehousing Invoice System;

The implementation of the SRG in addition to having general objectives as described above also has specific benefits that can be felt by related parties, namely farmers, financial institutions (banks and non-banks), government, rural communities, investors, in the market. Commodity Futures, traders in the Commodity Auction Market, and institutions related to Warehouse receipts (warehouse manager/warehouse receipt issuer, Warehouse Receipt Registration Center, Conformity Assessment Agency, and BAPPEBTI).

The application of the SRG can also provide the following benefits:

1. Helping small farmers overcome post-harvest cost difficulties;
2. Freeing farmers from loan sharks;
3. Maintain price stability for agricultural/plantation/fishery commodities;
4. Adding types of collateral or credit collateral;
5. Facilitate trading transactions of agribusiness commodities;
6. Increase the value/volume of trade transactions through the sale and purchase of Warehouse Receipt Derivative products through the stock exchange or outside the stock exchange;
7. Simplify and improve the monitoring system for national commodity stocks;
8. Improving the quality of agribusiness commodities for export purposes;
9. Encourage farmers to improve the quality of their harvest according to standards;
10. To promote the rural and people's economy sectors;
11. Empower the micro-business sector, small businesses, and small farmers/fishermen to advance the national economy in general;

5

The application of the SRG in Indonesia according to the Commodity Futures Trading Supervisory Agency (BAPPEBTI) can benefit farmers, businesses, banks, and the government. These benefits include: (Serfiyani, Purnomo, & Hariyani, 2021).

1. Commodity price management and consistency. Through a year-long selling capacity, this mechanism helps to stabilize market pricing;
2. Company equity is secured. Owing to monetary organization funding, resource producers have startup capital for long-term development;
3. Banks need to be able to be more flexible when it comes to lending. The development of competition for bank loan administration has improved the bank of the United States. In many jurisdictions, the SRG is regarded as a risk-free credit information tool;
4. Efficiency maintained. Because investment is already guaranteed for farmers/manufacturers, commodity product assurances become more assured;
5. National stock monitoring. Through the SRG's integrated data and information network, this system aids in the development of administrative ability to track and production in response stability;
6. Monitoring of product transportation. This approach helps organizations and governments enhance commodity integrity, product safety measures, ecological management, and illegal resource trafficking prevention, and so on;
7. Security of industrial raw materials. SRG is an integral part of the industrial marketing system that is developing in the country;
8. In addition to the budget, the state may benefit financially from automated storage and retrieval trades.

In intended to assist in the attainment of the objectives, of the SRG which is able to optimally promote national development, it requires comprehensive, integrated, and accelerated efforts by all stakeholders of the Indonesian economy to realize the basics of achieving the benefits (means to end goal) of implementing the SRG. The basics of achieving the benefits of the SRG include the development of maximum market functions and mechanisms for trading commodities/agricultural products related to SRG, building a conducive environmental carrying capacity for agricultural commodities and products, building legal certainty through statutory regulations, regulations and institutions that support the creation of an SRG performance guarantee, the establishment of a recognized infection and certification system, the development of an accredited commodity data and information system, the development of active community participation, the development of incentives for the development of SRG infrastructure including the storage industry/warehousing (Mardia et al., 2021).

METHOD

The farmer receives a warehousing invoice after delivering goods to an authorized storehouse, which can be used as security for brief financing to acquire cash flow. As a result, the farmers do not have to sell the goods right away to make ends meet (Coulter & Onumah, 2002). However, this alternative is appealing only if the farmers anticipate regular price rises that would make it viable to preserve the food and sell it afterward. Regulated price controls, nevertheless, are frequently built in such a way that these assumptions are not realized. Instead, in order to reduce rising prices and "stabilize marketplaces," states generally preset incentive payment for the majority of the time among crops, and they are set equally across the state.

The investigation technique applied was judicial decisions study, which was supplemented with field conducting advice. By conducting a literature study by examining various literature and laws and regulations. Field research has also been carried out by the research team, by conducting in-depth interviews. For field research, researchers are divided into two targets, namely informants from government circles and informants from the community. Research result (Zakić, Kovačević, Ivkov, & Mirović, 2014). First, juridical the SRG policy made by the government with the aim of the welfare of farmers has provided legal protection for farmers, both in terms of guarantees in banking institutions, other financial institutions and legal protection for farmers who use the warehouse receipt system, both for disbursing bank loans with guarantees. warehouse receipts and security in the form of invoices raised which can be transferred; Second, in practice the government policy still faces obstacles in its implementation (Jameaba, 2021).

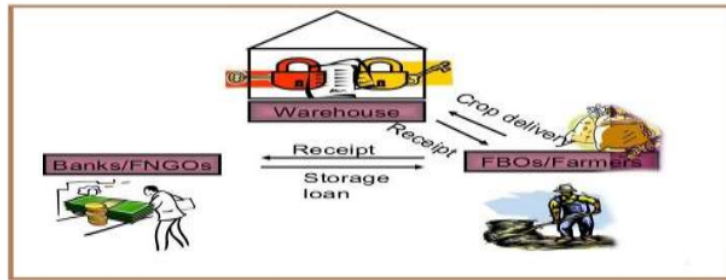


Figure 1. Research results

1 RESULTS AND DISCUSSION

Warehouse receipt institutions consist of warehouse managers, warehouse receipt system supervisory bodies, conformity assessment bodies, and warehouse registration centers. Such organizations play a crucial part in the existence of the country and the credibility of this warehouse receipt system. The roles, duties, and institutional functions in the warehousing invoice depend on the SRG Law are:

1. Warehouse Manager

A warehousing manager is a person who manages a warehouse firm, whether it's their own or someone else's, and is responsible for the collection, preservation, and monitoring of products are stored by the owner of the goods, and the warehousing supervisor has the authority to give warehousing invoices. (Putra & Kansil, 2020). The warehouse manager must be in the form of a legal entity that has received approval and approval from the supervisory agency. Provisions regarding this warehouse manager are further regulated by government regulations.

2. Conformity Assessment Agency

A conformity institution is defined as "an accredited institution that carries out a series of activities to assess or prove that certain requirements relating to products, processes, systems or personal are met". Accreditation will be carried out by the warehouse receipt supervisory agency. This organization will provide certificates for products that include the following details of production, the identity of the goods' owner, the quantity, kind, and value of product held, and the process of evaluating the items, among other characteristics. This institution is responsible for the conformity between the situation of the products and the conditions printed in the registration, as well as the period of survival of an item.

3. Warehouse Receipt Supervisory Agency.

The warehouse receipt system supervisory agency hereinafter referred to as the warehouse receipt system supervisor, is an organizational unit under the minister who is given the authority to carry out guidance, regulation, and implementation of the automated storage and retrieval process supervision. Prior to the formation of the supervisory body, Bappebti was in charge of the supervisory body's tasks, powers, and responsibilities (van Delden et al., 2021).

The Warehouse Receipt Supervisory Agency has the authority to grant approval as Warehouse Manager, Conformity Assessment Agency, and Registration Center to banks, non-bank financial institutions, and futures traders. It can order examination and investigation of any party suspected of having violated the provisions of the Law and/or its implementing regulations.

4. Warehouse Receipt Registration Center

The Registration Center, is a legal entity that has received approval from a supervisory agency to administer warehouse receipts. This includes recording, storage, ownership transfer, imposition of guarantee rights, reporting, and provision of systems and information networks.

LEGAL PROTECTION FOR FARMERS AGAINST GOVERNMENT POLICY REGARDING WAREHOUSING INVOICE NETWORK AS BANKING CREDIT GUARANTEE

The use of warehousing invoices as collateral for bank credit, besides being regulated in the SRG Law, is also regulated in Bank Indonesia Regulation (PBI) Number 9/6 / PBI / 2007 concerning the Second Amendment to

PBI Number 7/2/2005 concerning Assessment of General Asset Quality effective from April 2, 2007.

The regulation of the SRG in PBI 9/2007 is a legal basis for farmers to be able to make warehouse receipts as collateral for new loans, in addition to land, houses, and other assets. Farmers, with their warehouse receipt documentation, can apply for working capital loans to banking institutions. Warehouse receipt collateral is much more flexible than other collateral because warehouse receipt collateral (for example grain, rice, corn) can be sold immediately in a short time, while collateral in the form of a house/land takes a long process to sell it. Another advantage of warehouse receipt collateral is that there is a stricter legal rule regarding the sale of bad collateral on the power of creditors (guarantee rights recipients) without going through fiat or court order, or better known as the Parate Executive (Navarra & Pellizzoli, 2021).

The legal basis for using warehousing invoices as collected for debt or credit collateral is also stated in of the SRG Law which states that Warehouse invoices can be transmitted, used as a form of financial protection, or used as a program will enhance. It is states that warehousing invoices as ownership documents can be used as full debt protection without requiring any other collateral. In other words, warehouse receipts can be classified as principal collateral.

Warehouse Receipt guarantee rights agreement is an agreement that follows (accessoir) of a debt agreement which becomes the principal agreement. In addition, each warehouse receipt issued can only bear one debt guarantee. The recipient of the warehousing invoices rights must notify the Warehouse Receipt binding agreement as a guaranteed right to the Registration Center and Warehouse Manager. The imposition of guarantee rights on warehouse receipts must be made with a guarantee rights agreement deed before a notary (Legate, Hair Jr, Chretien, & Risher, 2021).

The material guarantee agreement general, is always an act of separating a part of a person's wealth which aims to guarantee and provide for the fulfillment of a debtor's obligations, the credit guarantee agreement with warehouse receipts is an accession agreement (follower) of the main agreement, namely the payable agreement between creditors and debtor or money lending and borrowing agreement. If the principal agreement (payable and receivable agreement) ends, the accession agreement (credit guarantee agreement with warehouse receipts) also ends by law. As one of the implementations of the prudential banking principle in channeling credit, the Banking Law is stipulated (Kosali, 2020).

Regarding the debt guarantee, the SRG Law requires that warehousing invoices can be used as protected by debtor customers in applying for credit to banks without additional collateral, but generally banks have different ratings and conditions for lending (Self Regulator Banking Principle).

Basically, in determining collateral in providing credit, banks prefer land collateral whose selling value will increase in the future. In principle, there are no obstacles for banks to accept warehouse receipts in terms of making them collateral or credit guarantees, as long as the warehouse receipt system works well. This requires the support and trust of the parties involved and the infrastructure in running this warehouse receipt system as collateral or collateral in granting credit (Lacroix & Varangis, 1996).

When viewed in terms of its type, credit with warehouse receipt system guarantees is a type of unsecured loan (Unsecured Loan), namely the provision of credit without material collateral (physical collateral), which is given very selectively and is addressed to customers who have been tested for bona fide, honesty, and compliance both in banking transactions and in the business activities it carries out. In modern banking practice, this kind of credit extension is often done (Januar, Bakri, Sulistyarini, & Santoso, 2021).

A warehouse receipt system is a form of material guarantee where this guarantee is in the form of absolute rights over something, which has the characteristics of having a direct relationship to certain objects from the debtor, can be maintained from anyone, always follows the object (droit de suite), and transferable.

Warehouse receipts can be included in the material guarantee. In addition to the warehouse receipt holder being included in the material security, the warehouse receipt holder also has the right to the items saved in the warehousing, which can be proven by the warehousing invoice they carry and can also be transferred to another person (Setiyono et al., 2019). The transfer of warehousing receipts is adjusted to the form of warehouse receipts itself. Warehousing invoices in the name of the warehouse are transferred by cessie, while warehouse receipts based on orders are transferred by means of endorsement (Jameaba, 2021).

The application of the principle of prioritization to material guarantees is also adhered to by warehouse receipt guarantees, even the SRG Law explicitly regulates and this means that in every warehouse receipt issued and used as collateral for debt, there is only one creditor. Meanwhile, for each warehouse receipt, it can be used as full collateral for debt without requiring any other collateral, so that the amount of credit given is in accordance with the value of the guarantee. This guarantees that there will be no request for the fulfillment of the proceeds from the sale of collateral objects either through public auctions or direct sales of other collateral objects (Hendra, 2021).

The guaranteed right for warehouse receipts is a guarantee that has been agreed upon or that comes from an agreement due to a special agreement. Apart from saying that the guarantee originates from an agreement or agreement, the guaranteed right of warehouse receipts can be said to be material security because what is used as collateral is warehousing invoices, which are documents of proof of storage of items.

The guaranteed right for warehouse receipts has been mentioned as one of the guarantees of materiality so that it is related to property law. In terms of this function, the guaranteed right of warehouse receipts can be said to be material rights that provide guarantees because this can be seen from the formulation of the SRG Law which states:

"Security rights for warehouse receipts, hereinafter referred to as guarantee rights, are collateral rights imposed on warehouse receipts for debt repayment, which give priority to the recipient of collateral rights against other creditors."

The security right for warehouse receipts is a material right that provides guarantees that occur over objects, in the form of warehouse receipts belonging to the debtor for repayment of debts to creditors, which gives priority to the creditor position to collect their receivables from this object. by preceding other creditors (Fanzo & Davis, 2021).

The guaranteed right of warehouse receipts is one of the guarantees of materiality so that it has a relationship with the law of property. Property law is the law that regulates the legal relationship between a person and objects regulated in the Civil Code and gives rise to rights over objects or property rights. So to analyze the juridical position of warehouse receipts as material guarantees, the law theory of material security is used.

"In certain cases, namely the relationship between the Warehouse Receipt Holder and the Creditor is based on trust, the Creditors feel that they no longer need to hold the guaranteed right and give up the guaranteed right. In this case, the creditor no longer holds the guaranteed right and the guaranteed Warehouse Receipt is handed back to Warehouse Receipt Holders".

From this provision, it can be seen that if the creditor hands back the warehousing invoice which is encumbered with guarantee rights to the debtor, the warehouse receipt holder, then the creditor can be said to relinquish the guaranteed right and the guaranteed right will be canceled. From this provision and the elucidation of the SRG Law, it can be stated that warehouse receipts as collateral (warehouse receipts encumbered with guarantee rights) must be submitted or under the control of the creditor. If the warehouse receipt is not submitted to the creditor or the creditor does not receive it, the guaranteed right is canceled (Kosali, 2020).

From the formulation of these articles, it can be seen that it is not possible to deviate from the provisions regarding guarantee rights stipulated in the SRG Law. In other words, the guaranteed right of warehouse receipts is compelling both in terms of transfer and from the point of view of the guarantee process to the creditor.

Some of the descriptions above, which discuss the guaranteed right of warehouse receipts is a guarantee of property as regulated in the Civil Code, and is in accordance with the principles of material security. Based on the principles of material security rights, the things that need to be considered in the guarantee rights for warehouse receipts as referred to in the SRG Law are that the guarantee rights can only be borne on warehouse receipts and cannot be imposed on objects other than warehouse receipts. Warehouse receipts that are burdened with guarantee rights must be submitted by the warehouse receipt holder (Giver of Guarantee rights for warehouse/debtor receipts) to the bank or non-bank financial institution (Receiver of guarantee rights/creditors). Evidence of guarantee rights is the existence of a warehouse receipt binding agreement as a guarantee right in the form of a guarantee rights agreement deed.

To strengthen the position of the collateral right for warehouse receipts, the recipient of guarantee rights for warehouse receipts is required to notify the warehouse receipt binding agreement as collateral right in the form of a

guarantee rights agreement deed to the Warehouse Manager and Registration Center.

The cancellation of collateral rights is caused by two things, namely the write-off of the principal debt guaranteed by the guaranteed right and the release of the guarantee right on warehouse receipts by the collateral recipient of warehouse receipts (creditors). Execution of guarantee rights is carried out by selling warehouse receipts under the authority of the recipient of the guarantee rights themselves through a public auction or direct sales after written notification from the guarantor rights of warehouse receipts (creditors) to the guarantor rights for warehouse receipts (debtors) (Wall, 2021).

The automated storage and retrieval system is a way for issuing, transferring, guaranteeing, and settling warehousing invoice trades (Serfiyani et al., 2021). Meanwhile, warehouse receipts are documents of proof of ownership of goods stored in warehouses issued by the Warehouse Manager. The Implementing Regulations still refer to the implementing regulations of the SRG Law (before amendment), namely Government Regulation Number 36 of 2007 which was ratified on June 22, 2007, and Regulation of the Minister of Trade Number 26/M-DAG/PER/6/2007 concerning goods that can be stored in during in administering the Warehouse Receipt System. In addition, Bank Indonesia (BI) also recognizes warehouse receipts as a guarantee for credit, this is stated in Bank Indonesia Regulation (PBI) No 9/6/PBI-2007, amendments to PBI No 7/2/2005. General Asset Quality Appraisers with effect from April 2, 2007.

Due to developments in business and commerce, the goods stored are not only agricultural commodities. Warehouse receipts have been implemented by developed countries for a long time, such as the United States (for cotton, wheat, soybeans, peanuts), Canada (for grains), United Kingdom (for tin), United Arab Emirates (gold, BBM), South Africa (maize, wheat), Tanzania (coffee, cotton), Brazil (agricultural and livestock goods), India (cotton, soybeans, coffee), and the Philippines (grain, maize, coffee), and others.

Warehouse receipts are securities that can be used as collateral for credit at banking institutions or other financial institutions, in making warehouse receipts a credit guarantee, there is no need for additional collateral in the case of credit applications at banking institutions, and this has been confirmed. The SRG Law (Salim, 2004).

As a warehouse receipt credit guarantee provides guarantees to creditors for the availability of certain quality commodities without conducting physical testing or verification, because warehouse receipts issued by warehouse receipt managers contain a description of the goods, including the value of the goods based on the market price at the time of the goods. put into the warehouse. In addition, a certificate will be issued for goods or commodities containing, among other things, the type and quantity of goods, the method of testing the general goods and the quality level and a class of goods, as well as the quality period of the goods. Therefore, the creditor can find out the condition of the goods in the warehouse without having to test or prove the goods stored in the warehouse by the warehouse manager (Sajimin et al., 2019).

In terms of binding, warehouse receipts are preferable to new collateral agencies. Besides the simple procedure, low cost, and fast time, the execution is easier to do, although there are still weaknesses. The existence of warehouse receipts in the power of creditors in addition to providing legal certainty to creditors regarding credit repayment, but also useful for facilitating execution. So it can be said that warehouse receipts have economic and juridical value (Nigro & Carillo, 2021).

In the case of warehouse receipts as credit collateral, the guaranteed value is the value contained in the warehouse receipt certificate, both on order and on behalf of if it is in the form of a script and the value is recorded electronically if it is in scruples form. Along with that, warehouse receipts can indirectly be included in the bank credit guarantee with the criteria of the number of loans that creditors provide to debtors with warehouse receipts that will be pledged as collateral. The assessment of warehouse receipts (verification) is carried out by the Conformity Assessment Agency as an accredited institution that carries out a series of activities to assess or prove that certain requirements relating to products, processes, systems, and/or personnel are met. To then issue a warehouse receipt certificate (Sofyan & Soedewi, 1980).

Based on the description above, it is very clear that warehouse receipts as credit collateral at banking institutions are that warehouse receipts are collateral for goods where the object of collateral is commodity goods stored in warehouses by the Warehouse Management Institution in terms of the warehouse receipt issuance procedure. Warehouse receipts are documents of ownership of commodity items stored in warehouses and managed

by the warehouse manager which are used as collateral to banks in order to obtain credit (Nurliristiwa et al., 2020).

Juridical warehouse receipts can be used as adequate and adequate collateral to obtain credit without additional collateral, this has been regulated in the SRG Law (Number). Besides that, warehouse receipts in terms of their legal position as collateral are good guarantees in terms of juridical and economic aspects and provide legal certainty for debtors and creditors, and the most important thing is that the institution of guarantee rights over warehouse receipts is a new independent guarantee institution. and different from other existing guarantee institutions such as mortgages, liens, fiduciaries, and mortgages. So that the warehouse receipt system policy can be said that ideally, it is able to provide legal protection to farmers from a decline in the price of grain when the harvest arrives.

CONCLUSION

The application of the SRG in Indonesia can benefit farmers, businesses, banks and the government. The achievement of the benefits of the SRG, which is able to optimally promote national development, requires comprehensive, integrated, and accelerated efforts by all stakeholders in the Indonesian economy to realize the basics of achieving the benefits (means to end goal) of the implementation of the SRG. The basics for achieving the benefits of the SRG include the development of maximum market functions and mechanisms for trading commodities/agricultural products related to SRG, building a conducive environmental carrying capacity for agricultural commodities and products. So that the achievement of the objectives of implementing the SRG, in helping small farmers overcome the problem of post-harvest cost difficulties, freeing farmers from moneylenders, increasing the income of small farmers by selling their crops when market prices are high, and maintaining the stability of agricultural/plantation/fishery commodity prices.

The use of the warehouse receipt system in credit guarantees is still constrained by internal banking regulations because warehouse receipt guarantees for several banks have not met the criteria desired by the banking institution, although warehouse receipts have been regulated in the SRG Law which states that warehouse receipts can be used as collateral credit without additional collateral. In implementing the self-regulating banking principle in terms of making credit offers, the object that is used as collateral must meet the criteria that can be seen from the point of view of the interests of the creditor and the debtor, both from the economic and juridical aspects.

Limitation and Future Research Directions

This research has limitation of generalizability due to its sample and focus on Indonesian agricultural landscape and regulations. However, with limited resources this effort is commendable to shed light on less researched gray area which has vital importance in agriculture sector affecting the life and welfare of billions of farmers all over the world. This research also brings key insights for food security issue which is one of the hottest topics in given field research. Future scholars may focus on further comparative studies between Indonesia and ASEAN countries and with developed nations to learn best practices in the field.

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