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## Dynamics Policy of Sustainable Development in Indonesia

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### Abstract

Indonesia is one of the few countries that includes recognition of environmental protection in its constitution. It is clear in the 1945 Constitution that it is recognized that sustainable development is one of the principles on which the economic system is based. This paper aims to analyze the dynamics of implementing sustainable development policies in Indonesia. This research uses a legal policy approach, namely an approach that is carried out by observing the laws and regulations related to the policy issues under study. The results of the research show that sustainable development has been included in environmental laws, but these acknowledgments do not then make sustainable development easily implemented. There are many facts about how sustainable development is just theory and weak in implementation. The main thing is seen from the weak law enforcement against offenders who do environmental damage.

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## INTRODUCTION

There are so many environmental problems that occur when it is associated with the development of a country. This problem arises as a result of the southeastern development process which focuses more on economic aspects and ignores environmental aspects. In Indonesia, since the implementation of regional autonomy, there has been an alarming reality where environmental problems have become increasingly complex and serious.<sup>1</sup> Regions such as competing to increase Regional Original Income (PAD) by exploiting natural resources on a large scale. As a result, there is a deterioration in the quality of the environment which leads to prolonged damage.

There are various things that cause neglect of environmental management in the era of regional autonomy in Indonesia. One of the main problems is sectoral egos within regions and between regions. Environmental management often overlaps between one sector and another. This condition is exacerbated by the fact that environmental management program

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<sup>1</sup> Noer Fauzi and R. Yando Zakaria. *Otonomi Daerah dan Sumberdaya Alam Lingkungan*. (Yogyakarta: Lapera Pustaka Utama, 2001) 5.

planning is far from being professional. Apart from that, it was also discovered the fact that there is a lack of funding for the environmental sector. Programs and activities are not supported by adequate funds.<sup>2</sup> Although everyone acknowledges that the environment is an important and very necessary area, in reality the APBD is still too low allocated for environmental management programs. Funds from the APBN which are allocated directly to the regions for environmental management are also very minimal, even nil.

Another aspect that is in the spotlight regarding the environment in Indonesia is the weak implementation of laws and regulations.<sup>3</sup> Regulations related to the environment already exist, but they are again problematic in their implementation. The funny thing is that there are some parties who are looking for weaknesses in the legislation to be used to achieve their interests. As a result, many violations were committed, such as in terms of pollution and environmental damage, but these parties were free from legal sanctions.

As public awareness of the poor environmental conditions and the importance of environmental protection increases, environmental issues are increasingly gaining an important place in policy formulation, both at the national and international levels.<sup>4</sup> In this context, economic growth is no longer seen as an inviolable goal. On the other hand, economic growth must be placed within the framework of environmental protection. From this understanding it can be stated that development is actually sustainable development.

Sustainable development is a term widely used by economists and policymakers around the world, although this idea is still somewhat new and has a less uniform interpretation. The concept of sustainable development is still being developed and the definition of this term is still being revised. According to the classic definition, put forward by the United Nations World Commission on Environment and Development in 1987, sustainable development is development that "meets the needs of the present without compromising the ability of future generations to meet their own needs or development that converges the needs of the present without overriding the availability of the needs of the current generation. will come." It is commonly understood that "intergenerational" justice is impossible to achieve without social justice at present, or if the economic activities of some groups continue to jeopardize the welfare of other groups or groups living in other parts.

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<sup>2</sup> Muhammad Baiquni and Susilawardani. *Pembangunan yang Tidak Berkelanjutan, Refleksi Kritis Pembangunan Indonesia* (Yogyakarta: Transmedia Global Wacana, 2002) 46.

<sup>3</sup> Untung Iskandar. *Kehutanan Menapak Otonomi Daerah* (Yogyakarta: Debut Press, 2001) 7.

<sup>4</sup> Andri G. Wibisana. "Pembangunan Berkelanjutan: Status Hukum dan Pemaknaannya". *Jurnal Hukum dan Pembangunan*, no.1 (2013): 54-90.

On that basis it is interesting to study development in the context of policy formulation. Theoretically, a policy is an activity program that is chosen or decided by a person or group of people and can be implemented and influences a number of people in order to achieve certain goals. According to Dye<sup>5</sup>, policy is whatever government chose to do or not to do. This statement implies that the government is a policy-making body. Therefore, decisions made by private companies, social organizations, interest groups, individuals and other social groups do not constitute policy. Realistically, policies must cover all government actions, not just the intentions stated by the government or officials.

Dunn<sup>6</sup> interpreting policies more precisely, namely a collection of interrelated decisions taken by actors or groups of political actors relating to the selection of goals and ways to achieve these goals. In a specific situation, these decisions must in principle be within the authority of these actors to achieve them. From this understanding, it can be understood that policy is a “set of interrelated decisions”, a collection of interrelated decisions. In dealing with a problem, the policy to solve it will consist of a series of decisions that are interrelated and can be issued by various government agencies.

Furthermore, policy, seen from an instrumental perspective, is a means to achieve a goal related to the government's efforts to realize public values. Public values as a policy objective can take various forms. However, in general public policy is a tool for: Realizing the values idealized by society such as justice, equality and openness; (ii) Solving problems faced by the community, for example: problems of poverty, unemployment, crime and poor public services; (iii) Take advantage of new opportunities for a better life for the community, such as encouraging investment, innovation in services, and increasing exports; (iv) Protecting the public from harmful private practices.

This study uses a legal policy approach, which is an approach that is carried out by observing laws and regulations relating to the policy issues under study. The procedure for processing materials through library research using a card system is to make an inventory of statutory regulations, text books, journals, and seminar papers to obtain material in accordance with the formulation of the problem to be discussed. Then arranged systematically based on the subject matter in the study and identified for use as material for analysis. The operationalization of the method begins with affirming legal policies, taking inventory of

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<sup>5</sup> Thomas R Dye. *Understanding Public Policy* (New York: Prentice- Hall. Inc, 1972) 64.

<sup>6</sup> Wiliam N Dunn. *Pengantar Analisis Kebijakan Publik* (Yogyakarta: Gadjah Mada University Press, 2003) 110.

policies, identifying and classifying policy problems or potential problems with the achievement of national development goals. Then proceed with policy analysis, and the next step is to produce recommendations or follow-up designs as solutions to problems.

## **INTERNATIONAL POLICY RELATED TO SUSTAINABLE DEVELOPMENT**

The concept of sustainable development is not a concept that emerged at one time, but is the result of a long process of debate between the need for development and awareness of the importance of environmental protection.<sup>7</sup> In 1983, the UN General Assembly created an institution whose task was to review several important issues related to development and the environment, and to formulate innovative, concrete and realistic steps to overcome these problems. This institution is called the World Commission on Environment and Development (WCED) or often referred to as the Brundtland Commission.

In 1987, WCED released a report entitled *Our Common Future*. This commission is not the commission that invented the term Sustainable Development, although it is acknowledged that it was this commission that popularized the term and placed it right at the center of international policy-making. This commission defines sustainable development as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs." According to the Commission's explanation, the above definition contains elements of need and elements of limitations. In relation to the element of need, the Commission considers that these needs are primarily the needs of the poor, which must be the priority of efforts to meet their needs. Regarding the element of limitation, the Commission defines it as the limitation of the ability of the environment, created by conditions of technology and social organization, to meet the needs of present and future generations.<sup>8</sup>

On 3-14 June 1992 in Rio de Janeiro, Brazil, a summit was held which was attended by heads of state from all over the world, which was named the United Nations Conference on Environment and Development (UNCED) or better known as the Rio Conference. . This conference produced 5 documents and 1 institution that are important for sustainable development, namely:

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<sup>7</sup> Andri G Wibisana. "Pembangunan Berkelanjutan: Status Hukum dan Pemaknaannya". *Jurnal Hukum dan Pembangunan*, no.1 (2013): 54-90.

<sup>8</sup> Stathis N. Palassis. "Beyond the Global Summits: Reflecting on the Environmental Principles of Sustainable Development", *Colorado Journal of International Environmental Law and Policy* 22 (2011): 41-77.

- 1) Rio Declaration
- 2) Agenda 21, a blueprint for a work plan for implementing sustainable development in the 21st century,
- 3) Forestry Principles
- 4) The UN Convention on Biodiversity
- 5) The UN Framework Convention on Climate Change
- 6) Commission on Sustainable Development, a commission created to monitor implementation of the Rio Agreements and Agenda 21.

The concept of sustainable development is clearly embodied in the principles 1, 3 and 4 of the Rio Declaration and animates the whole principles of this declaration. This declaration states that humanity is the center of attention on sustainable development. Thus, humans have the right to live a healthy and productive life and in harmony with nature. Furthermore, the Rio Declaration also states that the right to development must be achieved in order to balance the needs for development and the environment of the present and future generations. In addition, the Rio Declaration also states the importance of integrating environmental considerations into state policies.

In this context, the Rio Declaration states that in order to achieve sustainable development, environmental protection must be an integral part of the development process and cannot be viewed as something separate from it. Furthermore, the commitment to implementing sustainable development was reaffirmed in the World Summit on Sustainable Development, which took place in Johannesburg, South Africa, in 2002. This world leaders summit adopted the Johannesburg Declaration on Sustainable Development, which among other things reaffirmed the leaders' promises. world to mankind to ensure the realization of sustainable development.<sup>9</sup>

There are several views that see sustainable development so that it has a normative character in itself. Meanwhile, there is also a view that sees sustainable development as a meta-principle, which contains several principles to make it happen. This last view is shared by Lowe. If this last view is accepted, the question then is what principles can be considered as principles that can support the realization of sustainable development.

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<sup>9</sup> Guha, J., & Chakrabarti, B. "Achieving the Sustainable Development Goals ( SDGs ) through Decentralisation and the Role of Local Governments: a Systematic Review". *Commonwealth Journal of Local Governance* 22, (2019): 1-21.

According to Marong<sup>10</sup>, The policy principles that are part of the realization of sustainable development are the principle of justice within one and between generations, the principle of sovereignty and state responsibility, the principle of different responsibility for common issues, the principle of prudence, the principle of analysis of environmental impacts, and the principle of public participation. in decision making. The principle of integration is not a stand-alone principle, but a methodology for realizing sustainable development. Meanwhile, Palassis<sup>11</sup> discloses several principles that form sustainable development, consisting of: the principle of intra and inter-generational justice, the principle of sustainable use, and the principle of integration. However, Palassis also added several other policy principles related to sustainable development, namely the principle of prevention, precaution, and Amdal..

On the other, Silveira<sup>12</sup> stated that based on the Rio Declaration, the elements of sustainable development consist of: the right to a healthy and productive life in line with nature; intra and intergenerational justice; poverty alleviation, which is an "indispensable requirement for sustainable development"; joint and different responsibilities; reduction or elimination of production and consumption patterns that are not environmentally friendly; the right to information, the right to justice and the right to participate in decision making; the precautionary principle; and the polluter pays principle. Meanwhile, Wilkinson<sup>13</sup> put forward a number of environmental policy principles with sufficient consensus, namely: the principle of prevention; the precautionary principle; the polluter pays principle; the principle that waste is disposed of and treated by the waste producer or in a place close to the place where the waste is generated; and the principle of sustainable development. More importantly, it is stated that among these principles, sustainable development functions as a meta-principle, in which other principles are directed to contribute to the realization of the principles of sustainable development. Mentioned Wilkinson, of these, sustainable development operates as a meta-principle, under which the others are. organised and to which they contribute.

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<sup>10</sup> Stathis N Palassis. "Beyond the Global Summits: Reflecting on the Environmental Principles of Sustainable Development". *Colorado Journal of International Environmental Law and Policy* 22 (2011): 41-77.

<sup>11</sup> Alhaji B.M Marong. "From Rio To Johannesburg: Reflections on the Role of International Legal Norms in Sustainable Development", *Georgetown International Environmental Law Review* 16, (2003): 21-76.

<sup>12</sup> Mary Pat Williams Silveira. "International Legal Instruments and Sustainable Development: Principles, Requirements, and Restructuring", *Willamette Law Review* 31 (1995): 239-251.

<sup>13</sup> David Wilkinson. *Environment and Law* (Routledge, 2002) 22.

Finally, it is necessary to express the views of the International Law Association (ILA), which on April 2, 2002 agreed to the ILA New Delhi Declaration on the Principles of the International Law Relating to Sustainable Development. Based on this New Delhi Declaration, sustainable development consists of several principles, namely:

- 1) The duty of states to ensure sustainable use of natural resources.
- 2) The principle of equity and the eradication of poverty
- 3) The principle of common but differentiated responsibilities
- 4) The principle of the precautionary approach to human health, natural resources and ecosystems
- 5) The principle of public participation and access to information and justice
- 6) The principle of good governance
- 7) The principle of integration and interrelationship, in particular in relation to human rights and social, economic and environmental objectives.

From the above description, it can be seen that the most important policy issue that must be resolved when sustainable development is seen as a meta-principle is the determination of what principles can be considered as policy principles that can implement sustainable development. Unfortunately, from searching the literature, it can be seen that there are differences of opinion among policy experts regarding the principles that are considered to contribute to the realization of sustainable development. However, the view that sees sustainable development as a meta-principle has not completely failed.

In the end, the normative nature of sustainable development will become clearer if sustainable development is seen from several elements or principles contained therein. This means that the application of these policy principles will ultimately determine whether an action or law is in line with sustainable development or not. On the other hand, the opinion that sees sustainable development as a legal principle that already has a normative character in itself can be accepted.

## **SUSTAINABLE DEVELOPMENT IN INDONESIA'S LEGAL POLICY PERSPECTIVE**

Indonesia is one of the few countries that includes recognition of environmental protection in its constitution. More than that, the 1945 Constitution also recognizes that sustainable development is one of the principles on which the economic system is based. In

addition, sustainable development has also been included in Indonesia's environmental law. Unfortunately, these acknowledgments do not then make sustainable development easily interpreted, let alone implemented. Since the beginning, the environmental law in Indonesia contains ideas about sustainable development.<sup>14</sup> In Article 3 of Law no. 4 of 1982 concerning the basic provisions of environmental management (UULH) states that environmental management is carried out to "support sustainable development for the improvement of human welfare". It can be understood that this law does not use the term "sustainable development" at that time this term was not yet commonly used.

In addition, Article 1 4 Law no. 4 of 1982 also states that one of the goals of environmental management is "the implementation of environmentally sound development for the benefit of present and future generations". From the sounds of Pasa 1 3 and 4, it can be seen that even though Law No.4 of 1982 uses the terms environmentally sound development and sustainable development, these two terms can still be said to be in line with sustainable development. The idea of justice between generations can even be seen from Article 4. Meanwhile, Law no. 23 of 1997 concerning the management of the environment, which is a substitute for Law no. 4 of 1982, clearly included sustainable development in its provisions. For example, it can be seen from Article 3 concerning the principle which states that one of the principles of environmental management is "environmentally sustainable development". Thus, Law no. 23 of 1997 has started to use the term "sustainable development", although it is still combined with the phrase "environmentally sound".

In addition, recognition of intergenerational justice can also be seen in Article 4 of Law no. 23 of 1997 which states that one of the goals of environmental management is "ensuring the interests of present and future generations." Recognition of the importance of the issue of justice as part of sustainable development is reaffirmed in the Elucidation of Article 3 which states that: the principle of sustainability implies that each person bears his obligations and responsibilities towards future generations, and towards each other in one generation. In order to carry out these obligations and responsibilities, the ability of the environment must be preserved. The preservation of environmental capacity is the foundation for continued development.

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<sup>14</sup> Armida S. Alisjahbana dan Endah Murniningtyas. *Tujuan Pembangunan Berkelanjutan di Indonesia: Konsep, Target dan Strategi Implementasi* (Bandung: Unpad Press, 2018) 9.



Sustainable development has also received recognition in Law no. 32 of 2009 concerning environmental protection and management, as a substitute for Law no. 23 of 1997. Article 2 of Law no. 32 of 2009 states that the principle of environmental protection and management is the principle of sustainability and sustainability and the principle of justice. The elucidation of Article 2 states that what is meant by the principle of preservation and sustainability is: That every person bears the obligations and responsibilities of future generations and to each other in one generation by making efforts to conserve the carrying capacity of the ecosystem and improve the quality of the environment. Meanwhile, what is meant by the principle of justice is: That the protection and management of the environment must reflect justice proportionally to every citizen, both across regions, across generations, and across genders..

From the quotation of Article 2 and its explanation, two things can be concluded. First, Law no. 32 of 2009 recognizes that sustainable development is the principle of environmental law. Second, Law no. 32 of 2009 adds justice in one generation, as well as justice between generations, as part of sustainable development. In addition, Law no. 32 of 2009 also states that the purpose of environmental protection and management is to "ensure the fulfillment of justice for present and future generations", and "achieve sustainable development". Thus, sustainable development and intra and intergenerational justice are considered not only as principles of environmental law, but also as the goal of environmental law regulation in Indonesia.

In this section, it is also necessary to mention that apart from the Law on environmental management, sustainable development is even included in the constitution. In this case, Article 33 paragraph (4) of the 1945 Constitution (Fourth Amendment) states that the Indonesian economy is based on several principles, including the principle of sustainability and the principle of environmental insight. Thus, in fact Indonesia is not only one of the few countries that includes provisions regarding environmental protection in its constitution, but also a country that clearly has made sustainable development the principle of its economic system..

However, the concept of sustainable development is not a ready-made and "ready-to-use" concept, but a concept that has multiple interpretations and still needs development. In this case, the question arises whether sustainable development is just a concept, or is it a legal principle and normative in nature. On the other hand, the question also arises about how

sustainable development is recognized and applied in national law, and what is the meaning of the sustainable principle itself.

The review above shows that sustainable development has been adopted in various conventions and decisions of national judicial bodies related to environmental issues. In addition, it has also shown that a group of policy/legal experts interpret sustainable development as just a concept that does not have a normative character. Meanwhile, other groups view that sustainable development is a normative legal principle. It can be understood that sustainable development itself has become a normative legal principle. This normative character can be seen from the elements of integration, sustainable use, and intra and inter-generational justice.<sup>15</sup>

It must be admitted that in reality the implementation of development in Indonesia has not yet fulfilled the principles in sustainable development mandated by law. There is a lot of evidence as an indication that Indonesia has not implemented sustainable development, one of which is the worsening rate of forest destruction.<sup>16</sup> This failure in the implementation of sustainable development can be described from the actors who play a role in sustainable development. The implementation of sustainable development must emphasize the importance of the partnership triangle between the government, business world and civil society in an equal relationship with due regard to the laws of economy, ecology and civilization. Apart from actors, the integration of the implementation of sustainable development has not been well established, between economic, social and ecological aspects. Meanwhile, the integration of the three aspects is a key factor in the success of implementing sustainable development.

From the explanation above, the relationship between environmental aspects and social and economic aspects both on a country scale is very complex in Indonesia. The issue of environmental degradation, at first seemed to be the main problem of developed countries and was a side effect of industrial progress, but later it became an issue that continued to emerge in developing countries like Indonesia. Indonesia seems trapped in an interconnected circle that connects ecology and economic decline. The interrelated circle between poverty and environmental degradation is a wasted opportunity from potential resource use.

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<sup>15</sup> Andi Hamzah. *Penegakan Hukum Lingkungan* (Jakarta: Sinar Grafika, 2005) 26.

<sup>16</sup> T. Klarin. "The Concept of Sustainable Development: From its Beginning to the Contemporary Issues". *Zagreb International Review of Economics & Business* 21, no. 1 (2018): 67-94.

Therefore, what is needed now is an era of new economic growth that emphasizes the similarities between social and environmental sustainability.<sup>17</sup>

## **IMPLEMENTATION OF SUSTAINABLE DEVELOPMENT IN REGIONAL AUTONOMY CONTEXT**

The implementation of regional autonomy has caused the dynamics of the regional community and caused many problems, both at the community level, the environment and regional natural resources. The connotation of autonomy tends to be interpreted as an opportunity for regional governments to take over the role of the central government in exploiting natural resources or taking back regional rights over natural resources that have been used more by the central government. As an illustration of the condition of natural resources in the implementation of regional autonomy it seems that they are no longer seen as natural assets that must be managed sustainably (sustainably) and responsibly, but instead are increasingly being exploited to increase PAD.<sup>18</sup>

The handover of permits for the management and exploitation of natural resources to the regions makes the role of the regional head very central and has a big responsibility for the preservation of natural resources in his area. But on the other hand, the spirit of autonomy is still more to get as much material as possible by exploiting natural resources for regional development.<sup>19</sup> This condition is possible because of the weak institutional capacity and regional resources, so that what develops is a culture of moral hazard by generating money instantly for PAD.

Regional autonomy, which is expected to delegate part of the authority to manage the environment in the regions, has not been implemented properly. Environmental management is often carried out overlapping between one sector and another. In program planning, there is often overlap between one sector and another. Although it is recognized that the environment is an important and indispensable area, in reality the regional budget allocated for environmental management programs is still too low. Besides that, human resources are often

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<sup>17</sup> Mira Rosana. "Kebijakan Pembangunan Berkelanjutan yang Berwawasan Lingkungan di Indonesia". *Jurnal Kelola* 1, no. 1 (2018): 148-163.

<sup>18</sup> Noer Fauzi dan R. Yando Zakaria. *Otonomi Daerah dan Sumberdaya Alam Lingkungan* (Yogyakarta: Lapera Pustaka Utama, 2001) 17.

<sup>19</sup> Lestario Widodo. "Tantangan Pembangunan Berkelanjutan di Era Otonomi Daerah". *Jurnal Rekayasa Lingkungan* 4, no.1 (2008): 47-51.

not supportive. Many of the personnel who are supposed to carry out environmental management do not understand well the importance of the environment.

At the practical level, environmental aspects have not become a central issue in the implementation of regional autonomy. The spirit of sustainable development was unconsciously defeated by the excessive euphoria of autonomy which was oriented towards the use of natural resources for the sake of economic improvement. In addition, the issue of regional expansion or the formation of new administrative regions seems to be largely based on the consideration of control of natural resources with high economic value. Meanwhile, empowerment and independence of human resources are still considered abstract, and environmental management is not a priority.

In environmental management, ecosystem boundaries often overlap with administrative boundaries, while the authority for environmental management is limited by the institutions of each autonomous region, so that it is often very risky, and creates a conflict of interest between one program and another. The role of the provincial government as controlling interests across district and city governments has yet to find its ideal form. For example, the management of water resources and rivers that cross several districts often creates problems, especially in the upstream and downstream areas. Mismanagement in the upper areas which then causes natural disasters, such as floods, landslides, will also have an impact on the areas/regencies below.

Utilization of natural resources and the environment that is not carried out in accordance with their carrying capacity can lead to a food crisis, water crisis, energy crisis and the environment. With the increasing regional development in this autonomy era, the environmental problems that are currently being faced are environmental damage around mining areas that has the potential to destroy the landscape and overlapping land uses for mining in protected forests, cases of environmental pollution due to industrial activities, agriculture and transportation. In other words, environmental problems in the regions are not getting lighter but will actually get heavier, especially considering that natural resources are used to carry out development aimed at fulfilling and improving community welfare.<sup>20</sup>

The tendency of environmental problems is getting more and more complicated considering that in the implementation of regional autonomy, local governments want to

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<sup>20</sup> Yenni Yorisca. "Pembangunan Hukum yang Berkelanjutan: Langkah Penjaminan Hukum dalam Mencapai Pembangunan Nasional yang Berkelanjutan". *Jurnal Legislasi Indonesia* 17, no. 1 (2020): 98-111.

increase their PAD by exploiting natural resources which tend to pay less attention to environmental aspects and the principles of sustainable development. This is marked by the deterioration of environmental quality everywhere, as well as the increasing frequency of natural disasters due to environmental damage. For example, cases of concession rights for forest products on a scale of hundreds of millions of hectares and Timber Utilization Permits signed by regional heads, as well as changes in forest function (conversion of protected forests) outside Java which make environmental pressure in the regions even greater.<sup>21</sup> Thus, the implementation of regional autonomy tends to create environmental pressures as a result of irresponsible use of natural resources.

For this reason, environmental management, including prevention, overcoming damage and pollution and restoring environmental quality, has required the development of various integrated policies and programs, as well as activities supported by other supporting systems for environmental management. The system includes institutional stability, human resources and environmental partnerships, as well as laws and regulations, information and funding. Funding is very important considering that in this era of regional autonomy, funds from the APBN transferred to the regions are in the form of general allocation funds, special allocation funds, and profit sharing.

On the other hand, legal sanctions for violators of environmental regulations are felt to be very weak so that they have not become a deterrent effect for these violators. The understanding and awareness of the importance of the environment of some people, both highly educated and low educated, are still weak, so that there are still many environmental delays. The application of technology that is not environmentally friendly in the short term can be economically profitable, but in the long run it causes environmental damage that is difficult to recover.

In fact, the existence of natural resources in the era of regional autonomy can be used as one of the main sources of income and capital for regional development. Given that regional development is essentially for the welfare of the community, the use and management of natural resources must still pay attention to the principles of sustainability and preservation of environmental functions through community participation. The regional autonomy approach based at the district/city level, as well as the provincial government for

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<sup>21</sup> Morita, K., Okitasari, M., & Masuda, H. "Analysis of national and local governance systems to achieve the sustainable development goals: case studies of Japan and Indonesia". *Sustainability Science* 21 (2019): 365-372.

inter-regency/municipalities is basically not in line with the sustainable development approach based on ecosystems and/or watersheds, so that in its implementation it often creates conflicts of interest between economic and social considerations and consideration of the sustainability of environmental functions.

In the future, of course, the challenges of development in the era of regional autonomy in Indonesia will be heavier. In addition to the low regional institutional capacity, there is also weak public awareness, especially business actors, who consider economic interests more than the environment. Therefore, it is necessary to improve both at the level of programs, policies and regulations so that the spirit of implementing regional government in achieving PAD must still refer to the principles of environmentally sustainable development.<sup>22</sup>

Given the complexity of environmental management, good planning and implementation is required in the implementation of development. Environmental management must be in line with the principles of sustainable development, namely the balance of economic, socio-cultural and environmental development. Problems that are cross-sectoral and regional in nature must refer to interdependent pillars and mutually reinforce one another. It is important from all of that, in the implementation of these principles, various parties must be involved, which in the context of legal politics needs to be firm in upholding the law with justice.<sup>23</sup>

## CONCLUSION

The encouragement of the international world continues to encourage the Indonesian government to always commit to directing its development in accordance with the targets and direction of sustainable development. They requested that Indonesia in natural resource management be oriented towards the conservation of natural resources to ensure the preservation and sustainability of natural resource functions by using a comprehensive and integrated approach. However, several facts indicate a lack of understanding of the importance of managing natural resources and the environment in a sustainable manner. The cause is weak law enforcement, which causes excessive pressure on the function of the environment, even causing environmental damage. Another factor is the lack of

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<sup>22</sup> Ahmad Jazuli. "Dinamika Hukum Lingkungan Hidup dan Sumber Daya Alam dalam Rangka Pembangunan Berkelanjutan", *Jurnal Rechtsvinding* 4, no. 2 (2015): 181-197.

<sup>23</sup> Mohd. Mahfud. *Politik Hukum di Indonesia* (Jakarta: LP3ES, 1998) 42.

harmonization of regulations between the central and regional governments, as well as among related sectors. In addition, this problem occurs because the government only focuses on "environmental control" and in its implementation in the regions tends to be administrative-territorial and economically oriented. For this reason, there must be a paradigm shift in natural resource management so that the policy decisions taken use a long-term perspective by prioritizing sustainable development in an integrated manner and taking into account the social aspects of society.

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