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Political Reflection of Environmental Law Towards Regional Autonomy Law Products Holistic - Ecological Perspective

Binov Handitya[1*],Wafda Vivid Izziyana[2*]

[1]Universitas Ngudi Waloyo , [2]Universitas Semarang,
[1]binovhanditya@unw.ac.id, [2] wafda@usm.ac.id,

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ABSTRAK

The principle of implementing a broad and intact regional autonomy that is placed on districts and cities, then Environmental Affairs are affirmed as government affairs that must be implemented by districts and cities. From the above provisions there are three important findings related to environmental management policies. First, that the region has been given the right to manage the autonomy of Natural Resources in the region, both on land and in the sea. Second, to exercise the right to regulate and take care of their own local household affairs over these natural resources, various legal products can be issued as long as they do not conflict with higher legislation or public interests. Third, the right of management of natural resources given to the region as well as followed by the responsibility of the region to preserve the environment in accordance with legislation. This research method is juridical normative. This study was conducted by examining library materials, ranging from primary legal materials, secondary legal materials and tertiary legal materials. the results of the study explain a holistic-ecological regional autonomy law product requires some fundamental changes. First, the format of granting autonomy to regions must be clear and detailed without excluding the diversity, characteristics, and capabilities of each region. Second, the scope of authority is not only "control", but includes aspects from planning to law enforcement. Third, the laws and regulations above the regional regulation must also be clear, synchronous and harmonious between certain legal regimes and regional autonomy legal regimes, such as between environmental law, tax law (PDRD), and regional autonomy law. Fourth, policy integration in the preparation of local regulations also requires a planning legal instrument in the form of regional legislation programs (prolegda), through Prolegda that is really compiled comprehensively (not just a list of priorities Raperda without clear justification). Fifth, associated with the theory of environmental sovereignty (ecocracy), the regional autonomy policy as the implementation of the concept of democracy should not ignore the interests of Environmental Protection. The welfare to be achieved through regional autonomy policies must synergize the principles of ecological sustainability. The six academic manuscripts are the results of research or legal studies and other research results on a particular problem that can be scientifically accounted for regarding the regulation of the problem in a form of Bill or draft law

1. Introduction

International

Not long after the proclamation of independence, issued the first regional autonomy law, namely law No. 1 of 1945 on the position of the National Committee of Regions (KND). This law in essence only regulates the position and authority of the KND. One of the weaknesses of this law is not clear what Affairs are submitted to the region. Whether Environmental Affairs also include matters submitted to the region, also can not be clearly known. Thus, the direction of the regional autonomy law policy has not regulated the environmental management policy in the least. This is partly because this law is temporary darn only aims to attract the power of the central Indonesian National Committee (KNIP) in governance in the regions. There is no intention to regulate the various affairs that should be handed over to the region for better management. Therefore, its implementation will largely depend on considerations of utility and yield, which are entirely determined by the central government.(M.Yasir Said, Yati Nurhayati,2020)

As a substitute issued Law No. 22 of 1948 on the Basic Law of Local Government. The material of the charge is much more detailed compared to law No. 1 of 1945. The autonomous system adopted in law No. 22 of 1948 is a broad autonomy in the form of a system of material autonomy and formal autonomy at the same time. Although it is quite detailed compared to law No. 1 in 1945, it turned out that environmental policy was also not regulated. This law only confirms that local governments have the right to regulate and manage their own households, which is carried out on the basis of the right to autonomy and assistance (medebewind). Furthermore, it was emphasized that the authority of the regions will be stipulated in the law on the establishment of each region.(Nita Triana, 2014)

In practice, it turns out that environmental affairs have not been regulated in the act on the establishment of each region. For example, one of the regions formed during the enactment of Law No. 22 of 1948 was the province of South Sumatra. This province was formed by government regulation in lieu of law (Perpu) No. 3 of 1950 on the establishment of South Sumatra province.1 in this regulation stipulated 14 Affairs submitted to the province of South Sumatra, but has not set its own environmental affairs.2 Environmental Affairs are still a small part of the affairs of related sectors, especially those related to the utilization of natural resources, such as agrarian (land), irrigation and Fisheries. Similarly, in the PP which specifically regulates the transfer of central authority to the regions issued at this time, there is no transfer of authority in the field of Environment. (*Ahmad Jazuli* 2015)

In lieu of Law No. 22 of 1948 issued Law No. 1 of 1957 on the subject of Local Government. The autonomy system used is a broad autonomy system in the form of real autonomy. It turns out that this law also does not contain environmental management policies. The basic authority stipulated in each law on the establishment of regions also does not contain the submission of affairs in the field of Environment. For example, from eleven Affairs submitted to each region established under law No. 1 of 1957.4 none of which expressly mentions Environmental Affairs. (Aditia syapriliah, 2018)

Act No. 1 of 1957 did not last long in line with changes in the political system and government with the return of Indonesia to the

1945 Constitution through the Presidential Decree of July 5, 1959. After this Presidential Decree Law No. 1 of 1957 was replaced by Presidential Decree (Penpres) No. 6 of 1959 on Local Government. The most fundamental change through this Presidential Decree, among others, the magnitude of central control over the region, so that the system of government becomes very centralized-authoritarian. In line with these centralized policies, environmental management does not receive any regulation in Presidential Decree No. 6 year 1959.

Closely related to the formality of a broad autonomous system, the environmental management policy in law No. 18 of 1965 got absolutely no arrangement. Similarly, in the law on the establishment of regions established under law No. 18 of 1965, none of which mentioned environmental affairs. With the end of the Old Order government and replaced by The New Order Government, Law No. 18 of 1965 was replaced by law No. 5 of 1974 on the subject of government in the District. This law is issued can not be separated from the legal politics to create a stable, solid and strong government from the center to the regions. For this reason, various legal products, including in the field of regional autonomy, cannot be separated from centralistic legal politics, so that regional authority is very limited.

Environmental management policy is not regulated in law No. 5 of 1974. Thus, legally environmental affairs are government affairs that are the authority of the central government, although in practice they can ask for help from local governments. This certainly cannot be separated from the centralized government system adopted at that time. On the basis of a centralized system, the regions only in certain matters are given delegations or mandates to carry out government affairs given by the government. Thus, the magnitude and substance of the affairs handed over to the regions is highly dependent on the "wisdom" (wisdom) of the central government.

From the various legal products on regional autonomy issued before UULH-1982 it is very clear that none of them regulates environmental policy comprehensively. Even if there are related sector matters that are handed over to the regions, they are partial and dominated by technical aspects and the use of Natural Resources. Such a policy lasted long enough, that is, until the collapse of the New Order regime in 1998. After the fall of the New Order government which ruled for approximately 32 years and was replaced by the Reform Order government, law no. 5 of 1974 was replaced by law No. 22 Of 1999 Local Government. This law was issued during the validity of UUPLH-1997. Since then, no. 22 of 1999 on Local Government, Environmental Management Policies began to be regulated. This is an implication of the adoption of a broad autonomy system in law No. 22 year 1999

Political law of regional autonomy in law No. 22 of 1999 is very different from law No. 5 of 1974. Regional autonomy based on Law No. 22 of 1999 to give broad authority, real, and responsible to the region in proportion. For this reason, the region has been given broad authority to regulate and take care of environmental issues in its own area. The affirmation is contained in Article 10 paragraph (1) of Law No. 22 of 1999 that reads:

The regional authorities manage the national resources available in their territory and

are responsible for preserving the environment in accordance with legislation.

elucidation of this article, that what is meant by national resources are natural resources, artificial resources, and human resources available in the region. The natural resources under the authority of the region are not only those on land, but also those in the sea area, as stated in Article 10 paragraph (2) of law no. 22 of 1999 that reads:

Regional authorities in the marine area, as referred to in Article 3 include: exploration, exploitation, conservation, and the sea to the extent of the sea area; administrative interest arrangements; spatial arrangement; law enforcement against regulations issued by the region or delegated authority by the government; and assistance enforcement of security and sovereignty of the state.

In line with the principle of implementing broad and intact regional autonomy that is placed on regencies and cities, environmental affairs are emphasized as government affairs that must be implemented by regencies and cities. This is confirmed in Article 11 paragraph (2) of Law No. 22 of 1999 that reads:

Areas of government that must be implemented by the district and city areas include Public Works, Health, Education and culture, agriculture, transportation, industry and Trade, Investment, Environment, Land, cooperatives, and labor. From the above provisions there are three important findings related to environmental management policies.

First, that the regions have been given autonomy to manage natural resources in their regions, both on land and in the sea. The granting of autonomy rights means that regions are given the flexibility to regulate and take care of their own natural resources in their regions.

Second, to exercise the right to regulate and take care of their own local household affairs over these natural resources, various legal products can be issued as long as they do not conflict with higher laws and/or public interests.

Third, the right of management of natural resources given to the region as well as followed by the responsibility of the region to preserve the environment in accordance with legislation.

The weakness of the provision is that law No. 22 of 1999 and its Implementing Regulations have never clearly detailed the affairs submitted to the regions. Provisions of Articles 10 and 11 of Law No. 22 of 1999 has been delegated to the environment and natural resources in the region regulated and taken care of by the region. Only this provision is contradictory to Article 7 paragraphs (1) and (2) which states that regional authority includes authority in all areas of government, except the authority of foreign policy, defense, security, judiciary, monetary and fiscal, religion and other areas of authority.

Other areas of authority include policies on National Planning and control of macro national development, and financial balance, State Administration Systems and state economic institutions, development and empowerment of human resources, empowerment of Natural Resources and strategic high technology, convergence, and national standardization. From this provision, it means that the empowerment of Natural Resources and conservation become the central authority.

It is not clear whether the entire matter falls under the full authority of the central government.

Such provisions, in addition to causing contradictions in norms, also lead to diverse interpretations of regional authority in Environmental Management.

This diverse interpretation is what sometimes becomes a "struggle for authority" between the center and the regions. This results in weak regional responsibility in Environmental Management. Moreover, on the one hand, the regions demanded independence, but on the other hand, the delegation of authority was not accompanied by adequate financing and human resources expertise.

Therefore, it is not surprising that the various legal products issued by the regions, the orientation is not to protect the carrying capacity of the environment, but to increase local revenue (PAD). Such regional policy orientations increasingly have a negative impact on the environment, especially when viewed from the basis of autonomy that is placed on regencies and cities, not on provincial areas.

According to Noer Fauzi, et al. such autonomy base actually poses a threat to the management of Natural Resources and the environment. This can happen, because it is likely that the emergence of certain regional policies will affect or harm other regions that are in the same ecosystem. So far, the division of districts and cities is based on administrative considerations. In fact, in many places, the ecosystem area is wider than the administrative boundaries.

The administrative approach is increasingly out of harmony with the interests of environmental protection, especially when viewed from the position of each autonomous region, which is independent and does not have a hierarchical relationship with each other. After about five years, no. 22 of 1999 was replaced by law No. 32 of 2004 on Local Government. One consideration is the replacement of this law because it is not in accordance with the development of the state, constitutional, and demands for regional autonomy, especially after changes to Article 18 of the 1945 Constitution

There are several fundamental changes stipulated in law No. 32 of 2004 compared to law No. 22, 1999. First, autonomous regions are divided into provinces, districts, and cities, each of which has a local government and has a relationship with the government and other local governments. Second, the granting of autonomy is no longer differentiated between provinces with limited autonomy and regencies and cities with full autonomy, but equally as autonomous regions with the widest possible autonomy system in the form of real and responsible autonomy.

Thirdly, the division of government affairs into all autonomous regions has been established in detail. There are matters that are absolute as central Affairs and there are matters that are held together (concurrent) between the center and the region. Fourth, the administration of local government is no longer based on the principle of decentralization, deconcentration, and assistance, but based on the principle of autonomy and assistance. Fifth, there is a detailed affirmation of the rights and obligations of the region, one of which is to preserve the environment.10 sixth, the DPRD no longer has a very strong position against the executive (legislative heavy), as in law No. 22 of 1999. Seventh, the governor acts as a coordinator of development and supervision of local government administration for districts and cities. In summary, the fundamental difference

between law No. 32 of 2004 with law No. 22 of 1999 are presented in the table below

Environmental management policies have been better regulated in law No. 32 of 2004 compared to law No. 22, 1999. In law No. 32 of 2004 has been regulated more clearly and firmly division of Environmental Affairs (Article 13 paragraph (1) letter j and 14 paragraph (1) letter j), the government's obligations in preserving the environment (Article 22 letter k), and the relationship between Central and regional, interregional relations in the utilization of Natural Resources (Article 17), and regional authority in the Marine Area (Article 18). The disadvantage is that the environmental policy set forth in this law is focused on the aspect of "Environmental Control". Central and regional relations and interregional relations are only about the utilization of natural resources, not in terms of holistic environmental management. Similarly, the division of Environmental Affairs based on PP No. 38 of 2007 on the division of government affairs between the government, provincial governments, and district and city governments. The division of Environmental Affairs as contained in Appendix H is dominated by the sub-field "Environmental Impact control" compared to the sub-field of Natural Resources Conservation.

The division of Environmental Affairs is also still sectoral (spread in other fields) and in some cases still uses benchmarks for activity locations. Thus, the environmental policy in law No. 32 of 2004 and PP No. 38 of 2007 also does not reflect the holistic-ecological oriented legal politics.

There are several reasons that cause the product of regional autonomy law in this period has not reflected the politics of law oriented to ecological sustainability holistically. First, because although the regional government system adopted uses a broad autonomy system, the delegation model is very common and is nothing more than a formality. Second, because the various local government laws were issued under the provisions of Article 18 of the 1945 Constitution before the change, the material content of which is very simple and gives a kind of blank mandate to the formulator of the law to be filled in according to the dominant political will at a certain moment.11 it is not surprising that the various local government laws do not simply differ, but contradict one another. Third, because at that time there was no clear legal political direction on Environmental Management. The provisions of Article 33 of the 1945 Constitution before the change were interpreted more as an economic Constitution than as an environmental Constitution or green Constitution. Meanwhile, the Environmental Law has not yet been formed. Fourth, as a newly independent country, almost all government policies, including in the field of regional autonomy can not be separated from the orientation to support the creation of economic growth. Based on the above background, the focus of this study is a political reflection of environmental law towards regional autonomy law products holistic - ecological perspective.

2. Method

This research method is juridical normative. This study was conducted by examining library materials, ranging from primary legal materials , including all laws and regulations governing the political reflection of environmental law to regional autonomy law products with a holistic-ecological perspective.

secondary legal materials (legal materials that provide explanations to primary legal materials) and tertiary legal materials (legal materials that provide instructions and explanations to primary and secondary legal materials).

3. Results dan Discussion

Since regional autonomy was rolled out in 1999 and effective since 2001, many regional legal products have been issued to regulate local household affairs, including Environmental Affairs. Substantially there is a trend of the same orientation of the material content of regional legal products, namely increasing local revenue (PAD). Various objects are subject to local taxes and levies, including the environmental sphere and Natural Resources. The purpose of such regulations is not to manage the environment but to attract levies on the environment and Natural Resources. Therefore, during regional autonomy there are not so many regional legal products that specifically regulate the management of Natural Resources and the environment. In Lampung Province, for example, of the 11 provincial regulations related to the environment and natural resources, it turns out that only one regulation that specifically regulates the environment and natural resources, namely Lampung provincial regulation No. 3 of 2006 on the management of Natural Resources and the environment. Similarly, the district/ city regulations related to the environment generally regulate taxes and regional levies (PDRD).(Wahyu Nugroho,2018)

Second, The City of Bandar Lampung. 8 of 2000 on general development, security, hygiene, health and safety in the city of Bandar Lampung. This regulation contains a fairly extensive material, namely regulating aspects of order, security, cleanliness, health, and neatness in the city of Bandar Lampung. Observing the scope of such material, then this regulation can be said as "Perda sapu jagad". Unfortunately, only obligations and prohibitions are regulated for everyone, private legal entities, and government agencies related to the above aspects. It is not clear what legal instruments and mechanisms for their implementation, supervision and control and enforcement are related to environmental management (Eko Nurmardiansyah,2014)

Third, The East Lampung Regency Regulation No. 3 of 2002 on coastal, coastal and marine rehabilitation. This regulation aims to restore the function of the beach as it should and ensure the preservation of the Coast, Coast and sea in accordance with the functions and designations and ensure an increase in community income. Its payload materials are focused on environmental remediation measures, not the Prevention of environmental damage.

Fourth, The East Lampung Regency Regulation No. 4 of 2008 on the development and management of Irrigation Systems. The content material arranged focuses on the development and management of irrigation systems for the benefit of water users and irrigation network users, and less emphasis on aspects of conservation and preservation of water resources that support the sustainability of irrigation systems.

Based on the description above, it can be said that the legal politics of local regulations relating to the environment and Natural Resources generally do not reflect the legal politics of Environmental Management in a holistic-ecological manner, both in terms of the scope of management, aspects of the relationship between

regulated environmental elements, and aspects of cooperation with other regions.

This is caused, among others, by the still strong economic mindset of the local government apparatus as a benchmark for successful development, the weak actualization of the principles of ecocracy and democratization in the formulation of regional autonomy policies, the weak harmonization mechanism of regional legal products, and non-observance of the principles of the formation of good legislation in the manufacture of

The orientation of regional legal products as described above is clearly contrary to the legal politics of Article 28h and Article 33 paragraph (4) of the 1945 Constitution and the environment law. In other words, such a regulation does not meet the requirements of legal enforceability philosophically, since it is not in harmony with the politics of law in the Constitution.

The above facts also indicate that in its formation has not met the principles of good legislation, especially the principle of a clear purpose, effectiveness and results of use. In fact, the principle of law is the foundation of formation and at the same time as the rules of assessment of applicable law. Paul Scholten defined the principle of law as "the basic thoughts, contained in and behind the respective legal systems, formulated in the rules of law and the decisions of judges, with respect to which individual provisions and decisions can be viewed as elaborations". Therefore, the principle of law by the legal community is considered as a basic truth, because through the principle of law the ethical and social considerations of the community enter into law and become a source that lives the ethical, moral, and social values of the community.

More concretely Satjipto Rahadjo asserted that the principle of law is the "heart" of legal regulation or as a guiding star of the formation and implementation of the law. The principle of law is the most extensive foundation for the birth of a rule of law. The principle of law is also worth mentioning as the reason for the birth of a rule of law, or a legal ratio of the rule of law, in relation to the formation of law, van Eikema hommes argues that the principle of law should not be viewed as concrete legal norms, but should be viewed as general foundations or instructions for applicable law. The formation of Practical Law needs to be oriented towards these legal principles. In other words, the principles of law are the foundations or directions in the formation of positive law. These legal principles are universal (not limited to time and place) and some are only applicable to certain countries as national legal principles. Paul Scholten proposed that there are five principles of law that are universal, namely the principle of personality, the principle of communion, the principle of equality, the principle of authority, and the principle of separation between good and bad. The first four principles of universal law according to Scholten are found in every legal system. There is no legal system that does not recognize the four principles of universal law.

The principles of national law are legal principles that are developed in accordance with the values adopted by the people in the country in question. For Indonesia, of course, the principle of national law cannot be separated from the values contained in the precepts of Pancasila, both as legal ideals (rechts idee) and as fundamental norms of the country.

The main principles contained in the precepts of Pancasila are the principle of divinity, the principle of humanity, the principle of unity, the principle of consensus (the principle of popular sovereignty), and the principle of social justice. In addition, the principles of national law can also be extracted from the provisions of the 1945 Constitution, such as: the principle of the rule of Law (Article 1 Paragraph (3), the principle of constitutional government (Article 4 paragraph (1), the principle of the hierarchical system of legislation (Article 22A), the principle of the minister of state as an assistant to the president (Article 17 paragraph (1), the principle of unlimited power of the head of state (article 7A), and the principle of togetherness, equitable efficiency, sustainability, environmental insight, and independence in the implementation of the national economy (Article 33 paragraph (4) of the 1945 Constitution).

Legal principles can also be distinguished between general legal principles and special legal principles. General legal principles relate to all areas of law, such as the principle of restitutio in integrum, the principle of lex posteriori derogat legi periori, the principle that what appears to be legitimate, must be temporarily maintained as such until it is otherwise decided by a court judge, and the principle of nebis in idem.20 then the principle of special law relates to certain areas of Law,21 as in the field of regional autonomy law known as the principle of autonomy and co-operation, and in environmental law known as the principle of sustainability, the principle of prudence, the principle of polluters pay, and so forth.

Then in the formation of law is also known the principles of law in the formation of good regulations, which according to Article 5 of Law No. 12 of 2011 includes the principle of clarity of purpose, the principle of institutional or organ forming the right, the principle of conformity between the type and material content, the principle can be implemented, the principle of usability and usability, the principle of clarity of formulation, and the principle of openness. Meanwhile, in Article 6, the principles related to the content of legislation are: the principle of protection, the principle of humanity, the principle of nationality, the principle of kinship, the principle of mediation, the principle of unity in diversity, the principle of justice, the principle of equality of position in law and government, the principle of order and legal certainty; and / or the principle of

Local regulations related to environmental management thus should at least reflect the principles of law relating to four aspects, namely the principles of law in general, the principles of Environmental Management Law, the principles of regional autonomy law, and the principles of law in the process of forming good legislation.

It is precisely these legal principles that should be concretely reflected in the legislation of the central and regional spheres. Unfortunately, in practice it is very difficult to find a product of regional law in the field of the environment that reflects the integration of all four types of legal principles. The orientation is dominated by thoughts that are economic and exploitative of natural resources, so that it is substantially contrary to higher legislation and/or public interest. From the perspective of the business world, this regulation is considered to cause a high cost economy and burdensome for the business world. This is reflected in the increasing trend of

Perda PDRD which was canceled by the Minister of Home Affairs.

Cancellations of these two types of regulations actually tend to increase every year. Several local regulations on Environmental Management and natural resources were also canceled, because the material regulates regional levies that are considered contrary to higher legislation and/ or public interest

Apart from the various reasons put forward by the Minister of Home Affairs in considering its cancellation, the emergence of various "problematic" regional regulations actually stems from the breadth of regional authority that is not accompanied by clear details and scope, excessive regional enthusiasm to regulate local household affairs, economic mindset in every regional policy making, and weak guidance and supervision from the top level government. These four things cause the low quality of local regulations and are sometimes formed without a clear foundation of regional authority.

Regions seem to be racing against time to issue as many levied local regulations as possible, without paying attention to the basis of clear authority, effectiveness and results for the issuance of local regulations, as well as synchronization and harmonization with higher legislation.

Based on the findings above, to achieve a holistic - ecological regional autonomy law, some fundamental changes are needed. First, the format of granting autonomy to regions must be clear and detailed without excluding the diversity, characteristics, and capabilities of each region. Second, the scope of authority is not only "control", but includes aspects from planning to law enforcement.

Third, the laws and regulations above the regional regulation must also be clear, synchronous and harmonious between certain legal regimes and regional autonomy legal regimes, such as between environmental law, tax law (PDRD), and regional autonomy law. Thus, there is no kind of doubt for the region to regulate various affairs that have clearly become its authority. Nevertheless, in line with the unitary state system, it is logical that the Superior government has the authority to exercise control over subordinate government units

This control or supervision is intended to improve the effectiveness and results of the regulations issued. The mechanism of supervision by the province on district and city regulations must be further clarified, especially regarding the authority of the province to evaluate local regulations outside the APBD, PDRD, and spatial planning, especially those that have cross-border aspects such as environmental management. It aims to create an integration of regional environmental management law with National Environmental Law in an effort to realize the welfare of the people and ecological sustainability. Both goals are in line with national goals as stated in the Preamble to the 1945 Constitution

Fourth, policy integration in the preparation of local regulations also requires a planning legal instrument in the form of regional legislation programs (prolegda), through Prolegda that is really compiled comprehensively (not just a list of priorities without clear justification), can be a filter for the preparation of regional legal products so as not to conflict with higher regulations and/ or public interest and in accordance with regional needs, both in the short, medium, and long term.

Prolegda is a planning instrument so that the preparation of regional legal products is carried out in a planned, integrated, and systematic manner, so that the content material is in accordance with the national legal ideals on it. In accordance with law No. 12 of 2011 on the establishment of legislation, Prolegda aims to keep regional legal products remain in the unity of the national legal system. Thus, Prolegda is a guiding instrument for the preparation of regional legal products in accordance with national legal politics, including environmental management legal politics.

Fifth, associated with the theory of environmental sovereignty (ecocracy), the regional autonomy policy as the implementation of the concept of democracy should not ignore the interests of Environmental Protection. The welfare to be achieved through regional autonomy policies must synergize the principles of ecological sustainability. Thus, prosperity achieved through regional autonomy policy is not momentary, but sustainable.

Sixth, the academic text is also a very important planning instrument to create harmony and integration of regional autonomy law products with National Environmental Law Politics. An academic manuscript is a manuscript of research or legal studies and other research results on a particular problem that can be scientifically accounted for regarding the regulation of the problem in the form of a bill or draft law. In the academic paper at least contained about the background, the objectives to be realized, the identification of problems, goals and uses, methods, considerations or philosophical foundation, sociological, and juridical establishment of regulations, objectives to be realized, the scope of regulation, range, and direction of regulation. Therefore, it can be prevented that the product of regional autonomy law contradicts legal politics oriented to holistic ecological sustainability, national legal ideals, public interests, and higher legislation. Unfortunately, the preparation of academic texts according to law No. 12 year 2011 is not yet a necessity.

4. Conclusion

During regional autonomy is not so much a product of regional laws that specifically regulate the management of Natural Resources and the environment. In Lampung Province, for example, of the 11 provincial regulations related to the environment and natural resources, it turns out that only one regulation that specifically regulates the environment and natural resources, namely Lampung provincial regulation No. 3 of 2006 on the management of Natural Resources and the environment. content material and legal politics first, this local regulation has a regulatory scope that is in line with law No. 32 of 2004, namely the management of Natural Resources and the environment across districts/cities, Natural Resources and the environment by the district / city handed over to the province, and coastal and marine areas which are the authority of the province. Second, regional Regulation A contains a fairly broad material, which regulates aspects of order, security, cleanliness, health, and neatness in the city of Bandar Lampung. Third, this local regulation aims to restore the function of the beach as it should and ensure the preservation of the Coast, Coast and sea in accordance with the function and designation and ensure an increase in community income. Its cargo materials are

focused on environmental remediation measures, not the Prevention of environmental damage. Fourth, the content material set focused on the development and management of irrigation systems for the benefit of water users and irrigation network users, and less emphasis on aspects of conservation and preservation of water resources that support the sustainability of irrigation systems. Based on the above description, it can be said that the legal politics of local regulations related to the environment and Natural Resources generally do not reflect the legal politics of Environmental Management in a holistic-ecological manner, both in terms of the scope of management, aspects of the relationship between regulated environmental elements, and aspects of cooperation with other regions. This is due to the still strong economic mindset of the local government apparatus as a benchmark for successful development, the weak actualization of the principles of ecocracy and democratization in the formulation of regional autonomy policies, the weak harmonization mechanism of regional legal products, and non-observance of the principles of the formation of good legislation in the manufacture of regional legal products**.** a holistic-ecological regional autonomy law product requires some fundamental changes. First, the format of granting autonomy to regions must be clear and detailed without excluding the diversity, characteristics, and capabilities of each region. Second, the scope of authority is not only "control", but includes aspects from planning to law enforcement. Third, the laws and regulations above the regional regulation must also be clear, synchronous and harmonious between certain legal regimes and regional autonomy legal regimes, such as between environmental law, tax law (PDRD), and regional autonomy law. Fourth, policy integration in the preparation of local regulations also requires a planning legal instrument in the form of regional legislation programs (prolegda), through Prolegda that is really compiled comprehensively (not just a list of priorities Raperda without clear justification). Fifth, associated with the theory of environmental sovereignty (ecocracy), the regional autonomy policy as the implementation of the concept of democracy should not ignore the interests of Environmental Protection. The welfare to be achieved through regional autonomy policies must synergize the principles of ecological sustainability. The six academic manuscripts are the results of research or legal studies and other research results on a particular problem that can be scientifically accounted for regarding the regulation of the problem in a form of Bill or draft law.

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