

## **LEGAL POLICY ON PREVENTING ENVIRONMENTAL DAMAGE TO PEATLANDS IN THE CONTEXT OF ACHIEVING SUSTAINABLE DEVELOPMENT**

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### *Abstract*

*Peatland management has become a crucial issue, and it is necessary to examine the complexity of peatland issues through research that prioritizes environmental protection. The research method used in this study is normative research (doctrinal legal research). The data collection technique used is a literature study. The data obtained was analysed qualitatively and normatively. The findings indicate that there are numerous regulations governing peatlands, ranging from the most general to the most specific. However, the implementation of these regulations remains uneven, as evidenced by the continuing damage to the peatland environment. There is a need for firm legal action, both in terms of normative and administrative regulations. The political configuration of law in preventing environmental damage to peatlands can be realised through sustainable development. Nevertheless, a democratic political configuration of law is needed, imposing restrictions on government actions to protect individuals and groups, with the aim of safeguarding indigenous peoples or communities that already have systems and regulations in place for their environment. The direction of legal policy in efforts to prevent environmental damage to peat ecosystems can be through explicit regulations, providing certainty to indigenous peoples through the Indigenous Peoples Act, agrarian reform, and stopping the seizure of peatlands in the name of whatever it may be.*

**Keywords:** *Legal Policy; Peatland Environment; Sustainable Development.*

### **INTRODUCTION**

Peatlands are an important element in discussions of environmental issues. The discussion of the concept of restoration regarding peat, for example, must certainly begin by understanding the damage that has occurred in the peatland area. There are two main factors causing damage to peatland areas: first, fires in peatlands; and second, the granting of business permits to companies in peatland areas that ignore the sustainability of the peat ecosystem.

If examined broadly, peatlands, as an ecosystem, store most of the carbon on Earth's land, with 3% of the world's land area covered by peat swamp, yet storing

600 gigatons of carbon in their soil. This is more than the carbon found in the world's forest biomass (Pan et al., 2024, 563-569). Peatlands also support globally significant and locally critical ecosystems, including the regulation of regional air temperature, food and fiber production, cultural and recreational values, and habitats for endemic species (IUCN, 2021).

Based on estimates, the global peatland area reaches approximately 400 million hectares. Indonesia ranks fourth in the international hierarchy of countries with the largest peat swamp areas, covering around 17.2 million hectares. Countries that are superior compared to



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Indonesia include Canada (170 million hectares), the Soviet Union (150 million hectares), and the United States (40 million hectares). However, according to various publications and scientific documentation, Indonesia ranks first globally in tropical peatland area, with an estimated range of 13.5-26.5 million hectares (Masganti et al. 2017, 43–44).

Forests and peatlands in Indonesia, particularly in Sumatra and Kalimantan, are undergoing ongoing degradation. The main factors causing this damage include both legal and illegal logging activities, as well as land use changes (changes in the status and function of areas from the forestry sector) into agricultural land, plantations, fields, and transmigration sites. Peatland management that ignores the characteristics of the peat swamp forest ecosystem and the principles of sustainable natural resource management has triggered various environmental problems, such as annual forest fires and haze, as well as declines in community welfare. The issues of forest fires and haze not only destroy the natural wealth of peatlands but also cause health disturbances and disruptions to air transportation, which have broad economic impacts, especially on the tourism sector and other service industries (Wahyunto and Dariah 2014, 82).

Within the institutional framework of the Ministry of Environment and Forestry, peatland restoration efforts are an integral component of environmental pollution management programs, regulated through Government Regulation (PP) Number 4 of 2001 concerning the Control of Environmental Damage and/or Pollution Related to Forest and/or Land Fires, as stipulated in the Minister of Environment

and Forestry Regulation (Permen LHK) via the Decree of the Director General of Pollution and Environmental Degradation Control (Dirjen PPKL) Number P.4/PPKL/PKG/PKL.0/3/2018, enacted in 2018. According to Helmi, although the environment, ecologically, does not recognize national or administrative boundaries, in the management context, there must be clear authority limits. Conceptually, Indonesia's environment in territorial terms is a legal concept encompassing the archipelago in situated strategically between two continents and two oceans (Helmi 2012, 93).

Despite high taxes, business actors remain committed to fulfilling their tax obligations. Thanks to technological advances through compression methods, peatlands can be utilized as agricultural and plantation areas. Peatland improvement requires the construction of drainage systems, compression processes, and optimal water management. These land preparation stages must be carried out first before peat is used for plantation or agricultural activities (Saragih and Hariyadi 2016, 313).

The environmental conditions in Indonesia are deteriorating. This situation is caused by a faulty environmental management system and excessive, irresponsible use of natural resources, making it increasingly concerning (Nurmalasari et al. 2024, 248).

Environmental protection regulations have largely lost their effectiveness in addressing various environmental violations. All this time, disappointment with court verdicts seems to be directed only at law enforcement officers who are considered less professional and of questionable integrity. The degradation of

natural resources and environmental pollution in Indonesia is largely rooted in two main problems: institutional/structural issues and low compliance with the law (Rozi 2018, 35).

In Malaysia, the government recognizes that development is a very important aspect and cannot be ignored. However, there needs to be a balance between development efforts and environmental preservation. In this regard, Haliza Abdulrahman explains that the concept of sustainable development emphasizes the balance between development progress, community needs, and environmental conservation. The actual goal of development will be easier to achieve if conducted within the framework of environmental, economic, and social sustainability. It is important to understand that the concept of sustainable development does not mean rejecting development but rather identifying forms of development that can preserve natural (both natural and man-made) environments, culture, and local assets, while also empowering the community itself. Thus, sustainable development becomes a choice to the conventional development model currently applied by many countries (Rahman 2013, 4).

In Sarawak, the area of oil palm plantations has increased by up to twice. From an economic perspective, the direct contribution of the palm oil industry to Sarawak's peatlands reaches 400 to 500 million ringgit each year. The Malaysian government has launched a plan to temporarily halt the expansion of oil palm plantations on Sarawak's peatlands. However, at that time, all stakeholders, ranging from business actors to academics to researchers, simultaneously rejected the

plan. In Malaysia, palm oil is a commodity with the highest tax burden, while other types of vegetable oils actually receive subsidy assistance (Jati 2015).

In the context of environmental protection in Malaysia, this responsibility falls under the Department of Environment, which is part of the Ministry of Energy, Science, Technology, Environment and Climate Change (MESTECC), as outlined in Part II of the Environmental Quality Act 1974. This regulation stipulates one of the duties of the Director-General of Environmental Quality, namely: to provide recommendations to the Minister regarding environmental conservation policies and categorization to protect various components or segments of the environment. This includes considerations of the functions and values of both visible and invisible environmental elements that need to be protected, the quality standards that must be maintained, the limits of waste discharge tolerated without harming environmental quality, resource utilization, long-term development plans, as well as other aspects related to efforts to protect and improve the environment.

The approach to the vital role of prevention in the field of environmental law, especially considering that criminal sanctions are an *ultimum remedium* (last resort) in the enforcement of environmental law. This preventive measure aims to realize the principle of sustainable development in the field of the environment, which is an approach that regulates the management of natural resources to meet the needs of the present generation without compromising the

capacity of future generations to meet their life needs.

Indonesia, as the owner of the largest tropical peatlands, is experiencing massive degradation due to fragmented legal governance, with numerous regulations failing to ensure compliance. Unlike Indonesia's repressive approach, which emphasizes criminal penalties (*ultimum remedium*), Malaysia, with a similar ecosystem, implements a more holistic and coordinated administrative policy. Therefore, it is necessary to study these two countries (Indonesia and Malaysia) in their regulation of environmental issues, in this case, peatlands. Legal Politics becomes one of the focuses of this study, to identify the conception of preventive measures in preventing environmental degradation, especially in peatland ecosystems.

## **RESEARCH METHOD**

The research method used in this study is normative research (doctrinal legal research), which focuses on the study of legislation, jurisprudence, contracts, and norms applicable in society (Soekanto and Marmuji 2001, 13–14). It focuses on the regulations between Indonesia and Malaysia to identify similarities and differences in their legal systems. Malaysia was chosen as the comparison country in this study.

The data collection technique uses library studies, through the stages of inventory and identification of legislation, court decisions, and legal literature, which are then classified and systematized by topic.

The data obtained is then analyzed qualitatively in a normative manner, by narrating the data collected in an orderly,

logical, and effective way. The results of the discussion of the issues addressed in this study are used to draw inductive conclusions and answer the issues that are the focus of this study.

## **RESULTS AND DISCUSSION**

### **Implementation of Environmentally Insightful Sustainable Development Principles**

Environmental law is an integral part of the national legal system and must be understood as a subsystem within the overall legal system of Indonesia (Risqi 2021, 39).

Environmental law encompasses various aspects and disciplines, with the main focus on efforts to maintain the sustainability of the environment's functions and capacity through a comprehensive, integrated (holistic) approach. In addition, this law must reflect a perspective that views the environment as a fundamental characteristic in contemporary environmental law. This means that the law must be connected and aligned with the legal principles that apply in society. Therefore, in the implementation of environmental law, an approach that integrates various aspects and disciplines becomes an absolute necessity, both in addressing environmental damage and pollution (Rochmad and Irawati 2024, 64).

Environmental law was fundamentally created and developed to achieve harmony in the relationship between humans and their environment, whether physical or socio-cultural, by considering the conditions of the socio-ecosystem. Therefore, this law must learn from ecology and be grounded in the root

of environmental problems, namely the interaction between humans and their environment (Arliman 2018, 762).

As one of the supporting instruments in contemporary Environmental Protection and Management (PPLH), it is a law grounded in ecology, so its characteristics and substance tend to mirror those of the environment itself (Khatimah et al. 2018, 134). Its main goal is to realize harmony between humans and their environment, both physical and socio-cultural.

The juridical foundation and environmental management mandate that the state is obliged to conserve and maintain Indonesia's natural resources and ecosystems to realize societal welfare sustainably (Kansil et al. 2022, 1). Referring also to what is expressed in Hardjasoemantri's view, within the framework of planning and utilizing environmental regulations, Environmental Law or Environmental Management Law must also be based on the general principles of good administration, namely the general principles of good governance (Nisa and Suharno 2020, 296-97). However, environmental issues are ecological problems, particularly human ecology, the core of which lies in the pattern of interaction between humans and their surrounding environment (Kansil et al. 2022, 2).

Then what happens is how the country ultimately realizes the harmony of utilization, and between environmental conservation, which is very closely related to human activities.

Examining several regulations, such as in the Environmental Protection and Management Law (UUPPLH), it emphasizes that environmental

management is based on the State's responsibility, sustainability, and the pursuit of environmentally sound, sustainable development. (Articles 2 and 3 of UUPPLH)

The intended goal is harmony, compatibility, and balance between humans and the environment, as well as the realization of Indonesian people who have the attitude and actions to protect and nurture the environment. (Article 68 and Article 70 of the UUPPLH).

It is also emphasized that everyone has the same right to a good and healthy environment as part of human rights (Article 65, paragraph (1) of the Environmental Protection and Management Law), and that everyone has the obligation to maintain the sustainability of environmental functions and to control pollution and/or environmental damage. (Article 67 of the Environmental Protection and Management Law)

Regarding its implementation, the Government must pay attention to all forms of existing values, including religious, cultural, and societal values. (Article 2 and Article 3 in conjunction with Article 70 of the Environmental Protection and Management Law)

The obligation to uphold those living values is stated in Article 28H of the 1945 Constitution, which is also affirmed in the fourth paragraph of the 1945 Constitution as well as Article 33 paragraph (3) of the 1945 Constitution, specifically concerning environmental protection and management (PPLH) and the utilization of existing natural resources (SDA).

So many regulations are intended to protect the environment, such as those that protect peatlands. Yet, illegal burning

and land clearing still occur, and even several national strategic programs (PSN), such as the Food Estate, face conflicts between regional development and environmental damage in several areas. For example, since November 2020, 1,500 hectares of forest have been cleared in Rawai Baru Village, Gunung Mas Regency. Furthermore, around 700 hectares of forest with forest cover have been cleared for the food estate. In October 2022, 137 hectares of secondary peat swamp forest in Pilang Village, and 96 hectares of protected forest with a peat layer 2-3 meters deep, were cleared.

Damage to peatlands can lead to various environmental problems, including increased greenhouse gas emissions, degraded water quality, and biodiversity loss. In addition, government efforts to open land on peatlands for new rice field development raise concerns about recurring peatland fires, which could significantly harm the country. (Sari and Arman 2025, 15-17)

As stated in Article 33 of the 1945 Constitution, the Earth, water, and the natural resources contained within them are controlled by the state and used for the greatest prosperity of the people; in practice, it tends to be inconsistent with its intent and purpose. Instead of a prosperous society, it turns out to make the people experience its negative impacts.

Meanwhile, Malaysia positions palm oil as a high-value commodity that will be planted on peatlands. Efforts to save the peat include creating drainage and good management.

Environmental issues in Malaysia fall under the authority of the Department of Environment within the Ministry of

Energy, Science, Technology, Environment and Climate Change (MESTECC), as regulated in Part II of the Environmental Quality Act 1974.

The Minister is given the authority to regulate environmental issues, both in terms of protecting the environment in its usefulness and its values, both apparent and not. Environmental management is permitted as long as it does not harm environmental quality and promotes long-term environmental progress and the improvement of the surrounding environment. (International Law Book Service, 1974, 15)

Based on this, the concept of environmental provisions can be seen: the existence of the Director General of Environmental Quality plays a very important role in preventive environmental management in Malaysian life.

Nevertheless, several things also happen in Malaysia, such as the conversion of peatlands into agricultural areas, problems with inadequate irrigation, peatland fires, and haze pollution.

Then, although it is arranged in this way, some regulations are still considered insufficient for sustainable peatland management in Malaysia. Existing policies and guidelines do not provide adequate guidance on peatland management, further exacerbating unsustainable use and degrading peatlands and their resources.

### **Political Legal Configuration of Environmental Prevention on Peatlands**

Economic growth and a country's development face a very strong dilemma,

such as the challenges posed in ecological damage. These great and ongoing efforts towards mechanization, economic growth, and energy consumption have resulted in the excessive use of natural resources and the mining of natural energy reserves. (Lin et al., 2019).

The Republic of Indonesia recognizes and respects human rights and fundamental freedoms as natural rights inherently attached to humans and inseparable from them (Wilujeng 2013, 1). These rights must be protected, respected, and enforced to enhance human dignity, welfare, happiness, intelligence, and justice. The right to a good and healthy environment implies the obligation of a state governed by law always to provide environmental quality that meets basic standards, as regulated in Article 28H paragraph (1) of the 1945 Constitution of the Republic of Indonesia (UUD 1945). This means that, constitutionally, there are legal norms that provide the public with protection to obtain a good and healthy environment, with the state's duty to realize it (Nopyandri 2014, 35).

Efforts to protect and manage the environment are a series of systematic and comprehensive activities aimed at maintaining the sustainability of ecological functions and anticipating pollution or environmental degradation (Maulana et al. 2024, 668). These activities include aspects of planning, utilization, control, maintenance, supervision, and the implementation of legal regulations. Infrastructure development that ignores environmental conservation dimensions can accelerate ecosystem degradation (Wibawa and Wiryadi 2024, 310).

The degradation is mostly triggered by anthropogenic actions and habits that give minimal consideration to ecological aspects. Consequently, concrete efforts are required to implement sustainable development for environmentally oriented concepts. Environmentally based development is a deliberate and planned strategy in utilizing and managing resources prudently through a continuous development process, to improve human quality (Husein 1992, 50).

Meanwhile, sustainable development is defined as development whose paradigm accommodates the needs of the current generation without compromising the capacity of future generations to meet their needs (Sudjana and Riyanto 1999, 11).

Environmental legal politics in the context of prioritizing the development of environmental aspects aims to avoid pollution and/or environmental damage, so that ecosystems and natural resources remain preserved as well as their carrying capacity (Wibawa 2016, 52-53).

In addition, environmental legal policy serves as an instrument for law enforcement against actions that damage or pollute the environment and natural resources. Essentially, the existence of this legal policy can be seen from two perspectives, namely: (1) as an entity that requires development and regulation, and (2) as an element in development that needs support to maintain the continuity of that development, including as a protector for the processes and outcomes of development. Thus, environmental legal policy is expected to serve as a protective mechanism for environmentally oriented sustainable development (Mukhlis 2010, 68).

Peatlands play a crucial role in maintaining the balance of the world's climate. If peatlands are preserved, then the global climate will remain stable, and all of humanity will enjoy their benefits on this planet (Saebani and Triadi 2024, 68). However, what is often not realized is that efforts to preserve peatlands come at the cost of poverty and backwardness for communities living around them.

Therefore, community empowerment in peatlands demonstrates stakeholders' responsibility for politics, law, and the environment in the preservation of peatland ecosystems. This is because, at the micro level, peatland community empowerment is based on two main reasons. First, poverty and the lack of perceived power by most communities in peatlands often cause them to be less concerned about environmental conditions. Second, efforts to raise awareness and stimulate participation in land conservation will be difficult to achieve if the community's basic needs are not met.

Naturally, humans do not live only as individuals; they always interact with others because, essentially, they are social beings. In their personal lives, humans relate to themselves, think, act freely, and evaluate themselves so that they can transcend their natural condition. Therefore, every human has basic rights that must not be reduced under any circumstances (Marzuki and Faridy 2020, 351).

Issues related to environmental legal politics over the past few decades have been a focus of attention and a subject of study that never runs dry, both at the regional, national, and international levels. This is because environmental

legal politics serves as an urgent force in regulating human life in relation to the need for natural resources, while still ensuring the preservation and sustainability of those resources.

If viewed in the full complexity of the problems occurring in both Indonesia and Malaysia, it can be addressed by shifting the paradigm for environmental management, especially regarding peatland. The paradigm shift referred to here is changing the perspective from initially exploitative profit-seeking under the name of management to environmental restoration that is no longer exploitative and extractive.

Given the initially exploitative and extractive perspective, it is only natural that friction between regulations and implementation arises. Because if environmental management is viewed with an exploitative or even extractive approach, it will harm indigenous communities, for example, in Indonesia, and the general public, for instance, in Malaysia.

Instead of intending to prosper, it actually causes suffering for the people. Therefore, if one wants to achieve progress while still preserving the environment, it is necessary to have a democratic legal-political configuration that imposes restrictions on government actions to protect individuals and groups, particularly indigenous peoples or communities that already have systems and regulations in place for their environment.

### **Direction of Political, Legal, Environmental System Reforms and Spatial Planning in Peatland Management**

The conceptualization of the development of the environmental law system in Indonesia is based on the premise that the environment is an ecological entity that is transboundary in nature, not constrained by territorial delimitations, whether in the form of state sovereignty boundaries or administrative government limits. From a regional perspective, Indonesia represents a juridical construction. Through this perspective, the scope of Indonesia's environment encompasses the territorial archipelago positioned at the intersection of two continents and two oceans, with tropical climate characteristics and weather and seasonal dynamics that shape natural conditions and a geostrategic position of significant value, where Indonesian society and the nation actualize state life in all its dimensions. Thus, the paradigm used in the management of Indonesia's environment is the Archipelagic Insight (*Wawasan Nusantara*) (Lukito and Boediningsih 2022, 294).

Fundamentally, the environmental law system is an integral part of the national legal system. This system is designed to regulate environmental conservation efforts. In its implementation, the objectives of the environmental law system are interconnected and dependent on other legal subsystems, thereby establishing both direct and indirect relationships with other legal systems (Ekiawan 2023, 35). Currently, the obstacles in implementing

the environmental law system arise from its own subsystems, so it is not fully integrated with other legal subsystems.

Indonesia, as a sovereign country and a member of the United Nations, actively participates in various international organizations focused on environmental issues. In this era of globalization, interactions among the world's citizens are no longer hindered by geographical boundaries, and mutual dependence in various dimensions of human life is increasingly evident. Therefore, joint agreements among countries in the field of environmental management have become a necessity. This is because the quality of human life depends greatly on the condition of the Earth, our home (Subagyo 2016, 15–16).

The phenomenon of globalization has produced interdependence among countries in the contemporary world order, where each country's existence depends on its relations with others. Indonesia, with its abundant natural resource potential and large population, still faces the challenge of low per capita income and experiences limitations in addressing these problems independently without establishing interactions with other countries. Therefore, active involvement in international cooperation activities, particularly those related to environmental sustainability, becomes a strategic necessity. Moreover, environmental problems are often closely related to complex political dimensions (Nurhaidah and Musa 2015, 4).

Environmental law is essentially a combination of two fields of science, namely legal science and environmental science, each with its own objectives and standards of scientific truth.

Environmental science, rooted in ecology and the ecosystem approach, aims to maintain environmental functions, including carrying capacity and support capacity. To achieve this goal, environmental science requires support from legal science, which provides mechanisms to enforce rights and obligations and to set commands and prohibitions. Thus, the integration of these two fields of science gives rise to environmental law, one manifestation of which is legislation. Legal delays must not be allowed in an environment that tends to deteriorate, as it is a right of future generations. Therefore, future-focused planning must become the foundation for every activity that utilizes the environment and its resources. Planning for the environment needs to be regulated in positive law so that it can guide and ensure that, in the future, the carrying capacity, support capacity, and recovery capacity of the environment continue to function optimally to support human life and other living beings.

The current trend shows the use of technology and scientific engineering that seems capable of overcoming environmental conditions that could endanger humans and other living beings. Spatial limitations are used as justification for continuous environmental exploitation without considering the interests of future generations. One example of technology engineering practice is the narrowing of river widths due to human needs, which is then addressed by deepening the rivers (Djajaningrat 2002, 181-82).

Ideally, the basis of position and environmental policy principles must be clearly regulated in the constitution. Although some countries have adopted

the concept of a green constitution with explicit attention to the environment, the substance of its regulations has been adjusted. Indonesia needs to be obliged to safeguard various elements considered important and having strategic value. The environment is included among these elements because it has a vital role. Through law, society can be guided to maintain and ensure the sustainability of resources for future generations. Environmental planning in assessing resource availability is not speculative, as environmental impacts can essentially be measured scientifically. Therefore, environmental regulations must be based on environmental science principles to ensure optimal protection and preservation.

The problems in the environmental law political system in Indonesia today are marked by the numerous sectoral regulations that are not harmonious from the drafting process, and also by the lack of synchronization when implemented in their executing regulations. Ideally, if there are several provisions regulating the same object, one of them should revoke the others to prevent overlap and legal uncertainty. However, to date, an appropriate solution has not been found, so there are still many provisions regulating similar objects that have different legal forms and regulatory mechanisms, and ultimately are used according to each party's interests.

Over the past approximately thirty years, environmental issues have been divided into two main categories. The first category relates to the deterioration of environmental quality, such as declining water quality and availability, worsening air quality, damage to coastal

areas, deteriorating urban environmental conditions, and physical environmental damage, including deforestation. The second category encompasses non-physical constraints, including limited funding, inadequate environmental institutions, and low human resource capacity in the environmental sector. The implementation of environmentally sustainable management must be based on legal principles, taking into account public awareness of environmental issues, the transformation of global ecological conditions, and the provisions of international law on environmental matters.

Regarding the enforcement of environmental administrative law in Indonesia and its connection with the transformation of a democratic-law-based state, fundamental rights indeed serve as a limit to governmental power. However, these limitations do not eliminate government authority, as the government still has the mandate to regulate and control various aspects of community life (Thahira 2020, 264).

If we look at it in terms of regulation, perhaps it is sufficient with all the provisions and legal references regarding the environment, especially peatlands. What needs to be emphasized is how those regulations can function properly.

Starting from rules that should explicitly regulate peatlands, management, and even the use of peatlands. Because what happens is actually the opposite. Deforestation everywhere, forest burning for the sake of regional development.

Efforts that can be made so that all forms of inequality do not occur can be through the enactment of the Indigenous

Peoples Law, which is a mandate of the constitution and becomes a strong legal basis to recognize and protect the rights of Indigenous Peoples, as well as provide legal certainty over customary territories that have so far been ignored.

Then, efforts that can be taken include repealing the provisions of various sectoral regulations, namely the Job Creation Law, the Law on the Conservation of Biological Natural Resources and Their Ecosystems, and various other laws and regulations, including all of their derivative regulations, which discriminate against Indigenous Peoples, farmers, fishermen, workers, women, and other marginalized groups.

Next, carrying out Agrarian Reform in accordance with the constitutional mandate as stated in TAP MPR No. IX of 2001 concerning Agrarian Reform and Natural Resource Management, as well as Law Number 5 of 1960 concerning Basic Agrarian Principles.

Although regional progress is necessary, it is still important to pay attention to environmental conditions by stopping all land seizures for the development of PSN, business ventures, and other pro-foreign-investment policies in peatland areas.

## **CONCLUSION**

It cannot be denied that there are many regulations governing the management of peatlands, from the highest-level to the most specific. However, implementation of those regulations remains uneven, as evidenced by ongoing damage to the peatland environment. Firm legal action is needed,

both in terms of normative regulations and administrative rules.

The political-legal configuration in preventing peatland environmental damage can be realized through sustainable development. Nevertheless, a democratic political-legal configuration is needed to impose limits on government actions and provide protection for individuals and groups, with the intention of benefiting indigenous communities or communities that already have systems and regulations in place for their environment.

The legal political direction in an effort to prevent environmental damage to peatland ecosystems can be through explicit regulations, providing certainty to indigenous communities through the Indigenous Peoples Law, agrarian reform, and stopping the seizure of peatland for any reason.

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