

ENVIRONMENTAL POLICIES GOVERNANCE IN THE WAKE OF THE 4th INDUSTRIAL REVOLUTION AT INDONESIA.

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ENVIRONMENTAL POLICIES GOVERNANCE
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AT INDONESIA.

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ABSTRACT

August 17, 2018, exactly 73 years of Indonesian independence, independence from Japanese colonialism, independence from various colonialism that claimed the people's right. Constitutionally free, but still many of us have not really felt the true freedom. Indonesia is not yet fully independent, there is still a lot of homework for this nation to be able to "independence" as a whole.

The development of capitalist economy in Indonesia controlled by the conglomerates with various forms of monopoly, oligopoly, corruption, collusion and nepotism (KKN); Rampant rule of power; Law Enforcement Crisis (legislative, judicative under the executive power); Political crisis (the decisive role of the central government); Confidence crisis (the destruction of the political, legal and economic system resulted in people's disbelief of the government); The level of education of the labor force is still relatively low; Teachers issues; Morality of the nation that is no longer in accordance with the personality of the Indonesian nation based on Pancasila; Criminals are increasingly desperate; Drugs as a serious threat to the younger generation, where recorded number of drug users 5.9 million and 40 people die every day in Indonesia, and many other things more.

The era of industrial revolution 4.0, where there is a digital revolution and access to information and knowledge is almost limitless. All machines are connected through an internet system or known by cyber as well as digital applications, changes are very fast, Indonesia must also be ready with the surprises of this fourth industrial revolution. Significant developments in the field of technology shook many industries and companies, also breaking down the limitations previously owned by the industry. It is important to change consumer expectations that must be balanced with innovation, product improvement, and services. Need to commit to quickly customize and improve the quality of labor, both in the trade, manufacturing and agricultural sectors that are irrelevant to the current system, especially in terms of innovation and forging skills, creativity is no longer confined within its limitations, and at the end of the day, robot predicted to replace human work.

The purpose of national development is set forth in the Preamble of the 1945 Constitution, paragraph IV, which is to protect the entire nation of Indonesia and the

entire blood of Indonesia, promote the general welfare, educate the life of the nation, and participate in implementing the world order based on independence, eternal peace and ...; To enter the general welfare, the main themes are well known, industrialization creates employment, minimize the poverty, but creates a lot of environment problems.

Such environmental issues resulting from development:(1) the problem of the polluted river, industrial waste containing various chemical substances in it, domestic wastes, such as household wastes deliberately discharged into rivers, agricultural wastes and many others;(2). Forest Degradation, from illegal logging, to deforestation, to the recent occurrence of forest fires being the cause of forest destruction;(3). Floods, this phenomenon has been frequent in Indonesia, even in big cities itself has become a routine activity that must be faced, not even in the rainy season, even in the dry season floods may occur some areas;(4). Abrasion. Activities such as coastal sand, coral, and mangrove forests are responsible for abrasion, which in turn is related to sea and coastal damage;(5). Air pollution and more impacts due to development.

The question is how far this writing about "ENVIRONMENTAL POLICIES GOOD GOVERNANCE IN THE WAKE OF THE 4th INDUSTRIAL REVOLUTION AT INDONESIA." provides sustainable development.

Keywords: The Disruption, Good Governance, the poverty, Stakeholders, Sustainable development.

1. Introduction.

Through the momentum of the 73rd Independence Day of the Republic of Indonesia is expected to be the media of evaluation for all Indonesian people to return to the ideals of independence recorded in the 1945 Constitution of Republic of Indonesia. National Development is a series of activities covering the whole life of the people of the nation, and the state to carry out the duty as mandated in the 1945 Constitution, which is "to protect the whole nation and the whole blood of Indonesia promote the general welfare, the intellectual life of the nation, based on independence, eternal peace and social justice of the State ". Various prospects of development have been done from the Old Order (Orde Lama/Orla), the New Order (Orde Baru/Orba), until the Reformation period to continue to promote better welfare and progress of the nation, in this case the national development must also start from, by and for the people, implemented in various aspects of life of the nation covering the Environmental, Political, Economic, Socio, Cultural and Defense aspects of security.

Since proclaiming its independence on August 17, 1945, to date, the Unitary State of the Republic of Indonesia already has 7 Presidents. Emil Salim (1978-1993) was the first minister in the list of Indonesia's Minister of the Environment and served as Minister for the Environment for three consecutive cabinet periods. Sarwono

Kusumaatmadja (1993-1998) became the second person in the list of Indonesia's Minister of Environment. Juwono Soedarsono (1998), became the third person on the Indonesian Environment Minister's list and served for two months and five days. Panangian Siregar (1998-1999) became the fourth person. Sonny Keraf (1999-2001) became the fifth person. Nabel Makarim (2001-2004) became the sixth person. Rachmat Witoelar (2004-2009) became the seventh person. Gusti Muhammad Hatta (2009-2011) became the eighth person. Balthasar Kambuaya (2011-2014) became the ninth person. In the Working Cabinet led by Joko Widodo, the Ministry of the Environment was merged with the Ministry of Forestry, so the name of the ministry later became the Ministry of Environment and Forestry since October 27, 2014.

The particular achievements in the issue of environmental policies. in several foreign languages, the term environmental laws are: Environmental Law (English), Milieurecht (Nederland), Umwelrecht (German), Droit de Environment (France), Hukum Alam Sekitar (Malaysia). The terms that provide perspective on the environment in Indonesia such as: Environmental impact assessment (AMDAL); Environmental impact analysis (ANDAL); Environmental risk analysis; Environmental audits; Hazardous and toxic substances (B3); Environmental quality standards; Environmental impacts; Important impact; Carrying capacity of the environment; Environmental capacity; Democracy; Decentralization; Dumping; Ecology; Ecoregion; Ecosystems; The right to control the State; Environmental law; Penalty of administrative environment; Civil service law; Environmental law of crime; Environmental economic instruments; Environmental permit; Business License and / or activity; Local wisdom; Environmental policy; Environmental damage; Environmental awareness; Strategic environmental assessment (KLHS); Conservation of natural resources; Constitution green; Criteria for environmental damage; B3 waste; Living environment; Customary law community; Environmental organization; Regional autonomy; Preservation of environmental functions; Sustainable development; Central government; Local government; Proponent; Environmental pollution; Local regulation; environmental legislation; Protection and management of the environment; Destruction of the environment; Environmental law politics; Environmental management plan (RKL); Environmental monitoring plan (RPL); Environmental protection and management plan (RPPLH); Environmental disputes; Centralization; Natural resources; Environmental management effort - Environmental monitoring effort (UKL-UPL).

Indonesia's first national environmental law (UULH) No. 4 of 1982 on Basic Provisions of Environmental Management, after being in effect for 15 years, UULH-1982 was replaced by UUPLH-1997. In connection with the development of the state and weaknesses of UUPLH-1982 as well as the demands of the development of the global environment, UULH-1982 is refined and replaced by Law no. Law No. 23 Year 1997 on Environmental Management (UUPLH-1997) which is declared valid since the date of promulgation that is dated 19 september 1997. The consideration is that on the one hand the awareness of the community environment increases rapidly,

but on the other side the damage and / or environmental pollution is also increasing. This is due to unclear authority of the supervision and the absence of administrative sanctions, multi-interpretation of environmental dispute settlement mechanisms, the non-regulation of formal offenses as environmental crime and criminal sanction for legal entities (corporate crime) for companies that pollute or damaging the environment. After valid less than 12 years, UUPPLH-1997 was refined and replaced by Law no. 32 of 2009 on Environmental Protection and Management (UUPPLH-2009). At least there are eleven juridical as weakness UUPPLH-1997 so that replaced with UUPPLH-2009. The eleven juridical facts are: (1) the weakness of democratic principles and decentralization, (2) the weakness of the regulation on the institutional authority of the environmental institutions, (3) the weak formulation of AMDAL, (4) the weak formulation of administrative sanctions, (5) the weak formulation (6) Unclear formulation of the principle of a subsidiary (especially regarding the justification of the exemption from its application resulting in various perceptions; (7) the weak authority of the Civil Service Officer of the Environmental Civil Service; (8) The weak formulation of environmental crime offenses; (9) Unlawful unfairness of UUPPLH-1997 with Law No.26 Year 2007 on Spatial Planning; (10) Unlawful incompatibility of UUPPLH-1997 with Law No.32 of 2004 on Regional Government; and (11) Unopened international principles management of the environment. In addition to the various weaknesses of the substance, philosophically there are six basic considerations of the issuance of UUPPLH-2009, the considerations are: (1) Affirmation and elaboration of the principles of human rights on a good and healthy environment, (2) Affirmation and elaboration of the principle of sustainable development in every economic activity (3) Strengthening decentralization and regional autonomy of environmental management, (4) The basis of protection and environmental management in a serious and consistent manner by all stakeholders, (5) Respond and anticipate the development of the global environment; and (6) Provide assurance of legal certainty and protection of the right of everyone to obtain a healthy and healthy living environment as part of the protection of the whole ecosystem.

This country has the largest gold mining with the best gold quality in the world, PT Freeport. The largest natural gas reserves in the world, precisely in Natuna Block. The largest tropical forest in the world, this tropical forest has an area of 39,549,447 hectares, with the most complete biodiversity and germ plasm (plasma nutfah) in the world. The largest oceans in the world, surrounded by two oceans, the Pacific and the Indies so it is no wonder to have millions of fish species that no other country has. The fourth largest population in the world with 262 million people. This country has a very fertile soil, because it has many active volcanoes making the land in this country very fertile moreover the country is crossed by equator which there are many sunshine and rain. A very exotic scenery and again no country can match it. from the top of the mountain to the bottom of the sea we can find in this country. Cultural diversity is a blessing for Southeast Asia's largest economy. Every culture offers something interesting and this is why millions of foreign tourists visit Indonesia every year

(hence tourism sector is an important foreign exchange earner).

The Indonesian Nation in 2018 is at a crossroads. On the one hand, must catch up in the field of physical infrastructure development. On the other hand, must also immediately overcome the decline in the development of value infrastructure that causes cracks in the national architecture. More than economic interests, national integration and nation's progress require preconditions of expansion and equity of physical development. More extensive and intensive physical connectivity will facilitate social interaction that becomes a catalyst for national integration. Great commitment to build a physical home with instrumental rationality will be more constructive for the sustainability of the nation if accompanied by the same concern in building the soul of its inhabitants with value rationality. Whatever a good physical home, if the soul of the inhabitants is sick, the physical home will not be properly maintained, which will easily collapse with the wind of change. Development of the soul through the development of value infrastructure is very urgent to do. Indonesia is chasing the time to overcome the degeneration in the national identity. Facing the onslaught of international markets and transnational ideologies in this nation's psychological defensive situation are fragile. Under such conditions, the ease of interaction and market access generated by the improvement of physical infrastructure will not bring public benefit and prosperity. Without value guidance, physical development movements can go astray misguided, deviated from national goals. When the current life of the country covered by fog of apathy and pessimism. The development of Pancasila-based 'citizen intelligence' is the key to the integration and progress of the nation. However, precisely at that point the weakest knot of education and development process so far.

Now the world is watching the move from gasoline-powered cars to self-driving car controlled information technology (internet) through smartphones. the workshop officer is no longer a mechanic known in the 20th century, but IT experts who work with software. Everything is present in an efficient and effective digital performance at a cheaper price. The world is witnessing the collapse of a large corporate company of brand owners who, ten to thirty years ago, were dazzling and fluttering. Disruption becomes severe as many people including entrepreneurs and regulators, do not know what's going on. Their business model makes it possible to appear invisible, unlike the traditions built in the manufacturing economy, the economy has its owning economy. As time goes by, almost all ministries suddenly appear as entrepreneurial builders. However, when the government intervened, young people actually started to switch. They are no longer a perpetrator of SMEs and start up. start up is not a small business. This is a recent venture in the, ulai. This effort is done using technology, both on the second and third wave internet. Start Up has the ambition to be big, as big as the oceans, to become a global player. The financing is not through banking, but venture capital.

The development of Pancasila is an urgent need for all components of the nation to be

aware and willing to weigh the importance of social responsibility in the midst of the pragmatism of life which always emphasizes the rights and needs, to regenerate the civic virtue to respect our diversity and to improve the habits of the heart to care and give in spirit of kinship, togetherness and cooperative as to glue our political life in embrace the ideals of happiness in nowadays and future generation.

2. Problem Statement.

Indonesia is an agrarian country whose wealth could make them crazy Dutch and Portuguese until they come colonize. Now it's free, but the farming conditions are sad. Now, the agricultural land is getting narrower, which is a sign of even rarer farmers. Unlike compared to improving domestic agricultural output, import channels are more often relied upon to address food shortages. It is also known that young people today are no longer interested in becoming farmers. In fact, the farmers themselves did not expect their son to continue this noble profession. They hope that their sons and daughters will get better jobs and earn more Rupiah (Indonesia currency) than they are farmers. Who end up studying in agriculture even more often choose to work in a bank or a foreign company than to practice their knowledge. Of course this is not at all sync with the ideals of the government to realize food sovereignty in Indonesia.

During the Industrial Revolution, the worry was about the dehumanising effects of work, today, perhaps the greater fear is where the elimination of work itself is the source of dehumanisation as a result of income insecurity, declining social agency and increase in crime.

- While digital startups are becoming more prolific across the world, Indonesia still lacks an entrepreneurial workforce that can truly take advantage of new technologies and ways of doing business.
- In Indonesia, Education of the fourth revolution is still evolving and is rarely seen at schools.
- In the past two decades, the gap between the richest and the rest in Indonesia has grown faster than in any other country in South-East Asia. It is now the sixth country of greatest wealth inequality in the world. Today, the four richest men in Indonesia have more wealth than the combined total of the poorest 100 million people.
- An increasing numbers of birth, growing up in poverty families and sole parent or reconstituted families.

3. Research Questions.

- How's the environmental issues relate to the development of multi-ethnic population and society in Indonesia.
- How's the environmental problems due to the development of technology in Indonesia.

- How Do Good governance for the environmental policies in Indonesia

4. Purpose of The Study.

- The purpose of this study is to provides an overview of the conditions that are being faced by the state of Indonesia due to the development of industrial revolution 4.0 and to awaken, anticipate the implementation of state assistance to face the fourth Industrial Revolution, and by the good governance and awareness of the environmental policies in the era of the 4th industrial revolution can take more awareness in sustainable development that meets the needs of the present without compromising its ability to meet the needs of future generations.
- To bring back the mindset that Indonesia is agriculture country and to built a sustainable development in reducing the poverty of the productive age and start to build the next potensial generation, which is in line with the Indonesia embraces the development of people-based economy, based on the Four State Pillars: Pancasila, The 1945 Constitution, the Unitary State of the Republic of Indonesia (NKRI) and the Unity in Diversity, and with the principles of togetherness, mutual cooperation and kinship. Restoring the culture of manners, the shame of the Indonesian people who have been very thinning (Mental Revolution), which also reminding that Indonesia is not based on capitalist, Individualist and liberalist economies. Gives an idea of how much law lags behind in today's development.
- Giving just how blunt the law is in Indonesia.
- Giving a picture of Indonesia's condition that is critical of human resources.
- Provide solutions to reduce opportunities for inappropriate use of land.

5. Research Methods.

According to Soerjono Soekanto: "Research is a scientific activity based on an analysis and construction that is done in a systematic, methodological and also consistent and aims to be able to reveal the truth is as one manifestation of human desire to be able to know about what is being faced". This research is conducted so that the achievement of welfare and peace goals can be realized as soon as possible in Indonesia's homeland, as aspired when the state of Indonesia became independent. Compound people can live harmoniously and side by side.

This research is a type of field research (field research) with a qualitative approach. Kirk and Miller define qualitative research as a particular tradition in social science that is fundamentally dependent on observation in humans both in its region and in its terminology. In this research is also supported by library research (bibliography) is the source of data in the form of books or literature related to the discussion or through data sources on the internet. Qualitative research is a study that produces analytical procedures that do not use statistical analysis procedures or any other quantification method. It is clear that this notion contrasts qualitative research with quantitative research by highlighting that any quantification effort should not be used in

qualitative research.

The study of this paper will use the utility theory of "greatest happiness for the greatest number", pioneered by Jeremy Bentham, supported by R. Edward Freeman in his theory, "A Stakeholder theory of the Modern Corporation", the theory of stakeholders is based on two principles that balance the rights of complainants to corporations with the consequences of corporate form. The First, the principle of corporate securities, states that "The Company and its managers are responsible for the effects of their actions on others". The second principle, namely the principle of corporate rights, states that "The Company and its managers do not violate the legitimate rights of others to determine their own future". This principle is derived from the Deontological theory of Immanuel Kant (1724-1804) based on the principle of respect for the people that people should be treated as goals and never just as a means. According to Kant an act is good, if due to obligation (categorical imperative), which obliges just, independent of any conditions. Managing a company to improve the standard of living and employees' welfare as a primary stakeholder is a righteous act and an obligation of every company because it is supposed to be the way the company is run. And if this concept is linked to justice, then it is fair that management in managing the company is concerned with improving the living standards and welfare of employees and the surrounding community as stakeholders. John Rawls argues that the situation of society should be such that the highest profits generated possible for the small classes and for everyone are given equal opportunities in their lives. The set of theoretical frameworks as above is deemed relevant to be used as an analyst blade in the research of this paper.

6. Findings

- In this revolution, emerging technologies and broad based innovation are diffusing much faster and more widely than in previous ones, which continue to unfold in some parts of the world. This 2nd industrial revolution has yet to be fully experienced by 20% of Indonesia people, as nearly 50 million people still lack access to electricity. This is also true for the 3rd industrial revolution, with more than half of the Indonesian's population, 132 billion people, lacking internet access.
- These are all fundamental changes affecting the environment, economic, social and political systems that are difficult to undo. The reality of disruption and the inevitability of the impact to drive policy choices and to enact the changes that will make the 4th industrial revolution an opportunity for all.
- Indonesia is the largest archipelagic country in the world consisting of 17,504 islands, maritime state. It is important to contextualize the potential impacts of the 4th industrial revolution on growth with the reference to the potential of Indonesia as a maritime and agrarian country.
- Ineffective law enforcement is often considered to the funding and mental problems. Need Special Mental Revolution in Indonesia.
- The process of economic development in Indonesia has been increasingly away

from the ideals of social justice and prosperity for all Indonesian people.

- The Environment Law (UPPLH-2009) need to be reviewed in accordance to the 4th Revolution Industrial.

7. Conclusion

- Indonesia is included in the category of State that is ready to run the 4th Industrial Revolution.
- Indonesia is a state of law where the purpose of the State of Indonesia is clearly stated in the preamble of the 1945 Constitution which consists of 4 paragraphs, which have a certain meaning in each paragraph. The first paragraph: "that indeed freedom is the right of all nations and hence the occupation of the world must be abolished because it is incompatible with humanity and justice"; The second paragraph: "And the struggle for independence of the Indonesian independence movement has come to a happy moment with a happy sentosa delivering the people of Indonesia to the gate of independence of the Indonesian state which is independent, united, sovereign, just and prosperous"; Third paragraph: "By the blessing of Allah Almighty and by being encouraged by the noble desire for a free nationalist life, the people of Indonesia declare with this their independence"; Fourth paragraph: "Then to form an Indonesian state government that protects the entire Indonesian nation and the entire blood of Indonesian and to promote the common prosperity, to educate the nation and to carry out the world order based on freedom, eternal peace and social justice, the independence of Indonesian nationhood in an Indonesian State Constitution, which is formed in the composition of the state of the Republic of Indonesia sovereignty of the people based on: 1. Belief in the One Supreme. 2. Just and civilized humanity. 3. Unity of Indonesia. 4. Democracy led by wisdom of wisdom in deliberations of representation. 5. And by realizing a social justice for all people of Indonesia.
- The development of Indonesian economic law needs to pay attention to the concept of sustainable environmental development. Legal thinkers in Indonesia should have developed a team of experts in anticipating the revolution and not waiting for new events/happen and then build law. Renewal in attitudes, ways of thinking, and various aspects of our legal society's behavior toward conditions in accordance with the demands of the times. Unfortunately the jurists prefer to play politics rather than enforce laws that can prosper society. The law is deliberately slowed to make the economists' weaknesses.
- As a country crossed by the equator, making the country of Indonesia has a tropical climate that has two seasons. Agrarian country, the time has come with the government and the people again to focus on protecting and managing the potential of this prosperous country.
- Some of the disciplines that develop and need to be mastered by Indonesia's young generation/next generation/productive age, include: Internet, D Printing, Nanotechnology, Biotechnology, Genetic Editing, e-Learning, which must be

started from the teachers/lecturers to know/learn about it and still focus to the marine and agri.

- An end to KKN at Era Jokowi government, the Indonesian acronym for corruption, collusion and nepotism is currently one of the demands of Indonesia's growing reform movement.
- Nawacita program is the right supporting to Indonesia problem and in line with the SDGs, should be fully supported by the law enforcement.
- Lying along the equator, Indonesia's climate tends to be relatively even year-round. Indonesia has two seasons, a wet season and a dry season with no extremes of summer or winter, formed the laziness culture of the nation.
- Law without power is a dream and a lawless power is unrighteous. Indonesia is a state of law. "In the concept of the State of the Law, it is idealized that the commander in the dynamics of state life should be a law, not a political or a power, but very sad that what happened in Indonesia today is the opposite.

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Peraturan-peraturan lainnya yang terkait Hukum Lingkungan Hidup.

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