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Public Interest Development in Indonesia: Considerations Regarding Land Acquisition and Its Impact on the Environment

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ABSTRACT

The Bener Dam in Purworejo Regency is an unpleasant portrayal of the government's and local government's abilities to develop for the public good in response to the public interest development challenge. If the environmental implications of development are not taken into account, the local ecosystem will be negatively affected. This study employed both a statutory and conceptual approach to normative jurisprudential law research. According to Article 33, paragraph 3 of the Indonesian Constitution of 1945, "Earth, water, and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people," Earth, water, and natural resources contained therein are used for the greatest prosperity of the people. This is the essential principle underlying development that serves the public interest, including the construction of public highways, toll roads, railroads, drinking/clean water lines, sewers, sanitation, and reservoirs. This pertains to every one of these initiatives. Even while environmental sustainability is an essential component of public-interest development, it is equally essential to consider the political, economic, and sociocultural factors that influence the environmental sustainability of a project.

1. INTRODUCTION

Land considered a gift from the All-Powerful God, plays an enormously important role in the existence of the State of Indonesia and is essential to the development of a society that is both just and wealthy in that nation [1, 2]. The soil is an important natural resource necessary for human beings' continued existence. Consequently, different aspects of human, economic, political, social, cultural, and spiritual presence attach varying degrees of significance to other parts of the land. Earth, water, and the natural resources contained therein are controlled by the State and used as much as possible for the prosperity of the people, according to the Constitution of the Republic of Indonesia from 1945, which can be found in Article 33, paragraph (3), the State controls earth, water, and the natural resources contained therein. The provision that "Earth, water, and natural resources contained therein are utilised as much as possible for the welfare of the people" is included in Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles. This law was enacted to ensure that "Earth, water, and natural resources contained therein are utilised as much as possible for the welfare of the people." This law is a direct execution of the preceding paragraph of Article 33 (3) This gives the State the authority to regulate and administer the distribution, use, supply, and preservation of the earth, water, and space to create an equitable and prosperous society. In addition, it asserts that the State has the authority to exercise control over the land [3].

For the government to realise the welfare and prosperity of the community by Pancasila and the Constitution of the Republic of Indonesia from 1945, the government must carry out infrastructure development in every element of the people's lives. For the government to ensure the health and well-being of the community, they need to do this. Within the context of the process of national development, one of the things that the government works on is the creation of initiatives that are in the public interest. This category includes the construction of governmental buildings, roadways, railroads, ports, international airports, power plants, and reservoirs, among other infrastructure projects. The development of publicly funded housing is one more piece of evidence of this point [4, 5].

It is difficult to carry out national development programmes in the public interest because of the constraints on the amount of land a state can acquire. These restrictions limit the amount of land that the State can earn. To satisfy the requirements for land, the land is developed in a way that gives preference to the principles outlined in the Constitution of the Republic of Indonesia from 1945 and the national land legislation. This is done so that the requirements can be met. This is done to fulfil the land requirements so that the criteria can be met. This is done to maintain the forward momentum of expansion, particularly concerning the share of development in the public interest and necessitates the acquisition of parcels of property. As was mentioned earlier, the provisions contained in Article 33, paragraph 3 of the 1945 Constitution of the Republic of Indonesia mean that the earth, water, space, and natural resources placed under the power of the State are obligations and responsibilities of the State in the context of realising the welfare of all Indonesian people, specifically inner and outer interest, fair and equitable for all people. This is because the provisions state that the earth, water, space, and natural

resources placed under the power of the State are all placed under the control of the State [6]. This is because the provisions specify that the earth, water, space, and any other natural resources that are placed under the power of the State are placed under the control of the State. This topic was discussed to promote the health and happiness of the entire Indonesian people. One of the strategies that the government uses to acquire these parcels of property to fulfil the criteria of development is the strategy of "rights emancipation" and "revocation of rights." This tactic is simply one of several available options [7, 8].

The process by which land is "taken" (by the government in the context of carrying out development for the benefit of the public) to carry out development for the use of the people is known as land acquisition [9]. The land acquisition problem frequently conflicts with the development efforts that the government is putting much effort into carrying out. Acquiring land must be done in a way that demonstrates due respect for the principles of public interest and is carried out by the legal rules already in place to avoid infringing on the rights of landowners [10]. This is necessary to prevent landowners' rights from being violated. In addition, the purchase of land for development in the public interest cannot be divorced from the question of whether or not the region will be able to maintain its environmentally sustainable status after the land has been purchased. This is because the public interest requires that the land be developed. This is how the Constitution is interpreted, and it is based on the first paragraph of Article 28 H of the Constitution from 1945, which states that everyone has the right to live in physical and spiritual prosperity, to have a place to live, to have a good and healthy living environment, and to have the right to health services [11]. Additionally, this interpretation is based on the fact that everyone has the right to access health services [12].

The right to the environment cannot be misused by any individual or organisation, not even in the name of development for the public interest, as stipulated in the Constitution of Indonesia, which specifies that the environment is a human right. This is because protecting the environment is a fundamental human right. Put another way; no one should be denied access to necessary medical care [13].

Article 1, paragraph 3 of Law Number 32 of 2009 concerning the Protection and Management of the Environment outlines the necessity of adhering to the principle of sustainable development [14]. This law was enacted to manage and protect the environment. This principle states that conscious and planned efforts should be made to merge environmental, social, and economic components into a development strategy to ensure the safety, ability, welfare, and quality of life of the current generation and future generations. This principle was developed by the World Wide Fund for Nature (WWF). This is part of a well-organised and well-coordinated effort to protect the environment's functions and lessen or eliminate pollution and other forms of environmental degradation. This undertaking includes all its constituent parts, including the planning, use, control, maintenance, supervision, and law enforcement facets [15].

While carrying out a development project, it is of the utmost necessity to consider issues relating to the environment's longevity and to demonstrate that this concern extends to the well-being of the general people. This is of the utmost importance. In addition, the goal is to minimise potential confrontations to reduce the number of problems within the community. One example would be the disagreements on acquiring property for constructing the Bener Dam in the Purworejo Regency. The goal is to minimise potential confrontations to reduce the number of problems within the community. Take, for instance, the following as an illustration of how the land was acquired to build the Bener Dam in the Purworejo Regency (Figure 1).

Figure 1. Acquiring land for development in the public interest in the Purworejo regency near the Bener dam

Development: Most bought land belongs to farmers and consists of dry land, farms, and rice fields. There are dozens of people's homes and burial grounds on the land that will be acquired. These will all be removed [16]. Because of the lengthy discussion in Wadas Village during the construction of the Bener Dam, the people who live there have concluded that they would not sell any of their lands to the construction company working on the Bener Dam. The parcel in question is the one that is currently serving as the target of land acquisition efforts in connection with the Bener Dam building project. To purchase land in the name of the public interest, an agreement is, of course, necessary. In addition, there is the issue of the environmental impacts caused by the construction of the Bener Dam in the Wadas Village area. These impacts include the viability of agriculture, plantations, forests, and open-pit mining of andesite stone, one of the construction materials for the Bener Dam. Additionally, there is the issue of the conservation of flora and fauna, both of which are in danger due to the construction of the Bener Dam.

Failing to comply with policies that govern the protection and management of the environment is the underlying cause of the challenges discussed before. Before any land can be purchased, an environmental impact assessment (also known as an EIA) has to be conducted, which is connected to the procedure that comes before it. Nevertheless, how the government implements it in this application contains a contradiction. In the interim, Article 22 of Law Number 32 of 2009 concerning Environmental Protection and Management requires any company or activity that has a major impact on the environment to do an environmental impact analysis. This mandate is found in paragraphs 1 and 2 of Article 22. The actions that entail using hazardous materials are subject to this law about those activities. In addition, the determination of significant impacts is based on the following criteria: the size of the population that will be affected by the planned business and activity; the area of the impact distribution; the intensity and duration of the impact; the number of other environmental components that will be affected; the cumulative nature of the result; reversal or non-reversal of the effect; and other criteria by the development of science and technology. In addition, the

size of the population that will be affected by the planned business and activity is a significant factor.

However, what ended up occurring was that land acquisition for development in the public interest that was being carried out at the Bener Dam took precedence over the process of preserving the natural environment's integrity. This was because the land was being acquired for development at the Bener Dam. As a result, it is abundantly evident that additional research is required, specifically concerning how environmental factors need to be taken into account while acquiring developing land in Indonesia to benefit the general public. Suppose this subject is not dealt with straightforwardly. In that case, further difficulties of a similar sort may surface in the future, and they will have an impact on the ecosystem as well as the community that is located nearby.

2. LITERATURE REVIEW

Utilising a land acquisition agency as one of the methods through which a state might satisfy its requirements for land is one of those method. This suggests that the State takes private rights (over the property) away from the owner by persuading the owner to willingly cede rights by offering compensation by the rules and regulations already in place. The legislation that serves as the basis for the State's land expropriation uses several different terms. Social functions, public interests, and development interests all refer to the same thing. The term is occasionally used to legitimise the expropriation of land by the government to meet land needs for development and investment activities. In other words, it is used to justify taking land without compensation. At other times, it refers to private parties illegally taking land for their use [17].

According to Michael G. Kitay, referenced by Adrian Sutedi [18], the public interest theory can be interpreted in two distinct manners depending on the country in which it is applied. These methods include the following:

·General Guidelines

In this scenario, the State says the land purchase is necessary to protect public interests. Alterations can also be made to the idea of "public purpose," such as replacing the word "public" with synonyms such as "social," "generic," "common," or "collective." On the other hand, the word "purpose" can be replaced by the phrases "need," "necessity," "interest," "function," "utility," or "use." Most of the time, countries that uphold these basic principles do not present an entire list of activities in the public's best interest. When determining what constitutes the "public interest," the judicial system takes a more haphazard approach.

·Register Terms

This list unequivocally identifies the items that are seen as being of public importance, including schools, highways, and government structures. It is impossible to purchase land based on interests not on the list for this purpose. On the other hand, methods for land acquisition usually combine the two distinct techniques of acquiring land.

Earth, water, and natural resources contained therein are controlled by the State and used for the greatest prosperity of the people, according to the provisions of Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which states that "earth, water, and natural resources contained therein are used for the greatest prosperity of the people," it is said that "earth, water, and natural resources contained therein are used for the greatest prosperity of the people" [19]. This sentence gives the impression that it grants the State (read: the government) the capability (read: the authority) to manage the natural resources that are located on the territory of the Unitary State of the Republic of Indonesia and that it is dedicated to the welfare of all Indonesian people. Both of these claims are false. Because the 1945 Constitution of the Republic of Indonesia allows the State a large amount of power in the agricultural sector to administer all land inside the territory of Indonesia, this power can violate both individual rights to land and customary rights [20].

3. RESEARCH METHODS

This study is a normative piece of legal research that employs a statutory approach (a method used in law) and a conceptual approach to investigate the topic (a conceptual approach). The statutory approach is used in this research to search for and investigate laws and regulations linked to environmental considerations in land acquisition in Indonesia for development in the public interest [21]. This research is being done to improve the quality of life for Indonesians. Since this study is based on normative research, most of the data and legal documents utilised refer to secondary data. Primary legal materials, such as the numerous laws and regulations, jurisprudence, and conventions relating to the criteria, are included in this category. In addition to primary and secondary sources, tertiary sources of legal information were also utilised in this research [22, 23].

In addition, the method of acquiring data involved thoroughly completing literature research. Literature research refers to studying, doing research, and locating secondary evidence in the form of legal documents. Normative legal resources are utilised largely to analyse legal issues related to the content of positive legal rules (ius constitutum). As a result of the fact that positive legal regulations (ius constitutum) are regulatory, legal materials are classified as either primary legal materials, secondary legal materials, or tertiary legal materials according to the degree to which they can bind individuals [24]. The method that is utilised in the process of analysing the data is known as juridical analysis. This type of analysis is based on theories, concepts, rules, and regulations.

4. RESULTS

The authority that the State possesses over the management of the earth and its natural resources, which in practice is carried out by the government, both central and local governments, through policies (policy-making / beleid maken) based on the principles of the Pancasila philosophy, such as devotion to God, humanity, justice, and the welfare of all people. In practice, this authority is carried out by the central and local governments through policies (policy-making / beleid maken) [25]. The ideas a group of legal professionals refers to are considered essential values because they can be found in every legal system worldwide. Article 18 of the Basic Agrarian Law states that land rights can be revoked "for the public interest including the interests of the nation and state as well as the common interests of the people, by providing appropriate compensation and according to the method regulated by law". Land rights can be revoked "for the public interest including the interests of the nation and state as well as the common interests of the people," as long as appropriate

compensation is provided. The law carries out the process. If the State acquires the land due to the revocation of rights outlined in Article 18 of the Basic Agrarian Law, the owner's property rights are null and void, as stated in point 1 of sub-article an of article 27 of the Basic Agrarian Law. The Basic Agrarian Law has this provision if one looks hard enough.

Alternative usage. There is not a single article in any of the sections of the Basic Agrarian Law that defines the concept of "public interest" or the criteria that can be used to determine whether or not anything is in the public interest. Article 18 of the Basic Agrarian Law is the only place where it is possible to see that multiple interests can be used as reasons to take over land. Still, the article does not prioritise interests but aligns them all in one line. This is the only place where it is possible to see that multiple interests can be used as reasons to take over the land. Even though the author of the essay concedes that numerous interests might be claimed as reasons to take over the land, this is nonetheless the case. For the government to satisfy this public interest, it may work with a privately owned firm, owned regionally, or owned businesses that the State owns. In addition, article 10 of the law passed in 2012 titled "Law No. 2 for Development Purposes" places restrictions on using land for public purposes. These development purposes include national defence and security, public roadways, toll roads, tunnels, railway lines, railway stations and operating facilities, and other infrastructure. Law No. 2 of 2012 includes, in addition to a list of activities that are regarded to be within the sphere of the public interest, a set of characteristics linked with the public interest. These criteria consider the nation's, the State's, and society's interests. In addition, the circumstances for the implementation of the activity, which are the government or local government, as well as the purpose of the action, which is to maximise the potential for economic growth in the community, are discussed.

Article 5 of Presidential Regulation No. 36 of 2005 states, "Development for the Public Interest Carried Out by the Government or Regional Government." As a result, one of the factors for determining whether or not something is in the public interest is whether the activity is carried out at the national or local level by the government. In light of these standards, which are laid down in Article 10 of Presidential Regulation No. 36 of 2005, the following kinds of endeavours are examples of those that are taken into consideration to be in the public interest:

·The building of public highways, toll roads, railroads, drinking water channels, clean water channels, drainage channels, and sanitation channels;

·Irrigation and irrigation structures, including reservoirs, dams, weirs, and irrigation;

·Hospitals and health centres serving the public and the community; and

·Any additional public buildings.

It has been stated that incorporating the interests of the general public is in the best interests of the majority of the population, and this assertion has been supported by previous research. What exactly do we mean when we talk about "the interests of the majority of society?" This is the question that needs to be answered. This rule outlines the criteria and provides specifics regarding the activities that fall under the umbrella of the public interest. Because this law does not elaborate on what the word means, the term's meaning can be interpreted in several ways.

As stated in Article 5 of Presidential Regulation No. 65 of 2006 concerning Amendments to Presidential Regulation No. 36 of 2005 concerning Land Procurement for Public Interest, development for the public interest that the government or regional government carries out is as referred to in Article 2 of Presidential Decree No. 65 of 2006, as stated in Article 2 of Presidential Decree No. 65 of 2006 concerning Land Procurement for Public Interest (from now on referred to as Presidential Regulation No. 65 of 2006). In addition, Presidential Decree No. 36 of 2005 was updated by Presidential Decree No. 65 of 2006 regarding the public interest acquisition of land. Therefore, the following criteria must be met for projects for them to be considered to be of general interest: (a) The implementer of the project must be the government or a regional government; and (b) The results of the activities must either be owned by the government or be in the process of being owned by the government. After considering each of these factors, the development deemed to be in the public interest is selected by Article 7 of Presidential Regulation No. 65 of 2006 [26].

5. DISCUSSION

In essence, the process of development affects the environment and is itself affected by the environment. The two are inextricably linked and cannot exist independently of one another. In general, the purpose of development is to enhance the standard of living of the populace and better provide for their fundamental requirements as human beings [27]. To achieve the objective of development, which is to raise the standard of living of the population as a whole, it is imperative that the capacity of the environment to sustain life at increasingly complex levels be safeguarded from deterioration. The preservation of the environment is essential to forestall the end of all life forms. To put it another way, if there is destruction or a significant decrease in the health of the ecosystem in which humans live, then life for humans in the future will be fraught with many challenges. Because of this, one might conclude that there is no such thing as sustainable development.

Over the course of the previous ten years, the phrase "preventing environmental damage" has evolved into a phrase that is frequently heard, whether it be on social media, in scientific studies, or in other forms of content. The damage done to the environment can't be be written off as a local or even regional issue. On the other hand, it is a worldwide issue, such as the destruction of the ozone layer, the rise in sea levels, the exhaustion of the world's clean water sources, and global warming. There has been an upward tendency in the creation of international criminal law over the past few decades. Despite the fact that many laws address specific behaviours (crimes), neither a law nor a treaty codifies environmental law nor criminalises the harm of the environment [28].

A number of aspects must be considered to properly undertake development projects and utilise natural resources. Specifically, when it comes to the design and implementation of development projects and the exploitation of essential natural resources, these activities must be accompanied by the following elements: A plan for economic growth takes into account existing environmental challenges and seeks to have the least detrimental impact on the local ecosystem as feasible. The execution of an environmental policy throughout the entirety of Indonesia with the long-term objective of providing the essentials for a greater quality of life for Indonesians (if possible forever); The harvesting of biological resources is

founded on the principle of sustainability, or environmental sustainability, with the belief that the product's ability to regenerate after harvesting will not be compromised. The objective of development planning should be to achieve a dynamic equilibrium with the surrounding environment in order to provide for people's livelihoods. This will enable the supply of numerous advantages, including physical, economic, social, and spiritual; and Explore the idea that some of the benefits of development can be used to restore the ecological balance disturbed by development initiatives in order to maintain the environment. Since natural resources can't be replaced, this method needs to be as cheap and effective as possible.

When carrying out land acquisition for development in the public interest, the abovementioned indicators are applicable. This is because the problem of land acquisition for growth in the public interest is, in fact, a problem, as it combines two different aspects, both of which need to be arranged in a manner that strikes a balance between them. On the one hand, a development that serves the public interest requires a relatively large land area. On the other hand, the amount of state land currently available is very limited. As a result, the only option that is typically available is to release land owned by the community. On the other hand, the rights of landowners whose property will be used for development in the public interest must not be affected in any way and must be entirely ignored by the government. The activity will impact even the ecosystems located in the region where land was acquired for public use.

The government is undertaking these land acquisition efforts to secure land for various development goals, most notably for the benefit of the general public. In general, the process of acquiring property consists of negotiation between the parties that need land and the owners of land rights whose land is required for development activities. According to the stipulations outlined in Article 6 of Law No. 5 of 1960, "All land rights have a social use." If, at any point in time, the land that is owned by it is going to be converted and developed as part of the process of carrying out social functions, then this clause becomes the basis for the legal need that the owner must surrender land ownership. In carrying out land acquisition other than what is specified in Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, this is the forerunner of the government in carrying out land acquisition, provided that the land acquisition is carried out by the procedures that are stipulated in the law [29].

One of the development initiatives within the framework of national development that the government organises is development for the public benefit, as stated in the general explanation of Law no. 2 of 2012. Land development in the public interest requires that its acquisition be carried out in a manner that precedes the principles outlined in the Constitution of the Republic of Indonesia from 1945 and the national land law. These principles include humanity, justice, benefit, certainty, openness, agreement, participation, welfare, sustainability, and harmony by national and State values. As stated in the general explanation of Law no. 2 of 2012, the principles of land acquisition are required to conform to the values outlined in the Constitution and the values prevalent in society.

Land purchase for various purposes frequently results in conflicts or challenges during its implementation. This is because there is a disconnect between what is required by the relevant laws and regulations and what is the case in the shape of the realities that arise in the field. There are frequent disagreements, one of which is concerning the environment [30]. Communities whose existence is still related by the legal order as joint citizens of a certain alliance, which recognises and applies the provisions of that alliance in their daily lives; and there are certain ulayat lands which become the living environment of the members of the customary law alliance and the place where they take their daily necessities. This incident is comparable to what occurred in the land acquisition for development in the public interest of the Bene community. People living in harmony with nature while the Bener Dam was being built suddenly began development in the area. The most fundamental aspects of the development must include an evaluation of the impact that the development will have once it is built, namely how it will affect the local community's ability to breathe clean air and maintain a healthy environment. However, what transpired was that the government appeared to disregard this factor by not first assessing the impact the decision would have on the environment. If the development for the public interest in the Bener Dam, Purworejo Regency, is nevertheless carried out, it could have disastrous consequences.

This goes against the principles of environmental sustainability, one of which is to formulate strategic ecological policies, as outlined in Article 15 of Law Number 32 of 2009 concerning the Protection and Management of the Environment. The article explains that the federal and local governments must make strategic environmental policies to guarantee that sustainable development principles have become the basis and are integrated into developing a region and procedures, plans, and programmes. This obligation is discussed in greater detail in the following sentence:

In addition, the government and local governments are obligated to incorporate strategic environmental policies into the process of preparation or evaluation. These policies must include the following: regional spatial planning (RTRW) and its detailed plans, long-term development plans (RPJP), and national, provincial, and district/city medium-term development plans (RPJM); and policies, plans, and programmes that have the potential to cause environmental impacts and risks. Studies are included in the strategic environmental policy, some of which are as follows: The carrying capacity and carrying capacity of the environment for development; Estimates of environmental impacts and risks; Performance of ecosystem services/services; Efficient use of natural resources; Level of vulnerability and adaptive capacity to climate change; and Level of resilience and potential of biodiversity [31].

When the government acquires land for development in the public interest, it must fully comply with all components of the environmental sustainability policy outlined above. This is done to ensure that the people violating human rights do not lose their proper environmental rights. As a result, Lonergan stressed three (3) crucial factors that must be considered while implementing environmentally friendly development. The following are the three dimensions:

An area of economics concerned with the connections between the effects of macroeconomic and microeconomic factors on the environment and how natural resources are analysed by economists [32].

The political component encompasses the political process that decides the form and nature of development, population expansion, and environmental deterioration in every country. This process is included in the political dimension. This aspect

also encompasses the function that community actors and social institutions play and their impact on the surrounding environment.

The socio-cultural dimension is the connection between history or tradition and the predominance of western science, as well as between western thought patterns and religious practices. These three facets are intertwined so that environmentally responsible growth can be encouraged.

A greedy nature that is self-interested is not characteristic of sustainable development in the public interest; rather, sustainable development in the public interest takes into account the requirements of the generation that will come after it. Moving away from the description that was just given, it is easy to see a direct connection between environmentally sound development and sustainable public interest development. It is possible to say that environmentally friendly development is essential in making public interest development sustainable. In the general public's interest, it is necessary to maintain the presentation of this environmental perspective in every phase of the development process. Consideration of all ecosystems—those that were there before the development was carried out, as well as those that humans, plants, and animals impacted—is necessary for environmentally responsible development in the context of land acquisition for development in the future. This is in the best interest of the general public.

6. CONCLUSIONS

The State's power over the management of the planet and all of its natural resources. In actuality, this authority is exerted by the government at all levels (national, State, and local) through policy-making (beleid maken). It is established in Law No. 2 of 2012 that the interests of the nation, the State, and the society shall be given priority, which lays out the requirements for developing the public interest and the conditions that must be met. In addition, the criteria for implementation (i.e., the government or local government) and the purpose of the activity work together to maximise the potential for economic growth within the community. Activities that can be categorised as "development for the public interest" include the building of public roads, toll roads, railroads, drinking/clean water channels, drainage/sanitation channels, reservoirs, dams, weirs, irrigation and irrigation structures, public hospitals and community health centres, as well as other public facilities.

However, in the name of the public interest, the government and local governments cannot just decide to construct anything based on their whims and call it a victory for the public good. The effect that the development will have on the local ecosystem, which includes the people present at the construction site and the flora and animals that will be there, is an essential issue that needs to be considered. As a result, before any development can occur, the national government and all the local governments must develop a comprehensive environmental strategy to stop this. This is essential to prevent damage to the ecology, which, if left unchecked, will only worsen over time. In addition, to carry out development for the public interest in the future that is environmentally sound, it is necessary to consider the economic, political, and socio-cultural dimensions that influence one another on environmental sustainability. This is because economic, political, and socio-cultural dimensions all influence one another on environmental sustainability.

In the form of research methodologies, namely normative legal research, this study contains limitations, which are to be expected. This limitation will serve as a reflection for the author to improve this research further in the future by making use of a research method that is more holistic and thorough, specifically the Socio Legal Study.

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