

The Role of Women in Sustainable Development and Environmental Protection: A Discourse of Ecofeminisme in Indonesia

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ABSTRACT: Women have been recognized as having an equal role in environmental protection and management. In relation to climate change, for example, internationally, the United Nations Framework Convention on Climate Change recognizes the importance of equal involvement between women and men, in gender-responsive climate policies, through a special agenda that addresses gender issues and climate change, including putting it into the Agreement. Paris. However, until now, the role of women still tends to be neglected, both at the local and national levels. This study aims to analyze and discuss the concept of ecofemenism as a movement for the role of Indonesian women in environmental protection in Indonesia.

KEYWORDS: Ecofeminism, Environmental Protection, Role of Women

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I. INTRODUCTION

The concept of sustainable development is identified as the ideal and strategic framework of environmental management. Sustainable development is simply a development approach to achieve a better standard of living for the present and the future. In its implementation, sustainable development is always based on three main pillars, namely the economic pillar, the social pillar and the environmental (ecological) pillar.¹

¹ It is further explained that Sustainable development is a development process that optimizes the benefits of resources with development. The concept of sustainable development is a development process that optimizes the benefits of natural resources and human resources, by harmonizing natural resources with humans in development. Conceptually, sustainable development is a progressive transformation of social, economic, and political structures. This is to improve people's welfare in fulfilling their interests without compromising the ability of future generations. See Rosana, Mira. "Kebijakan pembangunan berkelanjutan yang berwawasan lingkungan di Indonesia." *Kelola: Jurnal Sosial Politik* 1, No. 1 (2018): 148-163; Setianingtias, Retno, M. Baiquni, and Andri Kurniawan. "Pemodelan indikator tujuan pembangunan berkelanjutan di Indonesia." *Jurnal Ekonomi dan Pembangunan* 27, No. 2 (2019): 61-74; Suparmoko, Muhammad. "Konsep Pembangunan Berkelanjutan dalam Perencanaan Pembangunan Nasional dan

Simultaneously, every development activity must be economically feasible, socially acceptable, and not disturbing or damaging to the environment. The benefits of sustainability in achieving development will ensure the availability of resources, uphold the dignity and benefits of each individual and promote good governance. Sustainable development activities that can be carried out include community empowerment in various fields of development.

Regional." *Jurnal Ekonomika dan Manajemen* 9, No. 1 (2020): 39-50. It is also emphasized that the pillars of sustainable development are economic sustainability, social sustainability and environmental sustainability, all three of which must develop in a balanced way; otherwise, development will be trapped in conventional development models that emphasize economic growth only and leave social and environmental development behind. The results of conventional development, including the distribution of development results, have become very unequal with 20 percent of the world's population in developed countries controlling 80 percent of world income and 80 percent of the world's population (developing countries) controlling only 20 percent of world income. As a result, conventional development is hampered or constrained by social conditions (health, education, and poverty) and shrinking reserves of natural resources (fossil fuel energy and non-renewable coal) as well as deteriorating environmental quality due to air, water, river and lake pollution, and water shortages. in the dry season and floods in the rainy season in many places in Indonesia as well as in other developing countries as well as in developed countries. *Please also see* Azis, Iwan Jaya. *Pembangunan Berkelanjutan-Peran dan Kontribusi Emil Salim*. (Jakarta, Kepustakaan Populer Gramedia, 2010); Nugroho, Julian. "Ulasan Buku: 90 Tahun Prof. Emil Salim Pembangunan Berkelanjutan: Menuju Indonesia Tinggal Landas 2045." *Syntax Literate; Jurnal Ilmiah Indonesia* 6, No. 2 (2021): 853-871; Silvestre, Bruno S., and Diana Mihaela Țîrcă. "Innovations for sustainable development: Moving toward a sustainable future." *Journal of cleaner production* 208 (2019): 325-332; Kurniawan, Robi, and Shunsuke Managi. "Economic growth and sustainable development in Indonesia: an assessment." *Bulletin of Indonesian Economic Studies* 54, No. 3 (2018): 339-361; Tristananda, Putu Wulandari. "Membumikan Education for Sustainable Development (ESD) di Indonesia dalam menghadapi isu-isu global." *Purwadita: Jurnal Agama dan Budaya* 2, No. 2 (2018): 42-49.

The world's priorities for sustainable development include 5 (five) main issues, namely water (water and environmental sanitation), energy, health, agricultural (agriculture and food), and biodiversity. In carrying out sustainable development for the welfare of current and future generations by focusing on economic, socio-cultural, balanced living environments as pillars that are interdependent and mutually reinforcing each other.² In addition, it is also to increase national independence, implement regional autonomy, grow an equitable economy, realize national stability, build a democratic community order, improve reliable human resources, master and utilize science and technology, develop and utilize communication and information, ensure the certainty of consistent and fair law enforcement and guarantee human rights and equal rights for every citizen. a country that is a precondition in realizing sustainable development.³

² Garkushenko, Oksana M., and Mariia Yu Zanizdra. "Green ICTs: potential and priorities for sustainable development: analytical review." *Economy of Industry* 3 (91) (2020): 47-81; Giddings, Bob, Bill Hopwood, and Geoff O'brien. "Environment, economy and society: fitting them together into sustainable development." *Sustainable development* 10, No. 4 (2002): 187-196; Kaygusuz, Kamil. "Energy for sustainable development: A case of developing countries." *Renewable and Sustainable Energy Reviews* 16, No. 2 (2012): 1116-1126.

³ Dewi, Yusriani Sapta. "Peran Perempuan dalam Pembangunan Berkelanjutan: Women in Sustainable Development." *Jurnal Ilmiah Pendidikan Lingkungan dan Pembangunan* 12, No. 2 (2011): 61-64; Dumalang, Fienkan Laura Sandyego, and Bakti Setiawan. "Peran Perempuan dalam Pembangunan Berkelanjutan di Kota Ambon." *Jurnal Indonesia Sosial Sains* 3, No. 2 (2022): 281-293; Ginting, Elittaria, and Hagawaomasi Zokho Sihura. "Kebijakan Pemberdayaan Perempuan Di Bidang Ekonomi Dalam Upaya Mewujudkan Pembangunan Berkelanjutan Ramah Gender." *Jurnal Inada: Kajian Perempuan Indonesia di Daerah Tertinggal, Terdepan, dan Terluar* 3.2 (2020): 201-213.

II. METHODS

The data used in the preparation of this paper comes from various literature related to the problems discussed. Some of the main types of references used are textbooks, print and online editions, and scientific articles sourced from the internet. The types of data obtained are varied, qualitative and quantitative. The study used a literature study. Information is obtained from various literature and compiled based on the results of studies from the information obtained. Writing is sought to be interrelated with each other and in accordance with the topic covered. The collected data are selected and sorted according to the topic of study. Then the preparation of written works is carried out based on data that has been prepared logically and systematically. Data analysis techniques are descriptive argumentative. The conclusion is obtained after referring back to the formulation of the problem, the purpose of writing, and the discussion. The conclusions drawn present the subject matter of the paper and are supported by practical advice as the next recommendation.

III. THE CONCEPT OF SUSTAINABLE DEVELOPMENT ACCORDING TO THE WORLD COMMISSION ON AND ENVIRONMENT AND DEVELOPMENT (WCED)

Sustainable development contains two meanings: *first*, the concept of need, in particular the essential needs of the world poor, to which overriding priority should be given, *second*, the idea of limitation imposed by the state of technology and social organization on the

environment is the ability to meet present and future needs.⁴ Therefore, the concept of sustainable development explained as follows.

1. *Evolution of Objectives*

The term sustainable development came into prominence in 1980, when the International Union for the Conservation of Nature and Natural Resources (IUCN) presented the World Conservation Strategy (WCS) with "*the overall aim of achieving sustainable development through the conservation of living resources*".⁵ Critics acknowledged that "*by identifying Sustainable Development as the basic goal of society, the WCS was able to make a profound contribution toward reconciling the interests of the development community with those of the environmental movement*".⁶ UNEP's concept of sustainable development was said to encompass:

⁴ Mensah, Justice. "Sustainable development: Meaning, history, principles, pillars, and implications for human action: Literature review." *Cogent Social Sciences* 5, No. 1 (2019): 1653531; Tomislav, Klarin. "The concept of sustainable development: From its beginning to the contemporary issues." *Zagreb International Review of Economics & Business* 21, No. 1 (2018): 67-94.

⁵ Rayfuse, Rosemary, et al. "International union for the conservation of Nature." *The International Journal of Marine and Coastal Law* 23, No. 2 (2008): 359-363.

⁶ Khosla, Ashak. "Alternative strategies in achieving sustainable development." *Conservation with Equity: Strategies for Sustainable Development* (1987): 191-208. See also Klauer, Bernd. "Defining and achieving sustainable development." *The International Journal of Sustainable Development & World Ecology* 6, No. 2 (1999): 114-121; Bali Swain, Ranjula, and Fan Yang-Wallentin. "Achieving sustainable development goals: predicaments and strategies." *International Journal of Sustainable Development & World Ecology* 27, No. 2 (2020): 96-106.

- a. help for the very poor, because they are left with no options but to destroy their environment; within natural resource constraints using nontraditional economic criteria
- b. the idea of self-reliant development,
- c. the idea of cost-effective development
- d. the great issues of health control, appropriate technology, food self-reliance clean water and shelter for all; and
- e. the notion that people-centered initiatives are needed.⁷ (Tolba, 1984a)

Sustainable Development seeks to respond to five broad requirements:

- a. integration of conservation and development,
- b. satisfaction of basic human needs,
- c. achievement of equity and social justice,
- d. provision of social self-determination and cultural diversity, and
- e. maintenance of ecological integrity.⁸

⁷ Tolba, Mostafa K. "Profiting from the Environment." *The Environmentalist* 4, No. 1 (1984): 23-28. See also Clark, Garrette. "Evolution of the global sustainable consumption and production policy and the United Nations Environment Programme's (UNEP) supporting activities." *Journal of Cleaner Production* 15, No. 6 (2007): 492-498; Ivanova, Maria. "Designing the United Nations Environment Programme: a story of compromise and confrontation." *International Environmental Agreements: Politics, Law and Economics* 7, No. 4 (2007): 337-361.

⁸ Furthermore, environmental law expert Bullard identified five basic elements of environmental justice which include: (1) individual rights to be protected from pollution; (2) preference for pollution prevention; (3) the burden of proof shifts to those or those who discard; (4) waste/emissions (dischargers) or those who do not provide different treatment, but based on differences in environmental impacts felt by the community (disparate impacts) and

2. The Strenght of the Concept

The strenght of the concept of sustainable development stems form the choice of an apparently simple detinition of fundamental objectives-meeting current needs and sustainability requirements and be derived a range of operational objectives that cut across most previous intellectual and political boundaries.⁹

statistical evidence showing these differences, and; (5) differences in risk sharing are overcome by actions and resources targeted resources (targeted actions and resources). See Bullard, Robert D. "Environmental justice for all: It's the right thing to do." *Journal of Environmental Law and Litigation*. 9 (1994); Bullard, Robert D., Glenn S. Johnson, and Beverly H. Wright. "Confronting Environmental Injustice: It's The Right Thing to Do." *Race, Gender & Class* 5, No. 1 (1997): 63–79. <http://www.jstor.org/stable/41674849>. For further comparsion and discussion concerning environmental justice, please also see McGregor, Deborah, Steven Whitaker, and Mahisha Sritharan. "Indigenous environmental justice and sustainability." *Current Opinion in Environmental Sustainability* 43 (2020): 35-40; Banzhaf, H. Spencer, Lala Ma, and Christopher Timmins. "Environmental justice: Establishing causal relationships." *Annual Review of Resource Economics* 11 (2019): 377-398; Banzhaf, Spencer, Lala Ma, and Christopher Timmins. "Environmental justice: The economics of race, place, and pollution." *Journal of Economic Perspectives* 33, No. 1 (2019): 185-208; Purniawati, Purniawati, Nikmatul Kasana, and Rodiyah Rodiyah. "Good Environmental Governance in Indonesia (Perspective of Environmental Protection and Management)." *The Indonesian Journal of International Clinical Legal Education* 2, No. 1 (2020): 43-56.

- ⁹ Lélé, Sharachchandra M. "Sustainable Development: A Critical Review." *World Development* 19, No. 6 (1991): 607-621. Some of the highlights in sustainable development also include the various impacts that initially have an impact on the environment and ultimately significantly affect the economic level. For example, cases of plastic waste and environmental pollution not only cause losses in environmental aspects but also in economic and social terms. See also Maruf, Maruf. "Indonesia Response and Recent Development of Law and Policy in Addressing Marine Plastic Litter." *JILS (Journal of Indonesian Legal Studies)* 4, No. 2 (2019): 167-188; Ali, Mahrus, et al. "Protecting Environment through Criminal Sanction Aggravation." *JILS (Journal of Indonesian Legal Studies)* 7, No. 1 (2022): 191-228; Arsyiprameswari, Natasya, et al.

IV. APPLICATION OF SUSTAINABLE DEVELOPMENT THEORY & PRINCIPLES

Theoretically the principles of sustainable development can be applied to various sectors of development. An example is taken in the agricultural sector. For successful agricultural development, the World Bank suggests that the following three criterias as follows.¹⁰

First, it must be sustainable, by insuring the conservation and proper use of renewable resources. *Second*, it must promote economic efficiency. *Third*, its benefits must be distributed equitably. For the case of agricultural development, the concept and definition of sustainable agriculture is among others described by Conway and Barbier as agriculture that:

1. High, efficient and stable production
2. Low and inexpensive inputs, inparticular making full use of the techniques of organic farming and indigenous traditional knowledge
3. (Using low and cheap means of production, mainly using organic farming techniques and local and traditional knowledge)

"Environmental Law and Mining Law in the Framework of State Administration Law." *Unnes Law Journal: Jurnal Hukum Universitas Negeri Semarang* 7, No. 2 (2021): 347-370; Zega, Yuliana Silvy Rosadi. "Tanggung Jawab Hukum Terhadap Kerusakan Lingkungan dalam Kasus Lumpur Lapindo Menurut Undang-Undang Nomor 11 Tahun 2020 (UU Ciptaker)." *Indonesian State Law Review (ISLRev)* 3, No. 2 (2021): 89-102.

¹⁰ Barbier, Edward B. "Alternative Approaches to Economic-Environmental Interactions." *Ecological Economics* 2, No. 1 (1990): 7-26; Chambers, Robert, and Gordon Conway. *Sustainable Rural Livelihoods: Practical Concepts for the 21st Century*. (London UK, Institute of Development Studies UK, 1992).

4. Food security and self-sufficiency
5. Conservation of wildlife and biological diversity
6. Preservation of traditional values and the small family farm
7. Help for the poorest and disadvantaged those on marginal land, the landless, women, children and tribal minorities
8. A high level of participation in development decision by the farmers themselves.

The application of the Concept, Principles and Objectives of Sustainable Development in development can be broadly done by establishing its rules:¹¹ (Djajadiningrat, 1992; Pearce and Warford, 1993):

1. Equity and Justice

Equality and Justice here concerns the ethical dimension, namely the gap between rich and poor countries or regions and the future of future generations that cannot be compromised with the activities of the current generation. Therefore, this aspect of Equality and Justice must be answered both for the present generation and for future generations. Therefore, development strategies and planning must be based on *premises* such as: distribution of land tenure, distribution of production factors, equal distribution of roles and opportunities of women, marginalized groups, and so on.

¹¹ Djajadiningrat, T. S. "Ekonomi Pembangunan Berkelanjutan." *Journal Ekonomi Lingkungan* 1, No. 11 (1992); Djajadiningrat, S. T. *Konsep Pembangunan Berkelanjutan dalam Membangun Tanpa Merusak Lingkungan*. (Jakarta, Kantor Menteri Negara Lingkungan Hidup, 1992); Pearce, David William, and Jeremy J. Warford. *World Without End: Economics, Environment, and Sustainable Development*. (Oxford, Oxford University Press, 1993).

2. Integrative Approach

Sustainable development prioritizes the relationship between humans and nature. Man influences nature in useful or destructive ways. Future sustainability is possible only when the notion of the complex interrelationships between natural and social systems is understood and integrative (integrated) ways are applied in the planning and implementation of development.

3. Long Term Perspective

Sustainable development requires that an assessment be carried out that is different from the normal assumptions in the procedure for imposing *discounting*. The long-term perspective is the vision of sustainable development while currently the short-term vision still dominates in decision making.

4. Ecological Sustainability

Ecological sustainability guarantees the sustainability of the earth's existence. For ecological sustainability, the integrity of the environmental order must be maintained through efforts to increase the carrying capacity, assimilation power, and sustainability of the use of *renewable resources*.

5. Economic Sustainability

Ensuring sustainable economic progress and driving efficiency economics. The three main elements to achieve macroeconomic sustainability are economic efficiency, sustainable economic prosperity, and increasing prosperity and distribution of prosperity.

6. Social-Cultural Sustainability

Overall social and cultural sustainability is expressed in social justice, human self-esteem, and the improvement of the quality of life of all human beings. Socio-cultural sustainability has goals: population stability, meeting basic human needs,

maintaining cultural diversity, and encouraging local community participation in decision making.

7. Political Sustainability

Political sustainability is characterized by respect for human rights, democracy, and the certainty of the availability of food, water and settlements.

8. Defense and Security Sustainability

Sustainability of the ability to face and overcome challenges, threats, disturbances both from within and from outside that are direct and indirect can endanger the integrity, identity, sustainability of the state and nation.¹²

V. THE ROLE OF WOMEN IN SUSTAINABLE DEVELOPMENT

Prior to the holding of the World Women's Conference held by the United Nations (Women's Summit in Beijing in 1995), more attention was paid to women's issues as well as women's access and opportunities. The women's approach to development focuses on how women are integrated into women's participation efforts as a benefit of development outcomes rather than development actors. As a result, in government-led decision-making, women are often marginalized. The inequality and injustice experienced by women is caused by a combination of several cultural, economic, political, and social factors that have different impacts on the lives of women and

¹² An-Naf, Julissar. "Pembangunan Berkelanjutan dan Relevansinya untuk Indonesia." *Jurnal Madani* 2 (2005): 47-55. See also Sumargo, Bagus, Kadek Ari Pratiwi Kasuma, and Yiu Fai Tsang. "Social-environment factor as a weak point of sustainable development in Indonesia." *AIP Conference Proceedings*. Vol. 2019. No. 1. AIP Publishing LLC, 2018; Rosana, Mira. "Kebijakan pembangunan berkelanjutan yang berwawasan lingkungan di Indonesia." *Kelola: Jurnal Sosial Politik* 1, No. 1 (2018): 148-163.

men. It became clear then that a new paradigm was needed to provide a framework and strategy for empowerment of women as development actors in order to achieve development goals, given the huge role of women in them.

The Women's Summit in Beijing produced the Beijing Declaration containing 12 *Critical Areas* which is an action plan for women's involvement in decision-making. *These critical areas* include issues of poverty, education, health, violence against women, armed conflict, economy, decision-making, institutional mechanisms for women, women's human rights, mass media, environmental management and the field of girls. Furthermore, at the Sustainable Development Summit in Johannesburg in 2002, the world community agreed on the important position of women in achieving sustainable production and consumption patterns in natural resource management. Agreement on the strategic position of women in various international forums opens up opportunities for the resolution of issues related to women and sustainable development, especially environmental issues.

Women have enormous potential in the maintenance, preservation of the environment and prevention of environmental pollution because in addition to the large number of women there is also a lot of evidence that women have been able to overcome environmental problems around them. So far, women have been under-included in environmental management, be it in access, participation, control, and benefits. Women are also less knowledgeable about how to manage the environment including waste management and prevention of environmental pollution. Women are only made objects without being given knowledge about the dangers of these materials to themselves, their families, and the environment.

The goal of the Millennium Development Goals 2015, including women in environmental management, is that if women understand how important the environment is, then women will take care of, maintain the environment well so that they can maintain environmental cleanliness such as the importance of obtaining clean water for the health of themselves and their families. Based on the aforementioned reality, women need to be empowered (given a greater role) in order to play a role and participate in sustainable development.

Women's empowerment in sustainable development is an effort to enable women to gain access, participation, control and benefits in sustainable development. Women's empowerment programs are directed at improving the quality of life, especially for women and their active participation in the community in sustainable development, through socio-cultural by promoting local wisdom. The participation of women in development is very important and contributes to the success of development.

On the social pillar, the division of women's roles often places the intensity of women more often in direct contact with the objects they deal with. This causes women to become more sensitive in the task of realizing the whole person including educating, fostering, and training children, the younger generation and community members inside and outside the family so that they really live, know and carry out learning in everyday life, in the family environment, school and community.¹³

¹³ See Stankevičienė, Jelena, and Marta Nikanorova. "Eco-innovation as a pillar for sustainable development of circular economy." *Verslas: Teorija ir praktika/Business: Theory and Practice* 21, No. 2 (2020): 531-544; Sabatini,

The role of women as wives or coaches of family welfare, as coaches of the younger generation and as human builders in society. It is undeniable that women in their position as wives and mothers of the family play an important role in equipping the younger generation with all the necessary requirements to be able to become nation builders. A wife and mother who are physically and mentally healthy, clever, skilled, and master the science and technology necessary in carrying out their duties with a sincere heart carrying out their duties as a wife and mother, living disciplined, resistant to suffering, diligent, tenacious, patient is the source of strength for the realization of national resilience that starts from family life. Conversely, if women as wives and mothers do not have these requirements, the family will fall apart and become the main cause of social ills and societal problems.¹⁴

On the economic pillar, the role of women is very clear. In domestic life, women are financial managers. Women are required to be able to be the economic regulators of the family. Primary, secondary and even all economic needs of the family, are regulated by women both as wives and mothers. In addition to managing household finances, some women also play a role in the breadwinner for their families, both as the main breadwinner and as an additional breadwinner for the family.¹⁵

Francesca. "Culture as fourth pillar of sustainable development: Perspectives for integration, paradigms of action." *European Journal of Sustainable Development* 8, No. 3 (2019): 31-31.

¹⁴ Huber, Robert A. "The role of populist attitudes in explaining climate change skepticism and support for environmental protection." *Environmental Politics* 29, No. 6 (2020): 959-982.

¹⁵ Purvis, Ben, Yong Mao, and Darren Robinson. "Three pillars of sustainability: in search of conceptual origins." *Sustainability Science* 14, No. 3 (2019): 681-695;

The role of women in the ecological pillars of sustainable development, is very clearly found in everyday life. In religious and cultural traditions, women are often thought of as close to nature; the world is symbolized as female-Mother. Nature is personified as female, Mother Nature. In particular, the most frequently emerging view is of nature as a mother who cares for the earth that gives life but also takes it back. Social and cultural facts influence the family lifestyle so that women have an important role in preserving the environment. Its influence on educating families can lead to a "green" or environmentally sound lifestyle. Women are able to mobilize the surrounding community to help preserve the environment in the field practically and concretely. Its proximity to the environment allows women's groups to be at the forefront of preserving the environment and as *watchers* at the grassroots level.

Women and families are inseparable from each other. In everyday life as the organizer of the *family wheel*, women cannot escape the accompanying means, including water, energy sources and food. Starting from the preparation activities to the end of the activity, women in the family cannot be separated from the problems of water, energy sources, food and education. It is very natural that women take great care of water, their energy sources, food and family education, to ensure the survival of their families.

Domańska, Ada, Beata Żukowska, and Robert Zajkowski. "Green entrepreneurship as a connector among social, environmental and economic pillars of sustainable development. Why some countries are more agile?." *Problemy Ekorożwoju* 13, No. 2 (2018).

VI. WOMEN'S EMPOWERMENT IN SUSTAINABLE DEVELOPMENT IN INDONESIA: AN ECOFEMINISM PERSPECTIVE

As already stated, the World Priorities for Sustainable Development and the priorities of women's empowerment are inextricably linked in their daily lives. Water, energy sources, food, health, and education are the priorities of the three pillars of sustainable development that are very closely related to women both as individuals and in their roles as wives and mothers. The priority of activities carried out in the context of empowering women in sustainable development, is interrelated with each other. The priority of such activities concerns solving problems regarding:

1. Water and environmental sanitation
2. Energy resources
3. Women's and children's health
4. Food diversification and environmentally friendly economy
5. Education and efforts to reduce poverty¹⁶

Forest problems that develop in the midst of today's society, due to horizontal conflicts, between indigenous peoples and the government. To avoid conflicts of interest between the government and the customary law community, it is necessary to specifically regulate in Law No. 41 of 1999 in article 67 of Law No. 41 of 1999 it is stated that, indigenous peoples as long as according to reality still exist and are recognized for their existence have the right to: (a) collect forest products to meet the daily needs of the indigenous people

¹⁶ Dewi, Yusriani Sapta. "Peran Perempuan dalam Pembangunan Berkelanjutan: Women in Sustainable Development." *Jurnal Ilmiah Pendidikan Lingkungan dan Pembangunan* 12, No. 2 (2011): 61-64.

concerned; (b) carry out forest management activities based on applicable customary law and not contrary to the law; and (c). Gaining empowerment in order to improve welfare [verse 1]. Therefore, the confirmation of the existence and abolition of indigenous peoples is stipulated by local regulations (paragraph 2).in addition, further provisions in this regard are regulated by government regulations (paragraph 3).¹⁷

VII. TARAKAN CITY FOREST CONDITION: WOMEN'S ROLE IN ENVIRONMENTAL PROTECTION

Related to the condition of the Tarakan City Forest as previously stated, the area of forest in Tarakan City reaches more than 9000 hectares. This situation is still coupled with the forest environment that is still very dense and difficult to reach by humans and there are still many forest areas that are still vulnerable, while the number of personnel and infrastructure used in supervising the forest is still very minimal.

Based on the status of control, forests can be distinguished from state forests and rights forests. State forests are forests that are on land that is not burdened with land rights. According to the provisions of article 5 paragraph (2) state forests can be customary forests. The provisions of article 5 paragraph (2) of Law number 41 of 1999 are recognition of customary rights, although the recognition still

¹⁷ Salamat, Yusuf. "Analisis Pasca Putusan Mahkamah Konstitusi Nomor 35/PUU-X/2012 Terhadap Penyusunan Rancangan Peraturan Daerah Berdasarkan Pasal 67 Ayat (2) Undang-Undang Nomor 41 Tahun 1999 Tentang Kehutanan (The Analysis After the Constitutional Court Decision Number 35/PUU-X/2012 on The Formation of Local Regulations Draft Under Article 67 Section (2) of The Law Number 41 of 1999 on Forestry)." *Jurnal Legislasi Indonesia* 12, No. 1 (2018).

subordinates customary forests as part of state forests. However, compared to Law no.5 of 1967 which does not recognize the existence of customary forests at all, Law No. 41 of 1999 is somewhat accommodating to the demands for the existence of customary forests.¹⁸

Establishing customary forests as state forests within the territory of customary law communities, can be interpreted as a consequence of the right to control by the state (Explanation of Article 5 paragraph 1), but the substance of the right to control is interpreted in line with the doctrine of scientific forestry. The above facts show that "*customary forests as state forests*" are not interpreted as an effort to respect and protect customary forests by the state, because customary forests remain marginalized, they are allowed to compete with permit holders and forest managers without legal certainty.

Indigenous peoples in Indonesia entered a new chapter after the Constitutional Court Decision was read out in case number 35/PUU-X/2012, customary forests are no longer part of state forests under the control of the Ministry of Forestry, but "*customary forests are forests that are within the territory of indigenous peoples*". In other words, indigenous peoples are declared *right-bearing* subjects. The affirmation of the status of indigenous peoples as subjects of rights can actually be of significant significance, especially when viewed from the perspective of the history of state forest tenure since the colonial period of the Dutch East Indies.

One of the decisions of the Constitutional Court in case number 35/PUU-X/2012 is in article 1 paragraph 6 where customary forests

¹⁸ Takdir Rahmadi, *Hukum Lingkungan di Indonesia*, (Jakarta, PT RajaGrafindo Persada, 2015), pp.159

are no longer part of state forests, of course, it must be a very good momentum to encourage the recognition of customary forests that currently exist in northern East Kalimantan. As stated in the decision of the Constitutional Court that the State Word in Article 1 number 6 of Law Number 41 of 1999 concerning Forestry does not have binding legal force and is contrary to the 1945 Constitution, so Article 1 number 6 of Law Number 41 of 1999 concerning Forestry is referred to as "Customary Forest is a forest that is within the territory of an indigenous people". In considering its decision, the Constitutional Court also said that Article 18B paragraph (2) and Article 28I paragraph (3) have provided recognition and protection for the existence of customary forests in unity with the customary rights area of an indigenous law community. This is a consequence of the recognition of customary law as a "*living law*" that has been going on for a long time and has continued until now.

Therefore, placing customary forests as part of state forests is a disregard for the rights of indigenous peoples, the Constitutional Court ultimately decided "*customary forests are forests that are within the territory of indigenous peoples*", not as it means "customary forests are state forests that are within the territory of customary law communities." From the reality of the Constitutional Court's decision, the policies and practices of government institutions, especially local governments, and other government institutions should actually remove the customary forest from the State Forest as the Constitutional Court Decision can be implemented in a real way that has an effect and provides space for the customary law community in managing its forest area, especially in Tarakan City.

In the further context, concerning policies and regulations and local governments, the reference used by the government in responding to

the determination of forest areas is article 12 of the regulation of the minister of forestry no: P50 / Menhut II / 2011 where the arrangement of forest areas at the district or city level is carried out at least 1: 100,000 by referring to the map of provincial forest area instructions skala 1: 250,000 and or the results of the boundary arrangements that have been implemented. For us, the local government has issued local regulation n0.4 of 2012 concerning the spatial plan of the city area for 2012-2032. The bylaw is one of the government's policies related to green open space (*Ruang Terbuka Hijau*, hereinafter as RTH), although it does not directly list forest problems in the bylaw, but the forest is part of the RTH where the community can access the openness of the space.

The elements of article 33 paragraph (2) state that included in the RTH are mangroves forests, urban forests, city parks, green belts, public burial grounds, sports stadiums, river borders and raw water source beaches. Thus, the role of the government must be progressive in dealing with the lives of indigenous peoples because they depend on the surrounding nature which is nothing but forests. Local government policies are related to economic policies, especially in the allocation and management of forest management that only favors capital development has a broad impact on the destruction of nature and the ecological function of forests, the first and main victims of this situation are indigenous people who live in and around the forest. Extractive forest culture as it is today does not provide an opportunity for indigenous wisdom to manage forests sustainably, as has been practiced for hundreds or even thousands of years. Local knowledge and wisdom in managing nature have not received proper in the production business, or even in the formal education curriculum of forestry.

In addition to the above regulations, the Tarakan city government also makes regional arrangements regarding the spatial plan for the tarakan city area which contains the existence of protected forests, namely with an area of 6,997.22 Ha, mangrov forests of 1,119.30Ha and urban forests of 2,390,48Ha.

The local government of Tarakan city makes policies related to forests, these policies are contained in regional regulations, namely:

1. Tarakan city bylaw No.21 of 1999 on tarakan urban forest.
2. Tarakan city bylaw no.4 of 2002 on the prohibition and supervision of mangrov forests in tarakan city.
3. Tarakan city regulation No.12 of 2004 on the protection of forests and forest products.
4. Tarakan city regional regulation No.4 of 2012 concerning tarakan city spatial plan.

The policy was issued by the tarakan city local government to restore the true function of the forest, because there is a need for regulatory changes, especially in the determination, supervision and development of forests. These three regulations are needed for the preservation and integrity of the forest and the functions contained therein. The function and role of the forest forest is as a lung of the city, as a catchment area, providing aesthetic value, as a place for recreational tourism and camping, for the preservation of nutpha plasma, to hold and filter solid solid particles in the air, to absorb and filter odors, as a noise reducer, as a windbreaker, to overcome seawater instructions and coastal abrasion, as a habitat for fauna, particularly wildlife, as a production forest, to improve microclimates and glare filters, to address waterlogging, as a natural laboratory, and a research site, to reduce stress, and as one of the city's identities.

Data in the field shows that the phenomenon of community behavior in the use of forests as green areas has changed, this can be seen from the narrowing of forest land in Tarakan city. The judicial institution as the last institution authorized to handle dispute issues, so far only handles land cases between individuals and does not involve legal objects such as forest area land. As stated by Budiharjo, the Substitute Clerk for Civil Affairs of the District Court class IB of Tarakan City, said that the community has not realized and understood the concept of customary and customary forests.

The customary forest that they have understood so far is a forest whose power and use is controlled by indigenous peoples which can be used as legal objects such as buying and selling. In fact, the correct concept of forest is that control and utilization is carried out by indigenous peoples and cannot be traded. Demikin's behavior has deviated from the concept of customary forests. So far, what often happens in the field is illegal logging so that the court decides these cases according to their authority. For indications of illegal logging that occurs, it can be due to forest encroachment in the name of customs, so they have the authority to cut and sell timber in forest areas.¹⁹

VIII. CONCLUSION

In sustainable development it must be civilized on agreed international and national rules. As is the case with applying the concept of international sustainable development according to

¹⁹ Zein, Yahya Ahmad, and Arif Rohman. "Problematika Penetapan Kawasan Hutan di Wilayah Masyarakat Adat dalam Rangka Pembangunan Berkelanjutan di Kota Tarakan." *Pandecta Research Law Journal* 9, No. 1 (2014): 137-141.

WCED, the Evolution of objectives, the strenght of the concept and the Application of the Concept, Principles and Objectives of Sustainable Development in development can be broadly done by establishing its rules, such as: Equality and Justice , intergrative approach, long-term perspective, ecological approach, ecological sustainability, economic sustainability, socio-cultural sustainability, political sustainability, defense and security sustainability. By applying existing concepts, theories and principles, it will facilitate the achievement and realization of sustainable development.

The women's approach to development focuses on how women are integrated into women's participation efforts as a benefit of development outcomes rather than development actors. The role of women is very important in actively participating for sustainable development. It is agreed that the advancement of women is truly a prerequisite for a reality of making sustainable development. In sustainable development gender equality will be the goal of millennium development.

The status of land within the forest area In the Indigenous People's Territory in Tarakan city is State Forest, customary forest should be managed according to the rights of indigenous peoples. Customary forests are no longer part of state forests under the control of the Ministry of Forestry, but "customary forests are forests that are within the territory of indigenous peoples". In other words, indigenous peoples are declared *right-bearing* subjects. The affirmation of the status of indigenous peoples as subjects of rights can actually be of significant significance, especially when viewed from the perspective of the history of state forest tenure since the colonial period of the Dutch East Indies. And an area cannot be said to be a forest area casually but must go through several procedures: a. the designation

of forest areas, and the appointment is through a ministerial decree.

b. arrangement of forest area boundaries which includes activities for the implementation of boundary arrangements, making minutes of forest area boundary arrangements which are then signed by the committee or authorized officials.

c. Then the latest step is the determination of forest areas determined by the minister. The Tarakan City Regional Government has issued regional regulation Number 4 of 2012 concerning the City Regional Spatial Plan for 2012-2032.

In particular, the local government of Tarakan City makes policies related to forests, these policies are contained in Regional Regulations, namely: Tarakan City Regional Regulation Number 21 of 1999 concerning Tarakan City Forest; Tarakan City Regional Regulation Number 4 of 2002 concerning the Prohibition and Supervision of Mangrove Forests in Tarakan City; Tarakan City Regional Regulation Number 12 of 2004 concerning Protection of Forests and Forest Products; Tarakan City Regional Regulation Number 4 of 2012 concerning Tarakan City Regional Spatial Plan. Policies and legislative steps taken by local governments in determining these forest areas have not yet taken initiatives to regulate the existence of customary forests. If the legislative role can reach the problem of customary forests, then there are many advantages, especially to regional budget revenues because the potential that exists in forests, especially Tarakan City, can be developed and maximized, especially the land structure of Tarakan City which contains a lot of oil. the role of the judiciary in handling cases related to the determination of forest areas is carried out In the Territory of Indigenous Peoples so far it only handles land cases between individuals and does not involve legal objects such as forest

area land including customary forest areas. This is because the community has not realized and understood the concept of customary or customary forests.

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COMPETING INTERESTS

The Authors declared that they have no competing interests.

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Ecofeminists call attention to the fact that environmentalists, feminists, and those fighting racism and poverty, are pulling on different straws in the same broom.

Lisa Kemmerer

Sister Species: Women, Animals and Social Justice