

Legal Review of Utilization Cooperation Forest For Tour Nature in the Work Area Perum Perhutani Divisi Regional Jawa Tengah

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Abstract

Study this study in a way critical construction authority and practice cooperation utilization forest in the form of utilization service environment for tourism nature implemented by Perum Perhutani Central Java Regional Division in perspective law state administration and law forestry. Focus main in study this lies in legitimacy authority, form delegates used, as well relation between instrument administrative and agreements cooperation in practice management state forests. Research this use method juridical normative with approach conceptual and legislative, which is strengthened with empirical data through interviews and reviews document. Analysis done in a way qualitative for identify suitability between norms and implementation. Research results show that authority Perum Perhutani in utilization forest in the form of utilization service environment for tour natural in a way normative based on mandate constitutional state control over source power nature and rules legislation in the field of forestry. Authority the executed through mechanism delegation administratively limited by value parameters, term time and procedures internal approval. In in practice, cooperation tour natural form construction law hybrid



between law public and law private. Although has been formally fulfil principle legality, there is potential shift function area if supervision no done in a way strict and consistent. Therefore that, strengthening accountability, transparency, and integration principle sustainability become prerequisite important for ensure that utilization tour still is at in corridor law and not reduce function ecological state forests.

KEYWORDS

authority, delegation, cooperation, tourism nature, management forest.

Introduction

Management forests in Indonesia in the beginning is as part from conservation source power natural use guard balance ecosystem and sustainability environment live. However along with development model development national, sector forestry no again positioned solely as guard function ecological, but also as part from strategy development sustainable that integrates interest ecological, social, and economic in a way balanced. This model change can push utilization forest in the form of in a way more optimal with still based on the principle sustainability.

Along increasing awareness public will environment as well as the need for recreation based on nature, utilization forest for activity tour natural experience significant development. Tourism natural viewed as one of the form utilization service capable environment give mark add to the economy without must exploit results forest wood. In the context development area, tourism natural based forests also participate as well as in contribute to improvement income public around use strengthening economy local.¹

¹ Sukirno, Kartika Winkar Setya, and Yuliani Catur Rini, "Tinjauan Yuridis Penyelesaian Konflik Tenurial Dalam Kawasan Hutan Sebagai Upaya Menjaga Kelestarian Fungsi Lingkungan Di Perum Perhutani Jawa Tengah," *Economics, Social and Humanities Journal (Esochum)* 3, no. 1 (2023): 1–15, <https://jurnal.unupurwokerto.ac.id/index.php/esochum/article/view/148>.

Tour natural based forest develop as form utilization service suitable environment in policy sustainable development. Forests in Central Java are partly big managed by Perum Perhutani is utilized for activity tour through various scheme cooperation with government regions, communities and parties private sector. Development this followed by increasing pressure to forest, good from development means tour and complexity arrangement law cooperation. Arrangements supervision that is still lots based on agreement cooperation as well as existence findings mismatch between practice cooperation and provisions regulation legislation that shows existence potential his escape limit between utilization service environment and transfer function area forest. With thus, then required study law for evaluate suitability practice cooperation utilization forest for tour natural with principle development sustainable and provisions regulation legislation.

In a way theoretical, management and utilization state forests do not can released from doctrine state control over source power natural as contained in Pasal 33 ayat (3) of the 1945 Constitution of the Republic of Indonesia. In framework this, the country has authority for organize, manage, administer, and supervise utilization source power nature for prosperity people. Authority the then implemented through government and State-Owned Enterprises (BUMN) which are given mandate special.²

In perspective law state administration, delegation authority management source power natural to BUMN must executed based on principle legality, accountability, and certainty law. Every action management and utilization forest including through cooperation with party other, mandatory own base clear authority, procedures legitimate administrative, as well as mechanism effective supervision. Principles the become runway important in evaluate validity and sustainability practice utilization forest.

In a way juridical, utilization forest for activity tour natural has get legitimacy in law forestry national. Law Number 41 of 1999 concerning

²Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

forestry confess utilization service environment forests, including tour nature, throughout no change function main area forest and remains notice principle sustainability. Provisions the then clarified through various regulations governing procedures utilization forests, permits, and mechanism cooperation between manager forest with party other.³

In context management state forests on the island Java and Madura, Perum Perhutani own role strategic as a state-owned enterprise that was given authority for manage area state forests.⁴ Position Perum Perhutani no only as a business entity only, but also as implementer state mandate in management forest. Consequences from position the is existence obligation for ensure that every form utilization forest implemented in accordance with provision law public, law state administration, as well as governance principles good state assets.

In the work area Perum Perhutani Central Java Regional Division, utilization forest in the form of utilization service environment for tour natural lots show sufficient development rapid. Various form cooperation done with government region, Village Community Institution Forest (LMDH), Village-Owned Enterprises (BUMDes), and party private sector. This collaboration generally poured in agreement cooperation that regulates distribution the authority, rights and obligations of the parties, as well as mechanism management and distribution results business tour nature.⁵

Although in a way normative there is framework the laws that govern utilization forest for tour nature, but in in practice implementation

³ Vanessa Uli Sembiring et al., "Pengelolaan Kehutanan Di Tinjau Berdasarkan Undang-Undang No 41 Tahun 1999 Menyoroti Aspek-Aspek Di Dalam Hukum Administrasi Negara," *Demokrasi: Jurnal Riset Ilmu Hukum, Sosial Dan Politik* 1, no. 3 (2024): 216–23, <https://doi.org/10.62383/demokrasi.v1i3.278>.

⁴ Widdy Yuspita Widyaningrum, Rifi Rivani Radiansyah, and Yoyo Sukaryo, "Peran Perum Perhutani Wilayah Iii Dalam Mengatasi Penyalahgunaan Lahan Di Kaki Gunung Patuha Kecamatan Rancabali Kabupaten Bandung," *Jurnal JISIPOL: Jurnal Ilmu Sosial Dan Ilmu Politik* 5, no. 3 (2021): 61–76, <https://ejournal.unibba.ac.id/index.php/jisipol/article/view/609>.

⁵ Zuhda Mila Fitriana, Wilda Prihatiningtyas, and Dessy Maeyangsari, "Optimalisasi Pengelolaan Hutan Desa Melalui BUMDes Sebagai Instrumen Percepatan Capaian Tujuan Pembangunan Berkelanjutan Desa," *Media Iuris* 6, no. 2 (2023): 323–42, <https://doi.org/10.20473/mi.v6i2.38955>.

cooperation the no always walk without problems. A number of problem appear, especially related with base authority Perum Perhutani in give agreement cooperation, conformity substance agreement with provision regulation legislation in the field of forestry, as well as potential mismatch between law forestry and law management state-owned enterprise assets.

On the side on the other hand, there are also problems about limitation between utilization service environment forest with practice over function area forest in a way hidden. In a number of development tour nature, development facilities and infrastructure done in a way continuously so that potential beyond limit utilization permitted by law. Conditions this can cause risk decline function ecological forest if No balanced with strict supervision and compliance to provision regulation legislation.

From the corner view law state administration, cooperation utilization forest for tour nature also gives rise to question about shape and position decision administration that becomes base cooperation, procedures giving approval, and mechanism supervision and accountability Perum Perhutani as manager state forests.⁶ Ambiguity in aspect administrative the potential cause abuse authority.

Study previously show that study about cooperation utilization forest still tend nature no comprehensive. Some research more focus on aspects validity agreement from perspective law civil, while study other focus on aspects empirical management tour nature. However, studies that comprehensive combine aspect authority, law forestry and law state administration in context cooperation utilization forest still relatively limited.⁷

⁶ Paulus Wisnu Yudoprakoso, "Penggunaan Wewenang Oleh Pejabat Administrasi Negara Dalam Pemberian Ijin Pemanfaatan Hutan Kepada Korporasi Di Wilayah Hutan Konservasi," *Jurnal Paradigma Hukum Pembangunan* 3, no. 3 (2020): 2–26, <https://ejournal.atmajaya.ac.id/index.php/paradigma/article/view/1940/996>.

⁷ Bagas Jaya Putra, "Implementasi Perjanjian Kerjasama Tripartit Dalam Pengelolaan Wana Wisata Rintisan Kedungpupur Blora" (Universitas Negeri Semarang, 2021), https://www.academia.edu/61367812/Implementasi_Perjanjian_Kerjasama_Tripartit_Dalam_Pengelolaan_Wana_Wisata_Rintisan_Kedungpupur_Blora.

Condition the show existence gap necessary research filled through study more laws in- depth research about cooperation utilization forest for tour nature in the work area Perum Perhutani Central Java Regional Division becomes important for evaluate suitability ongoing practice with principle legality, certainty law and accountability management state forests.⁸

Based on description said, research this leading where analysis in a way juridical cooperation utilization forest for tour nature in the work area Perum Perhutani Central Java Regional Division, in particular related authority Perum Perhutani, procedures giving agreement cooperation, as well as suitability practice cooperation with provision regulation applicable laws and regulations. Research this expected capable give contribution theoretical for development study law forestry and law state administration, as well as contribution practical as material evaluation and formulation of cooperation models utilization equitable, sustainable and sustainable forests certainty law.

Metode

Study this is study law with approach juridical normatively compiled in a way descriptive approach juridical normative in study this used for study provision the laws that govern utilization state forests for activity tour nature, especially that which is below management Perum Perhutani as a state-owned enterprise in the field of forestry. Research this put law as norms analyzed through regulation legislation, principles law and doctrine relevant laws.

Research location focused on the work area Perum Perhutani Central Java Regional Division, with object study in the form of cooperation utilization forest for tour nature. Research data consists of on primary data

⁸ Hartoyono, "Perjanjian Kerjasama Pemanfaatan Hutan Antara Bumdes Wiguna Utama Dengan Perum Perhutani Kph Pemalang" (Universitas Pancasakti Tegal, 2024), <https://repository.upstegal.ac.id/9708/>.

and secondary data. Primary data is obtained through interview with party Perum Perhutani Central Java Regional Division which has authority in the field law and management cooperation utilization area forest. Secondary data obtained through studies literature to regulation legislation in the field of forestry, management forests, as well as literature law in the form of books, journals scientific, and results study relevant previous.

Data collection was carried out through technique interviews and studies document. Interview used for get description about implementation cooperation utilization forest for tour nature, whereas studies document done with examine regulations and documents related laws with authority Perum Perhutani and mechanisms cooperation. Data obtained then analyzed in a way qualitative with interpret norm law and relate it with practice management tour nature that occurs in the field.⁹ Analysis done in a way systematic for evaluate suitability between provision the law and its implementation, as well for interesting conclusion in a way juridical.

Hasil dan Pembahasan

1. Authority and Duties Perum Perhutani Central Java Regional Division in Manage Utilization Forest For Tour Natural Based on Applicable Legal Provisions

Management area state forests for interest tour nature by Perum Perhutani Central Java Regional Division is based on the principle state control over source power natural as confirmed in Pasal 33 ayat (3) of the 1945 Constitution of the Republic of Indonesia. Provisions the positioning the country as holder authority highest in regulation, management and supervision source power nature to the greatest extent prosperity people.

⁹ Sapto Haryoko, Bahartiar, and Fajar Arwadi, *Analisis Data Penelitian Kualitatif (Konsep, Teknik, & Prosedur Analisis)*, 1st ed. (Makassar: Badan Penerbit UNM, 2020), https://eprints.unm.ac.id/20838/1/buku_Sapto_Metodologi.pdf.

In context forestry, state control is not always done in a way directly by the government, but rather can be implemented through State-owned enterprises that obtain special assignment. This pattern is a form of implementation of the function of the state in public economic management. With this, the involvement of Perum Perhutani's own legitimacy and clear constitutional legitimacy become the foundation for beginning to evaluate the authority of management of nature in the area of state forests.¹⁰

As a state-owned enterprise in the field of forestry, Perum Forestry gets its base authority operational through Regulation of the Government Number 72 of 2010 concerning State Forestry Public Companies (Perum). This regulation confirms that the scope of activities that include forest management, preparation of management plans, utilization of forests, rehabilitation, protection of forests, as well as conservation of nature. In the framework mentioned, utilization of the service environment including tourism is an integral part of state forest management. This means that the activities of tourism cannot stand as a separate activity, but rather are part of a comprehensive management system. Provisions of this can give certainty that tourism activities have a positive legal basis. With this, the authority is not solely based on internal company policies, but rather is recognized as normative regulation legislation.¹¹

Arrangements about forest utilization for environmental services are also closely related to provisions in regulation legislation in the field of forestry. In forestry law, forest utilization is differentiated into utilization areas, utilization of the service environment, and collection of forest products. Tourism is qualified as part of the service environment that must still guard the main function of the forest. Therefore, the implementation must not change forest allocation or damage

¹⁰ Abdul Rauf and Weny A. Dunga, *Tanggung Jawab Sosial Dan Lingkungan Pada BUMN*, ed. Khaerul Ikhwan, 1st ed. (Banten: CV. AA. RIZKY, 2020), https://repository.ung.ac.id/get/karyailmiah/10076/BUKU_Tanggung-Jawab-Sosial-dan-Lingkungan-pada-BUMN.pdf.

¹¹ *Peraturan Pemerintah Nomor 72 Tahun 2010 Tentang Perusahaan Umum (Perum) Kehutanan Negara*.

balance ecological principles sustainability become standard main in every form utilization. This is show that authority Perum Perhutani limited by norms substantive that prioritizes protection forest.

Development policy forestry national show existence shift paradigm from management based production wood going to approach multi-business forestry. Approach this integrate function economic, social and environmental in a way balanced. Tourism natural viewed as alternative diverse capable business increase mark economy forest without cutting down tree. In context said, Perum Forestry own not quite enough answer for optimize potential service environment in a way professional. However optimization the no may ignore function protection and function conservation. With thus, the authority that is owned always is at in limitation principle caution.¹²

In structure organization Perum Perhutani, authority taking decision is on the Board of Directors as a company organ. Board of Directors own authority attributes attached to the position based on provision law companies and state-owned enterprise regulations. Although thus for ensure effectiveness management, part authority the distributed to the unit below. Corporation Perhutani Central Java Regional Division is one of the implementing units that received authority through mechanism delegation. Distribution authority this aim speed up the retrieval process decision without remove supervision center. With thus, the system authority nature tiered and controlled.

Based on Regulation Board of Directors Number 06/PER/DIR/02/2024, the Head of the Regional Division was given authority for give agreement cooperation utilization forest with limit value and term time certain. Provisions the reflect existence restrictions

¹² Layardi, Febryanti S. "Aspek Kontraktual Perjanjian Kerjasama Pengelolaan Lahan Perhutani Dengan Pihak Ketiga Dalam Alih Fungsi Hutan Menjadi Obyek Wisata Alam," *Jurnal Hukum Istimbath* 20, no. 1 (2023): 197–207, <https://ejournal.penerbitjurnal.com/index.php/law/article/view/318>.

authority in a way firm.¹³ Restrictions this important as form internal control in management separated state assets. Collaboration that goes beyond limit certain still must get agreement Board of Directors center. Mechanism this show existence balance between decentralization operational and centralization supervision. With thus, the authority of the Regional Division is limited However strategic.

From the perspective law state administration, delegation authority the can qualified as delegation administrative.¹⁴ Delegation done for reason efficiency and effectiveness, but not quite enough answer end still is at the disposal of the giver delegation. Therefore that, every Regional Division actions in give agreement cooperation still is at in framework accountability institutional Perum Perhutani. Concept this in harmony with principle legality that requires that every action government must own base legitimate authority. With thus, the decision was taken own legitimacy administrative. This is at a time emphasize that management tour natural no done in a way arbitrary.¹⁵

In context law administration, distribution authority between Board of Directors The center and Regional Divisions also reflect implementation principle decentralization functional in the body of a state-owned enterprise. Although no identical with decentralization government area, pattern this show existence distribution competence based on efficiency of the work area. Central Java Regional Division, which has characteristics area forest production and forests protected with potential tour different, require room taking responsive decisions to condition local. Without mechanism delegation, approval process cooperation potential experience obstacle bureaucratic which is

¹³ Peraturan Direksi Nomor 06/PER/DIR/02/2024 Pedoman Kerja Sama Pengelolaan Hutan Perum Perhutani.

¹⁴ Chintya Rachma Hudaya et al., "Peran Hukum Tata Negara Dalam Pengelolaan Kawasan Hutan," *Jurnal of Law and Justice* 1, no. 4 (2024): 1–13, <https://doi.org/https://doi.org/10.47134/ijlj.v1i4.2546>.

¹⁵ Muklis, "Kewenangan Pemerintahan Dalam Perspektif Hukum Administrasi Negara," *Jurnal Kajian Hukum* 7, no. 1 (2026): 2022–27, <https://jurnal.bundamedia grup.co.id/index.php/iuris/article/1153/664>.

precisely reduce effectiveness management.¹⁶

However thus, the delegation authority the still must placed in corridor principles general good governance (AUPB), in particular principle accuracy, principle openness, and principles accountability. Every decision agreement cooperation must based on adequate technical data as well as study objective environment. If principles the ignored, then decision administrative potential sued through mechanism state administrative courts.¹⁷ With thus, the structure existing authority no only nature internal administrative, but also has implications juridical external.

In in practice, Perum Perhutani Central Java Regional Division carries out function administrative at a time substantive. In terms of administratively, the Regional Division receives and processes submission cooperation from candidate partners. In substantive, the Regional Division carries out evaluation on eligibility law and eligibility business from plan said. Assessment covers suitability with function area, plan management forest term long, and provision applicable regulations. Stages this show there is a systematic verification process. With thus, the authority exercised no nature formality solely.

Agreement cooperation provided by officials authorized in principle own character as decision internal administrative matters. The decision become base birth connection contractual between Perum Perhutani and partners cooperation. Therefore that, management tour natural be at the intersection between law public and law private. Public law arrange aspect authority and management state assets, whereas law private arrange rights and obligations of the parties in agreement.

¹⁶ Inka Cyntiya Sulastin and Dea Vania Utami, "Tinjauan Hukum Tata Cara Pemberian Persetujuan Kerja Sama Yang Memiliki Nilai Strategis Tertentu Badan Pelaksanaan Badan Otoritas Pengelola Kawasan Pariwisata Borobudur Dengan Badan Usaha Dan Lembaga Atau Pihak Terkait," *Jurnal Magister Hukum Argumentum* 8, no. 2 (2022): 106–18, <https://doi.org/https://doi.org/10.24123/argu.v8i2.2231>.

¹⁷ Herlin Budiono, *Asas Keseimbangan Bagi Hukum Perjanjian Indonesia* (Bandung: Citra Aditya Bakti, 2006).

Interaction two regime law this demand caution in preparation and implementation cooperation with thus, every step must consider dimensions comprehensive juridical.¹⁸

Structure hierarchical authority also functions as mechanism prevention abuse authority. Restrictions mark cooperation and term time become instrument control so that decisions strategic still is at in supervision Board of Directors center. System this reflect implementation principle accountability and transparency in governance company. In context management state forests, internal supervision becomes very important remember managed objects is national wealth. Therefore that, control authority is part from protection interest public.

Perum Perhutani Central Java Regional Division also carries out function supervision preventive to implementation cooperation tour nature. Evaluation done For ensure activity tour no deviate from plans that have been approved. Supervision this covers aspect technical, administrative, and environmental. If found violations, there are mechanism corrective in accordance provision internal agreements and regulations. With thus, the authority no stop at the stage agreement beginning. Function supervision become part important in guard consistency implementation law.

If compared to with management tourism on land government area or land society, there are difference fundamental in construction authority. In the area managed state forests Perum Perhutani, authority no only based on ownership or mastery land. Authority are also subject to the regime law Forestry and state-owned enterprise law. Complexity this create layer more regulations diverse compared to cooperation

¹⁸ Ade Evi Pebriaty and Bambang Arwanto, "Optimalisasi Penerapan Prinsip Transparansi Dalam Pengelolaan Perum Perhutani," *Of Administration, Governance, and Political Issues Journal* 1, no. 1 (2024): 23–38, <https://journal.pubmedia.id/index.php/jagpi/article/2452/2827>.

normal.¹⁹

Study this show that the authority of the Regional Division is not just implementer technical, but rather part from system taking decisions that impact management national wealth. Every agreement cooperation own implications to mark economy areas and sustainability function forest. Therefore that, caution law become principle main in its implementation. Decision taken must can accountable in a way administrative and moral. With thus, the authority the own dimensions strong public.

In a way overall, authority and duties Perum Perhutani Central Java Regional Division in management tour natural has own base clear and structured laws. Authority the sourced from mandate constitutional, detailed in regulation government, as well as operationalized through regulation board of directors. Structure hierarchical authority reflect system controlled and accountable management. Its implementation is at in corridor principle sustainability and protection function forest. With thus, management tour natural no just activity business, but rather part from implementation the function of the state in mastery source power nature.

Besides as mandate normative, authority Perum Perhutani in manage tour nature in the area state forests can also analyzed through approach theory the function of the state in welfare state perspective. In welfare state doctrine, the state does not only functioning as a regulator, but also as perpetrator economy strategic aim ensure distribution benefits source power natural in a way evenly distributed. Assignment to state-owned forestry companies is form concretization from the role of the state as perpetrator economy every companies operating in the sector economy non- financial businesses, which remain is at in corridor

¹⁹ Yogi Indra Permana, "Perjanjian Kerjasama Dalam Pengelolaan Lahan Wisata Aik Mencerit Antara Pemerintah Kabupaten Lombok Timur Dengan Masyarakat Pengelola Wisata Di Desa Pringgelsela" (Universitas Muhammadiyah Mataram, 2022), <https://repository.ummat.ac.id/5279/1>.

law public. With thus, involvement Perum Perhutani no just operationalization technical, but also manifestation state responsibility in ensure balance between exploitation economics and conservation environment.²⁰

Authority it must also be read in framework principle public trust doctrine, namely doctrine that places the state as holder trust on source power natural for interest generation present and future generations coming. In perspective this, Perum Perhutani as implementer state mandate does not own freedom absolute in determine direction utilization area. Every policies and decisions cooperation must consider aspect justice intergenerational equity, so that sustainability function forest still guaranteed. This is strengthen argumentation that the authority of the Regional Division is not authority private corporation, but rather authority public in nature fiduciary.

From the corner governance perspective corporation, management tour nature also contains risk legal risk and risk reputational risk. Considering managed objects is state forests, every error in taking decision can cause perception negative to commitment preservation environment. Therefore that, the authority given to the Regional Division must always balance with system management integrated risk. This is includes internal audits, periodic monitoring, and evaluation performance partners cooperation with thus, the authority the no only legitimate in a way normative, but also managed in a way prudent.²¹

Through construction such law, can confirmed that authority the no stand alone, but rather is part from system integrated law between law public and law private. Its implementation based on principle legality, accountability, and sustainability. With thus, management tour natural state forests have legitimacy strong law throughout implemented in

²⁰ Alam Setia Zain, *Hukum Lingkungan Konservasi Hutan* (Bandung: Rineka Cipta, 2010).

²¹ Fenny Budi and Rahayu Subekti, "Aspek Hukum Pemanfaatan Hutan Lindung Untuk Tempat Wisata," *Jurnal Komunikasi Hukum* 7, no. 2 (2021): 540–49, <https://doi.org/https://doi.org/10.23887/jkh.v7i2.37986>.

accordance applicable provision. Analysis this at a time confirm position strategic Regional Division in guard balance between interest economy and conservation forest.

2. Management Utilization Forest For Tour Nature by Perum Perhutani Central Java Regional Division has In accordance with Principles and Legal Provisions Regarding Utilization Forest

Management area state forests in essence no can released from construction constitutionally affirmed in Pasal 33 ayat (3) of the 1945 Constitution of the Republic of Indonesia. This norm put earth, water and wealth nature contained therein in state control for used as much as possible for prosperity people. The concept of "controlled by the state" in doctrine Indonesian constitutional law does not interpreted as ownership in meaning private , but rather as authority public (public authority) which includes function regulation (regelendaad), administration (bestuursdaad), management (beheersdaad), and supervision (toezichthoudensdaad).²² With thus , the state is not owner in understanding civil, but rather holder mandate constitutional for ensure that management source power natural implemented for the benefit of general and sustainability.²³

In sector forestry, principles control of the country implemented through arrangement in Constitution Number 41 of 1999 concerning Forestry as has changed with Constitution Number 19 of 2004 concerning Determination Government Regulation Replacement Constitution Number 1 of 2004 concerning Changes to the Law Number 41 of 1999 concerning Forestry Become Law. Law this confirm that area

²² Arief Yohan Pratama et al., "Analysis of Conservation Forest Land Use by the Community in an Agrarian Political Perspective (Case Study of Tungkal Jaya District, Musi Banyuasin Regency)," *Journal of Education, Social and Humanities* 4, no. 6 (2025): 9530–37, <https://doi.org/https://doi.org/10.56799/peshum.v4i6.12746>.

²³ Layardi, Febryanti S. *Op.Cit.*, 202.

managed state forests for ensure sustainability function ecological, social and economic.²⁴ Therefore that, every form utilization forests, including for activity tour nature, must placed in framework preservation function area and not may leading to change allocation or over function area forest.

In a way institutional, management state forests by Perum Perhutani own base law in Regulation Government Number 72 of 2010 concerning the State Forestry Public Company (Perum) . In Pasal 1 number 5 is emphasized that management forest covers forest management activities, preparation plan management, utilization forests, rehabilitation and reclamation, as well as protection and conservation nature. Provisions this show that utilization forest is not activity additional, but an integral part of mandate management provided by the state to business entities owned by the country.

As arranged in Pasal 3 ayat (3) of the regulations government the confirm that management state forests consist of on forest management activities, utilization forests, rehabilitation and reclamation, as well as protection and conservation nature. Significance norm this lies in the placement of “utilization forest” as one of the element essential management, so that activity economy based on service environment including tour natural in a way normative is at in scope legitimate authority. Provisions Pasal 3 ayat (5) even give legal basis that activity utilization forest can cooperated.²⁵ This norm is legitimacy explicit for scheme cooperation in utilization service environment, throughout still is at in limitation law forestry and not bother function ecological area.

From the perspective theory authority in law state administration, authority Perum Perhutani for do cooperation is authority derived from attribution provided by regulations legislation. The authority exercised by the Regional Division is form internally regulated delegation more

²⁴ Undang-Undang Republik Indonesia Nomor 41 Tahun 1999 Tentang Kehutanan.

²⁵ Peraturan Pemerintah Nomor 72 Tahun 2010 Tentang Perusahaan Umum (Perum) Kehutanan Negara.

carry on in regulations company. Regulations Board of Directors Number 06/PER/DIR/02/2024 concerning Management Cooperation Guidelines Forest Perum Perhutani give authority to Head of Regional Division for give agreement on proposal cooperation in accordance with limit value and term time certain. Pasal 54 ayat (1) letter a regulations the in a way firm arrange capacity taking decisions at the regional level.²⁶

Restrictions authority the for example agreement cooperation worth commercial until with IDR 1 billion and/ or term time two year show existence internal control mechanisms designed for prevent occurrence abuse authority. In principle legality, every action administrative must based on legitimate authority and not may beyond specified limit. If regional officials act outside limit said, then the resulting decisions potential contain disabled authority (detournement de pouvoir or ultra vires). With thus, the structure distribution authority in the environment Perum Perhutani reflect principle restrictions power (limitation of power) as characteristics of a state based on law.

Findings empirical through interview with Perum Perhutani Central Java Regional Division shows that in in practice all over cooperation utilization tour natural implemented with referring to the regulations applicable laws and regulations, including regulations forestry, state-owned enterprise regulations, and provision about state revenue is not tax procedures cooperation covering stages submission proposal, study eligibility, evaluation aspect law and business, signing pact integrity, up to publishing letter agreement before agreement signed. Structure this show existence two layers of legitimacy decisions administrative as base authority public and agreements as instrument law private.²⁷

²⁶ Peraturan Direksi Nomor 06/PER/DIR/02/2024 Pedoman Kerja Sama Pengelolaan Hutan Perum Perhutani.

²⁷ Kuncoro (Kasi Madya Hukum) Wawancara Dengan Peneliti Di Perum Perhutani Divisi Regional Jawa Tengah, 13 Februari 2026.

Structure the two layers strengthen position law cooperation, because no solely depending on the principle freedom contract as arranged in Pasal 1320 of the Civil Code , but also subject to the norms law public regulators the object, namely area state forests.²⁸ Freedom contract in context this no nature absolute. Contents of the agreement no may contradictory with function area forest, provisions technical development means tourism, as well as principle preservation environment. If agreement beyond limits permitted by law forestry, then the consequences no only in the form of default, but can also implications administrative even criminal.

In in practice, results interview confess existence mismatch in a number of implementation cooperation. Mismatch the generally related with fulfillment obligation financial or technical operational by partners cooperation. In law agreement, conditions the can qualified as default. However because the object concerning area state forests, deviations no only dimensionless private, but also multidimensional public. Deviation to room scope agreement administrative potential cause consequence in the form of revocation permission, termination cooperation, or sanctions administrative other.²⁹

Nonconformities found in practice is also necessary analyzed through perspective enforcement law administrative. In theory pyramid enforcement law, sanctions administrative ideally implemented in a way gradually start from reprimand, warning written, freezing, until revocation agreement. Approach gradually this allows correct without direct cut off connection cooperation, but still give effect deterrent for negligent partners. Implementation proportional sanctions become indicator important that management has walk in accordance principle due process of law which is the principle fundamental law that

²⁸ R. Subekti and R. Tjitrosudibio, *Kitab Undang-Undang Hukum Perdata*, ed. Joni Tesmanto (Jakarta Timur: PT Balai Pustaka (Persero), 2002).

²⁹ Kuncoro (Kasi Madya Hukum) Wawancara Dengan Peneliti Di Perum Perhutani Divisi Regional Jawa Tengah, 13 Februari 2026.

guarantees treatment fair, equal and procedural in system justice for every individual, prevent action arbitrary state apparatus.³⁰

The most crucial issue in utilization area forest for tour natural is potential occurrence over function area in a way hidden activities the original tour based service environment can develop become development intensive and potentially physical reduce function ecological forest. Therefore that, the limitation development facilities and infrastructure tour become instrument important normative for guard balance between function economy and function ecological. Regulation technical from ministry related limit type and scale development so as not to change character area.

From the perspective theory development sustainable, utilization forest for tour must fulfil dimensions sustainability ecological, economic, and social in a way simultaneous. Contribution to income companies and communities around reflect dimensions economic and social, but sustainability ecological still is condition the main thing that is not can compromised. In framework this, cooperation tour natural can assessed legitimate in a way juridical throughout implemented in limit authority, procedures, and substance determined by regulations legislation.³¹

In a way overall, analysis strengthened normative with findings empirical show that management utilization area forest for tour nature by Perum Perhutani Central Java Regional Division in principle has own base law adequate and mechanisms structured implementation. Challenges main no lies in emptiness regulation, but rather on

³⁰ Febriyani Habib Susetyawati, Afifuddin, and Retno Wulan Sekarsari, "Tuban Dalam Pengembangan Objek Wisata Akar Langit Trinil (Studi Kasus Di Desa Sendangharjo Kecamatan Brondong Kabupaten Lamongan)," *Jurnal Respon Publik* 15, no. 7 (2021): 39–47.

³¹ Sadino, *Mengelola Hutan Dengan Pendekatan Hukum Pidana : Suatu Kajian Yuridis Normatif*, ed. Rahman Purwoko et al., 2nd ed. (Jakarta: Biro Konsultasi Hukum dan Kebijakan Kehutanan (BKH-2K), 2017), https://repository.uai.ac.id/wp-content/uploads/2021/11/Mengelola-Hutan-dengan-Pendekatan-Hukum-Pidana_Buku-SADINO-revisi-11-April-2017.pdf.

consistency implementation and effectiveness supervision. With thus, the suitability law must understood as dynamic conditions, which require implementation sustainable principle legality, accountability, and prudence in every stages cooperation.

In legal framework, cooperation utilization tour natural no is form over function area, but rather implementation authority utilization service environment legalized by regulations legislation, as long as still is at in limit normative which has been set.

In a way normative, no can found conflict regulations in a way explicitly prohibiting utilization forest for tour natural throughout is at in category service environment. However dynamics policy forestry national that continues develop demand adaptation sustainable. Therefore that, suitability law is not static condition, but rather a continuous evaluative process. Perum Perhutani Central Java Regional Division needs to ensure that every policy cooperation always updated follow change regulations, including policy multi-business forestry and state- owned enterprise governance reform.

With thus, the conclusion that management has in accordance with principles and provisions law must understood in context compliance continuous compliance, not just compliance a moment at a time agreement signed, but as commitment institutional that continues tested through implementation, supervision, evaluation, and adjustment to dynamics regulations and conditions facts in the field. Ongoing compliance this demand consistency implementation principle prudence, transparency, and accountability, so that work whe same utilization area forest for tour natural still is at in corridor law at a time ensure protection function ecological forest in a way term long.

Conclusion

Based on the research results, the authority of the Perum Perhutani Regional Division of Central Java in the cooperation for the utilization of forest areas for nature tourism has a clear legal basis, ranging from constitutional provisions to internal corporate regulations. Its implementation combines the public law regime through administrative decisions and the private law regime through cooperation agreements that regulate the rights and obligations of the parties. Although in general the practice has complied with the applicable laws and regulations, there are still potential inconsistencies, particularly in the aspects of supervision and limitations of authority, which require further attention.

Study this recommend strengthening system internal supervision, improvement transparency in giving agreement cooperation, as well as evaluation periodically to implementation tour natural use ensure still awake function ecological area forest. A cooperative model based on principle legality, accountability, and sustainability need keep going developed so that utilization forest for tour natural No deviate from objective state control over source power natural for as much as possible prosperity people.

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