

Missing Ecocentrism in Indonesian Mining Law: Social and Environmental Justice Challenges in Development Governance

ABSTRACT

Indonesia's resource-rich mining industry is mercilessly despoiling its environment due to a glaring absence of ecocentric safeguards. Inadequate spatial planning compounds this calamity. Scholars uncover a litany of environmental horrors – deforestation, marine pollution, waste crises, ownership disputes, and human rights violations. Indonesia's commitment to the 1972 Stockholm Declaration clashes with legislative chasms, especially in Mining Business Area (WIUP) regulation. The Omnibus Law's 2020 arrival ignites a fierce battle: ecology vs. profit. Deregulation unleashes rampant mining, imperiling habitats, soil, water, and biodiversity. Balancing growth and nature tests Indonesia's mettle. Crucially, academic research is essential for policy alignment. A shift toward ecocentrism is urged, with spatial planning preceding WIUP issuance to quell legal conflicts. Conflicts stemming from investments, evictions, and land seizures surge, affecting countless lives and vast land areas. Fostering social and environmental justice in Indonesia hinges on confronting these dire challenges. The study deploys a dual approach: conceptual research methodology develops and reinterprets ecocentrism theories, with a focus on Article 172B of Indonesian Law No. 3 of 2020, guided by legal experts in administrative, mining, spatial planning, and environmental law.

Keywords: ecocentrism; environmental Justice; omnibus law

1. Introduction

From a geological and geographical perspective, Indonesia boasts an abundance of natural resources amenable to exploitation for mining purposes (I. N. Rachman, 2016; Sloan & Ugandhy, 1994). However, the mining of minerals and coal in the country has begotten deleterious consequences, often sidelining environmental preservation considerations (Friederich & van Leeuwen, 2017; Hayati et al., 2021; Pratiwi et al., 2021; Timsina et al., 2022). A case in point is the operations of PT Gema Kreasi Perdana (GKP) on Wawonii Island, situated within the Konawe Islands Regency, Southeast Sulawesi Province, Indonesia. This entity lays claim to Mining Business Licenses (Izin Usaha Pertambangan - IUP) No. 83 of 2010 and No. 82 of 2010, which were conferred by the Ministry of Energy and Mineral Resources (Kementerian Energi dan Sumber Daya Mineral-ESDM). Regrettably, these activities have catalyzed a litany of detrimental outcomes. These include the degradation of coastal ecosystems, disruption of the delicate ecological balance on small islands, the emergence of intra-community disputes, the criminalization of residents voicing opposition to mining endeavors, degradation and destruction of vital water sources, and contamination of water quality in seven rivers (CNN Indonesia, 2022; Ridwanuddin, 2022). The genesis of these ecological tribulations can be traced to the lamentable dearth of attention accorded to spatial planning, an indomitable pillar within the overarching ecological framework (Mukaryanti et al., 2006). In addition, erudite scholars in Indonesia have succinctly delineated the multifaceted environmental conundrums concomitant with mining activities in the country. These encompass the distressing specter of deforestation, the invidious specter of marine pollution, the ubiquitous challenge of managing waste, the intractable morass of ownership disputes, and the burgeoning human rights imbroglios that beleaguer the sector (Hajad, 2021; Syah, 2017; Ula, 2018; Wahyuni & Suranto, 2021).

Indonesia's environmental imperatives are underpinned by the venerable Stockholm Declaration of 1972 (Robertua & Bainus, 2018). Notwithstanding Indonesia's formal endorsement of this pivotal international accord, it is manifest that legislative rubrics and regulatory paradigms still betray considerable lacunae in terms of providing efficacious support for the hallowed principles of environmental sustainability. This lacunae is most conspicuous in the domain of Mining Business Area (Wilayah Izin Usaha Pertambangan - WIUP) regulation. It is incumbent upon the authorities to instigate an unequivocal reappraisal of extant WIUP regulations, as the prevailing delineations fundamentally fail

to encompass the cardinal tenets of ecocentric spatial planning, a principal and venerated facet of sustainable environmental management.

To date, the discourse on environmental sustainability principles has evolved into a debate encompassing both theoretical perspectives and policy implementations (Akamani, 2020). This debate finds its origins in the contrasting viewpoints of deep ecology and shallow ecology, as introduced by Arne Naess. Subsequently, these perspectives have undergone further development through the mobilization of societal practices within the deep ecology movement and the shallow ecology movement, notably popularized by Fritjof Capra (Gare, 2014; Satmaidi, 2015). The discussion has increasingly focused on several critical aspects, including intrinsic value versus instrumental value, long-term sustainability versus short-term gains, holistic approaches versus partial approaches, and structural change versus surface-level changes. These perspectives persist and exert a significant influence on environmental policies, activism, and academic deliberations concerning responses to global environmental crises and degradation. This is substantiated by the presence of numerous environmental organizations, researchers, and activists, particularly in Indonesia, who endeavor to seek a middle ground or integration between these two approaches by employing hybrid approaches that incorporate elements from both paradigms. The repercussions of this ongoing debate are also discernible within the legal sphere, which bifurcates these issues into two streams: modern environmental law, emphasizing environmental-oriented regulations, and classical environmental law, focusing on use-oriented laws. This division is particularly noteworthy in Indonesia. Within this context, novel concepts such as ecocracy and green constitution have emerged and have been implemented in various countries, including Ecuador (Nurjaya, 2007).

In the context of this debate, the application of environmental sustainability principles becomes highly relevant to the legal dynamics in Indonesia. The enactment of the Job Creation Law, commonly known as the Omnibus Law, in 2020 marked a significant shift in the regulatory framework for environmental law in Indonesia. As a bold step in the economic and legal reform of Indonesia, the Omnibus Law aims to simplify convoluted regulations, eliminate regulatory overlaps, and streamline the bureaucratic procedures that formerly burdened the business sector. The ratification of the Omnibus Law has created conspicuous dynamics in the realm of environmental law in Indonesia. However, perspectives regarding the impacts of the Omnibus Law are characterized by controversy. Some argue that the deregulatory measures taken within the Omnibus Law may open doors to resource exploitation and adverse environmental consequences (Anggono & Firdaus, 2020). On the other hand, proponents contend that efforts to ease licensing procedures and reduce bureaucracy can stimulate investment and economic growth, which can, in turn, support environmental sustainability initiatives (Alexander, 2020).

The debate surrounding the Omnibus Law reflects the underlying tension in the global discourse between the deep ecology and shallow ecology approaches. On one hand, there is a tendency to uphold environmental preservation principles by emphasizing the necessity of strict regulations to prevent overexploitation of natural resources and detrimental environmental impacts. On the other hand, economic and growth arguments assert that deregulatory measures can trigger industrial development and economic well-being. However, what needs to be underscored is the pursuit of a balance between these two perspectives. The expansion of space for investment and economic growth must be accompanied by a strong environmental responsibility. The implementation of wise and sustainable environmental policies is paramount to ensure that economic growth does not harm vital ecosystems crucial for long-term sustainability. In this context, the Omnibus Law becomes a litmus test for Indonesia's ability to integrate environmental aspects into economic and legal reform endeavors.

In the years to come, the outcomes of this debate and the implementation of the Omnibus Law will become increasingly evident. The government, along with other stakeholders, must commit to reaching agreements that benefit both the environment and sustainable economic development (Mahy, 2022). In this regard, academic studies and diligent monitoring will play a pivotal role in tracking the policy impacts and advocating measures that uphold the principles of environmental sustainability.

Moreover, the consequences of the Omnibus Law's endorsement have been increasingly evident as the extractive industries, particularly mining, have been given a significant degree of latitude to operate, even in ways that may contravene established environmental protections. This has raised legitimate concerns about the potential for the law to be exploited and utilized as a means to circumvent environmental regulations, thereby jeopardizing the well-being of Indonesia's natural habitats and ecosystems. The Omnibus Law's provisions, which simplify and expedite the process of obtaining mining permits, have facilitated a considerable surge in mining activities. While proponents argue that this may boost economic growth and job creation, the environmental toll cannot be ignored. It's crucial to recognize that the rapid expansion of mining operations, often in ecologically sensitive areas, has been associated with significant environmental degradation. In practice, the ease of obtaining mining permits has led to a proliferation of mining activities across Indonesia. The consequences of this are multifaceted and profound. First and foremost, the rapid increase in mining operations has put enormous pressure on the environment. Ecosystems are being disrupted or, in some cases, completely destroyed. Aquatic habitats, terrestrial ecosystems, and forests are all vulnerable to the impact of unregulated mining activities.

This has led to concerns about habitat loss and fragmentation, soil erosion, water pollution, and deforestation. These environmental issues have far-reaching consequences, affecting biodiversity, local climate patterns, and even the livelihoods of communities that depend on these ecosystems for their sustenance. Additionally, the unchecked expansion of mining operations can exacerbate issues of land conflicts and social tensions as local communities find themselves at odds with mining companies operating in their vicinity. The Omnibus Law, which aimed to streamline bureaucratic procedures and encourage investment, must be accompanied by rigorous environmental safeguards and thorough assessments of the potential consequences of such rapid growth in the mining sector. Striking a balance between economic development and environmental preservation is essential, and it is critical that the government takes swift and effective action to monitor and enforce regulations to prevent further environmental deterioration (Setia Negara et al., 2023).

In this context, academic research plays a pivotal role in providing evidence-based insights and recommendations for policy adjustments. The government, in collaboration with experts and stakeholders, must reassess the regulatory framework to ensure it adequately protects the environment while promoting sustainable economic growth. It is imperative to work towards a future where development and ecological preservation go hand in hand, securing a harmonious and prosperous future for Indonesia. The research at hand seeks to bolster efforts in establishing a more ecocentric perspective in the determination of Mining Business Permit Areas (Wilayah Izin Usaha Pertambangan or WIUP) as the fundamental basis for issuance. In this context, it is crucial to underscore that land-use planning within the mineral and coal mining sector has traditionally been predicated on relevant sectoral legal frameworks. Nevertheless, fundamental issues emerge concerning legal hierarchies when sectoral laws clash with spatial plans. From an academic and rational perspective, the concept of spatial planning in a broader context should serve as the reference point preceding the issuance of WIUP. This viewpoint aligns

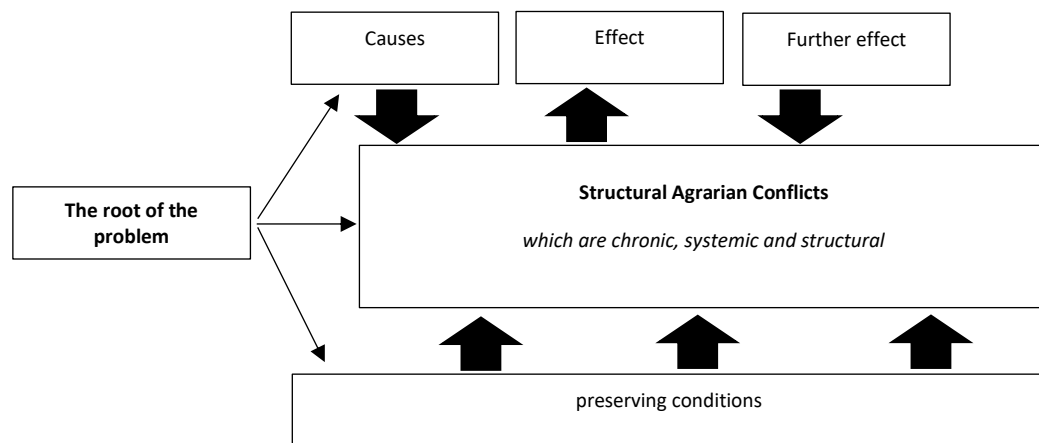
with the position mandated in Law Number 26 of 2007, which is the statutory regulation governing such matters(Rohmadanti et al., 2022).

The evolving legal issues in Indonesia are intimately intertwined with development and investment concerns within the monoculture plantation sector. Investment issues involving business entities, whether from the public or private sectors, lacking clear legal guidance, have significantly impacted land grabbing practices, evictions, or at the very least, revealed imbalances in the treatment of such investments and the business sector. In this context, this issue becomes highly salient, especially when juxtaposed with the increasing number of conflicts that have become a social reality on the ground. Statistical data indicate that at least 212 conflicts occurred in 2022, directly impacting 346,402 households and encompassing conflict land areas of 1,035,613 hectares, distributed across 459 village or city locations throughout Indonesia. These facts illustrate a rather significant increase compared to the previous year, 2021, which recorded only 198,895 affected individuals and conflict land areas of approximately 500,062 hectares across Indonesia(Tempo.co, 2023).

This information underscores the imperative need for a more ecocentric approach in the determination of WIUP and the larger context of land use planning. Furthermore, it accentuates the pressing demand for clear legal guidelines and regulations in the business and investment sectors, which would be instrumental in averting the environmental and social consequences wrought by unregulated practices. The legal framework in Indonesia needs to address the ecological interdependence of the land, ecosystems, and communities and strike a balance that protects nature's intrinsic value and human interests. The challenges that arise from the conflicts in monoculture plantations epitomize the broader concern surrounding the environmental ethics, sustainable development, and equitable investment needed to address these intricacies. In the wake of the Omnibus Law's enactment, the evolution of this issue is indicative of the dynamic interplay between business interests and environmental preservation, offering a complex case study for academics and policymakers alike. Further research and policy reforms are essential to navigate this intricate terrain, ultimately shaping Indonesia's environmental, economic, and legal landscapes in the years to come(Mongabay.co.id, 2023).

The chain of explanations regarding agrarian conflicts in Indonesia that exhibit chronic characteristics, are systemic in nature, and have spread widely, refers to structural agrarian conflicts that have persisted over time and continue due to the absence of evaluation and improvement processes for decisions made by public officials allocating land, natural resources, and residential areas of communities to large enterprises for the purposes of production, extraction, and conservation. This process is continued by public officials with authority such as the Minister of Forestry, the Head of the National Land Agency, the Minister of Energy and Mineral Resources, regents, and governors, driven by various interests, including rent and economic growth. As a result, the granting of permits and rights to large business entities or major projects is carried out continuously(N. F. Rachman, 2013). Here is the framework for understanding the causes, effects, conditions that perpetuate, and the root causes of structural agrarian conflicts:

TABEL 1!



Explanatory framework for the causes and effects of structural agrarian conflict, the conditions that perpetuate it and the root of the problem(N. F. Rachman, 2013)

Thus far, scholarly exploration of the ecocentric paradigm within the realm of environmental issues, especially in the context of mining, has consistently unveiled three pivotal areas of concern. Firstly, the intricate interplay between ecology, environmental preservation, and mining is frequently intertwined with the prevailing legal framework and the dynamics inherent in law(Hayati, 2011; Laksminarti, 2017; Mundzir, 2019; White, 2018). The influence of legal mechanisms in shaping environmentally-conscious policies cannot be overstated.

Secondly, the embrace of the ecocentric paradigm is notably subject to the impacts of free-market dynamics and the global climate change discourse(Bailey & Wilson, 2009; Bonnes et al., 2011; Grendstad & Wollebaek, 1998; Heath & Gifford, 2006; Humaida, 2019; Schultz et al., 2000). Thirdly, ecological concerns in Indonesia are intricately linked with religious facets of society and the assessment of their intrinsic worth(Geofrey & Samekto, 2021; Keong & Onuma, 2021; Prianto et al., 2021). It is clear that the attentiveness to ecological issues correlates with the population's level of literacy(Umam, 2022).

Notably, within these three trends, it becomes discernible that systemic environmental concerns tied to regulations and jurisdiction predominantly accentuate an anthropocentric viewpoint. However, the evolution of environmental problems in the context of extant legal regulations presents an opportunity to approach a more ecocentric (ecocentrism) perspective—an alternative narrative within the predominantly human-centered framework(Thompson & Barton, 1994).

The principal objective of this article is to address the gaps existing in prior research, where the ecocentric approach has been insufficiently incorporated into policy formulation processes, and the perspective regarding the right to a healthy environment has been underemphasized in policy implementation. In accordance with this aim, this article endeavors to introduce the concept of ecocentrism into the policy-making domain and cast light on the ideological considerations enveloping the enforcement of regulations. Furthermore, this article offers a critical assessment of the prevailing trend of capital accumulation facilitated by the exploitation of natural resources through extant legal

frameworks and regulations in Indonesia. Additionally, it questions the surge of investment campaigns in infrastructure development that might jeopardize the environmental state and the sustainability of the ecosystems it hosts. In addressing these questions, this research is poised to provide a profound understanding of the ecocentric approach in the decision-making and legal implementation processes in Indonesia. It is anticipated that this knowledge will enrich perspectives in the fields of law, human rights, and the right to a healthy environment.

Prioritizing an ecocentric approach to spatial planning in legal decision-making manifests the government's commitment to improving environmental conditions, especially amid the global climate crisis affecting numerous nations, including Indonesia. The implementation of the ecocentric concept within the realm of legal interpretation can significantly mitigate issues related to environmental degradation and natural resource exploitation. The justification for this ecocentric approach rests upon three fundamental arguments. *Firstly*, the adoption of the ecocentric approach in policy implementation, particularly within the mining sector, can reduce the financial burdens allocated for environmental restoration due to mining activities. This approach aids in forestalling environmental damage, thus curbing the economic repercussions associated with rehabilitation efforts. *Secondly*, highlighting the principle of the right to a healthy environment is a vital component in reshaping the regulations of mining permits, especially concerning the establishment of ecocentric-based Spatial Planning Area Determinations. By placing the right to a healthy environment at the core of spatial planning, it contributes to a comprehensive and ecologically sustainable approach to mining permit allocation. *Thirdly*, the implications and meanings of mining permit allocation, as stipulated in Article 172B of the Republic of Indonesia Law No. 3 of 2020, which amends Law No. 4 of 2009 regarding Mineral and Coal Mining, are not always explicitly articulated in official explanations. This ambiguity leads to unclear and non-concrete interpretations of mining permit regulations. Consequently, this ambiguity in defining the permit allocation process, specifically one based on ecocentric-oriented Spatial Planning Area Determinations, engenders procedural challenges and issues in permit management. In essence, embracing the ecocentric approach within legal decision-making processes is not only a testament to the government's commitment to environmental well-being but also a strategic path to alleviate environmental concerns, optimize financial resource allocation, and provide much-needed clarity in mining permit regulations, ultimately contributing to the sustainable management of Indonesia's natural resources and ecosystems (Ramadhan & Rafiqi, 2021).

In this context, this research reinforces the argument that the meaning of mining permit allocation, as stipulated in Article 172B of the Republic of Indonesia Law No. 3 of 2020, which amends Law No. 4 of 2009 regarding Mineral and Coal Mining, lacks detailed explanations within the regulation. This gap in the regulatory exposition leads to an incomplete and non-concrete understanding of the essence of mining permit regulations. Consequently, there is an ambiguity in the procedures and implementation of mining permit management based on ecocentric-oriented Spatial Planning Area Determinations. Furthermore, it creates a conflict between two principal interests: the interests of business actors in the mining sector and the interests of environmental preservation that require safeguarding. The concept of ecocentric-oriented Spatial Planning Area Determinations refers to achieving specific criteria, such as (1) establishing a balance between natural and artificial environments while considering the protection of spatial functions; (2) preventing negative environmental impacts resulting from spatial utilization; and (3) fostering effective integration in the utilization of natural and artificial resources, with special attention to human roles within ecosystems. This article makes a significant contribution to the development of ecocentric legal approaches and aids in addressing what is often a normative debate in confronting the

environmental crisis challenges posed by the mining sector. The analysis presented here underscores the need for precise and concrete legal definitions within mining permit regulations, while advocating for an ecocentric framework in spatial planning that harmonizes the interests of both mining businesses and environmental preservation. This balanced approach offers a robust path forward for Indonesia's mining sector, aligning it with ecocentric principles and addressing the pressing challenges of environmental crises.

2. Method

The background issue at the center of this study involves a legal inquiry examined through a conceptual research methodology. During this phase, the researcher develops novel concepts and reinterprets the ideas or theories of ecocentrism that serve as guiding principles for addressing environmental concerns. The conceptual approach is utilized by the researcher to scrutinize the concepts or theories that elucidate or depict the issues related to the neglect of an ecocentric approach in the regulation of mining permits. Furthermore, this approach also establishes connections between pertinent theories and the environmental issues at hand. To be more specific, the conceptual approach employed in this study is used to formulate concepts embedded within Article 172B of the Indonesian Law No. 3 of 2020 on Amendments to Law No. 4 of 2009 concerning Mineral and Coal Mining. This approach is underpinned by legal principles, legal theories, legal doctrines, and the perspectives of legal experts, particularly those specializing in administrative law, mining law, spatial planning law, and environmental law.

In addition to employing the conceptual approach, this research also adopts a historical approach to comprehend the historical background of the formation of regulations related to mining permit areas. Through the analysis of mining regulations that have been in effect from the pre-independence era to the post-independence period, the historical approach provides a profound understanding of the evolution and changes in the regulation of mining permit areas over time. This approach aids in revealing policy changes, paradigm shifts, and historical contexts that have influenced the development of mining law in Indonesia. The application of both of these approaches is expected to provide a more profound understanding of legal issues within the context of environmental management, particularly regarding issues related to mining permits and ecocentric approaches.

3. Result

3.1. The Ecocentrism Legal Paradigm

Ecocentrism is a perspective or paradigm that places the natural environment at the center of attention and considers everything within an ecosystem to possess intrinsic value, independent of the benefits it may offer to humans. Within this framework, ecosystems and all living beings therein are seen as having rights to sustainability, protection, and respect that do not solely rely on human interests. This concept forms the foundation for what is known as "ecocentrism." In the legal context, the ecocentrism legal paradigm is an approach or legal paradigm based on these ecocentric principles. The aim of the ecocentrism legal approach is to address the dominance of anthropocentric views in the law, where humans are placed at the center, and natural resources are often considered merely as tools to fulfill human needs. The ecocentrism legal paradigm seeks to treat the natural environment as an entity with rights and interests that should be acknowledged and protected by the law, not solely as a resource that can be exploited solely for human benefit.

In light of the issues previously discussed, this review establishes the critical need to shift the legal paradigm towards ecocentrism. It emphasizes that ecosystems and all living beings should be recognized as having intrinsic value and rights to sustainability, protection, and respect under the law, irrespective of

their instrumental utility to humanity. Furthermore, this review highlights the urgent necessity of moving beyond anthropocentrism, which tends to prioritize human interests over ecological ones, and advocates for a more balanced legal framework. In this context, the ecocentrism legal paradigm stands as a vital and morally justifiable approach in a world grappling with complex environmental challenges. It aligns with the principles of preserving the environment and ensuring its continuity, not only for the welfare of humans but also for the intrinsic value and rights of the natural world (Bekoff, 2014).

The ecocentrism legal approach advocates for the protection and preservation of the natural environment as its primary objective, even when it contradicts human economic or business interests. This reflects an awareness of the importance of maintaining ecosystem balance and biodiversity on Earth, as well as ensuring the long-term quality of human life. In practice, the ecocentrism legal paradigm encourages the development of regulations and policies that prioritize environmental conservation and sustainability over mere human interests. The ecocentric paradigm is founded on the principles of natural equilibrium, disaster consciousness, and moral awareness, promoting solidarity to collectively rectify behavior that could potentially harm the environment.

Ecocentric behavior necessitates social rules in the form of law enforcement and policy implementation aimed at fostering ecological conduct. Nations that have moved away from exploitative practices have demonstrated an improvement in their citizens' quality of life. The communities residing within these regions are capable of healthy competition, experience reduced stress levels, enjoy longer and happier lives, and often achieve higher levels of civilizational advancement.

The ecocentric paradigm is anchored in the principles of natural balance and maintains a profound awareness of potential disasters. It fosters a strong moral consciousness within communities, collectively addressing behaviors that might harm ecosystems. The ecocentric viewpoint is rooted in the belief that nature possesses intrinsic value deserving of respect and protection. Ecocentric behavior transcends individual awareness; it requires robust social regulations through law enforcement and policy implementation that support ecological behavior change. Nations that have embraced ecocentric practices in environmental management tend to witness an improved quality of life for their populations. In such environments, communities can engage in healthy competition, reduce stress, enjoy longer life expectancies, and often achieve higher levels of civilizational progress. In the current global context, the ecocentric paradigm remains highly relevant in efforts to maintain global ecosystem balance and address the climate change threats that jeopardize life on Earth. The awareness of the importance of respecting nature and adopting ecocentric behaviors serves as the initial step towards environmental preservation and an enhanced quality of life for future generations.

3.2. Sustainable Mining in Indonesia

The concept of sustainable mining stands as a crucial topic in Indonesian legal literature and encompasses four key aspects that warrant consideration (Ekatjahjana et al., 2019); *Improvement of Governance*: One of the primary elements in the concept of sustainable mining revolves around enhancing governance in the mining industry. This entails endeavors to boost transparency, accountability, and ethical conduct within mining operations. *National Interest Advocacy*: The concept of sustainable mining emphasizes the paramount importance of safeguarding national interests within mining activities. This involves aspects such as increasing the state's revenues from the mining sector and formulating policies that support the sustainable use of natural resources. *Legal Certainty and Investment Facilitation*: To achieve sustainable mining, it is imperative to establish strong legal certainty and create a conducive investment environment. These are indispensable to foster long-term investments in the mining sector. And *Environmental*

Management: A pivotal aspect within the concept of sustainable mining is the responsible management of the environment. This includes provisions that mandate mining operators to provide reclamation bonds before commencing exploration and stipulate sanctions for legal breaches to ensure environmental compliance. Under the prevailing legal framework, violations of these provisions may lead to financial penalties and, in extreme cases, imprisonment for up to five years for the offenders.

By adhering to these principles, the mining sector aims to operate more sustainably, accommodating both national interests and environmental protection (Arsyiprimeswari et al., 2021). This multifaceted approach reflects the acknowledgment that sustainability in mining is not solely about economic gains but necessitates adherence to ethical principles and environmental stewardship. Sustainable mining, in this context, emerges as a complex interplay of legal, economic, and environmental factors, all of which contribute to a balanced approach in mineral resource management (Pardede et al., 2021).

3.3. The Significance of Environmental Protection in Mining Operations for Sustainable Development

The mining of mineral resources has played a significant role in advancing the goals of sustainable development (SDGs) (Rosid et al., 2022). Ensuring synergy between legal norms and environmental preservation can be realized through a comprehensive monitoring process concerning mining licenses (Jufri Dewa, 2023). In Indonesia, the Law Number 32 of 2009 on Environmental Protection and Management holds the primary objective of ensuring the proper protection and management of the environment. This legislation comprises nine crucial aspects that warrant attention:

1. *The Right to a Good Environment*: Every individual possesses the right to a good and healthy environment, emphasizing the importance of safeguarding environmental quality.
2. *Participation in Decision-Making*: The right of every individual to participate in decision-making processes related to the environment.
3. *Environmental Impact Assessment*: The obligation to conduct Environmental Impact Assessments for activities that have the potential for significant and substantial environmental impacts.
4. *Environmental Requirements in Licensing*: The responsibility of licensing authorities to incorporate environmental requirements when granting licenses for activities with significant and substantial environmental impacts.
5. *Environmental Dispute Resolution*: The acknowledgment of mediation and arbitration as options for resolving disputes related to the environment.
6. *Civil Liability*: The recognition of strict civil liability for compensation in cases of environmental impact.
7. *Legal Status of Environmental Organizations*: The recognition of the legal status of organizations dedicated to environmental matters.
8. *Environmental Investigators*: The presence of environmental investigators to handle environmental violations.
9. *Criminal Offenses and Corporate Responsibility*: The recognition of criminal offenses and corporate responsibility in the context of the environment.

By carefully considering these nine aspects, the enforcement of this law can contribute to the creation of a more sustainable environment and the protection of environmental interests. It reinforces the essential linkage between legal norms and environmental preservation, a fundamental aspect of achieving sustainable development in mining activities. Furthermore, it aligns with the broader ethos of

upholding the principles of ecocentrism in legal frameworks, which are essential for attaining the broader objectives of sustainable development. This intrinsic connection between mining, law, and environmental preservation underscores the importance of embracing an ecocentric legal perspective to navigate the complex landscape of mining in Indonesia (Rachmat, 2022; Yuliana, 2022).

3.4. Environmental Management for Sustainable Resource Utilization

The management of environmental resources is underpinned by a commitment to safeguard the fundamental rights of Indonesian citizens and create a healthy environment, as mandated in Article 28H of the 1945 Constitution (Pawestri, 2019). In conjunction with environmental ethics, environmental management places a significant emphasis on respecting nature and the environment (Sembiring, 2019). To curtail environmental degradation, environmental audits play a pivotal role in the prevention of pollution and environmental damage (Jayakusuma, 2015). The commitment to environmental preservation is closely intertwined with operational performance and its relationship with the community. This commitment is also linked to risk management and the motivation for compliance with existing regulations (Andersen & Bams, 2022).

Environmental management in a manner that favors environmental preservation is fortified by an understanding of environmental knowledge and aims to maximize the effectiveness of environmental management (Tung et al., 2014). The adoption of environmental management principles has ushered in a novel approach for the sustainable and responsible management of natural resources and the environment. This concept seeks to maintain a balance between human needs and environmental protection, ensuring that these resources can be enjoyed by both current and future generations. The framework of environmental management includes the identification of environmental issues, environmental planning and policies, the implementation of formulated plans and policies, monitoring and evaluating the effectiveness of these actions, and active community engagement in resource management. This environmentally conscious approach, aligned with ecocentrism, reinforces the overarching connection between law, mining, and environmental preservation. It is a vital paradigm to ensure the harmonious coexistence of mining operations and the protection of the environment (Dancer, 2021).

4. Discussion

4.1. The Absences of Ecocentrism

The absence of ecocentrism within the intricate web of corporate interests, political figures, and policymakers in Indonesia has perpetuated corruption and resulted in dire consequences for the country's natural resources and environmental governance. This lack of ecocentrism has sowed the seeds of bad governance, where vested interests dominate decision-making processes, leading to exploitation and degradation of the environment. In the Indonesian context, corporate entities often hold significant influence over political leaders and policymakers, and in some cases, these corporate interests even overlap with political roles. This close relationship between the corporate sector and political figures has, at times, overshadowed ecocentrism in policy formulation and implementation. Decisions are often skewed towards profit maximization rather than ecological preservation. Such a scenario creates fertile ground for corruption, as the pursuit of profit at any cost takes precedence over the well-being of the environment. Corruption further exacerbates the situation, eroding transparency, accountability, and ethical conduct in the mining sector. Political figures and policymakers may accept bribes or provide undue favors to corporations, undermining the principles of environmental stewardship. The result is a

lack of robust regulations, minimal enforcement of existing rules, and a culture of impunity. This state of affairs perpetuates environmental degradation, social inequality, and economic injustice, all while corporate interests continue to thrive. The impact on the governance of natural resources is profound. Despite the wealth generated from mining activities, the benefits are often concentrated in the hands of a select few, leaving local communities disenfranchised and vulnerable. The lack of ecocentrism also translates into inadequate resource management, as decisions prioritize short-term economic gains over the long-term sustainability of natural resources (Donnelly & Bishop, 2007). As a result, biodiversity is compromised, ecosystems are disrupted, and the well-being of indigenous populations is undermined. The absence of ecocentrism, coupled with corruption, perpetuates an unjust system of resource extraction, in which the rich get richer, and the environment and marginalized communities bear the brunt of the consequences. To address this situation, Indonesia must undergo a paradigm shift that places ecocentrism and environmental justice at the core of decision-making (Kopnina, 2016). This transformation should include robust anti-corruption measures, stringent ethical guidelines for policymakers, and a commitment to sustainable resource management.

Based on Indonesia's development agenda behind the implementation of the Omnibus Law, the dynamics among corporations, the state, and marginalized communities underscore a critical concern - the distortion of ecocentrism and its consequences on governance, particularly concerning natural resources. These dynamics reveal a power play where economic interests and political influence often take precedence over ecological and social concerns. Corporations, primarily motivated by profit, have a substantial influence on the development agenda. Their collaborations with political figures shape policies in ways that favor their interests. The investor-friendly environment promoted by the Omnibus Law caters to corporate demands, but this approach typically sidelines ecological considerations and the rights of marginalized communities (Setia Negara et al., 2023). This is emblematic of an anthropocentric worldview, prioritizing economic prosperity over environmental preservation and social justice. The state, while entrusted with the responsibility of achieving a balanced development that safeguards the environment and promotes social welfare, can be swayed by corporate actors and political pressures. The regulatory concessions and permitting ease brought by the Omnibus Law further empower corporations, potentially at the cost of weakened environmental protections and marginalized community rights. The state's inability to resist corporate influence underscores the conflict between corporate capitalism and ecocentrism. Marginalized communities, often vulnerable to exploitation, suffer the consequences of this power imbalance. They endure environmental degradation from resource extraction, and their land rights, traditional livelihoods, and cultural heritage are often disregarded. The investor-centric approach of the Omnibus Law and development agenda could perpetuate the marginalization of these communities, compounding their social and environmental injustices.

Addressing this complex dynamic is imperative, and it necessitates a comprehensive reorientation of priorities and policies towards ecocentrism. The prevailing paradigm must evolve, moving away from the current anthropocentric, profit-driven perspective that fuels corporate interests and neglects ecological and social concerns. The fundamental shift required here entails a profound commitment to sustainable development, one that unequivocally respects the intrinsic value of nature. In this reorientation, the rights of marginalized communities must be not only recognized but also upheld with the utmost regard. Their social and environmental well-being is inextricably linked to the principles of ecocentrism. By prioritizing their rights, a more equitable and just framework for development can emerge. This realignment is vital to mitigate the injustices and imbalances resulting from the current development dynamics. In sum, the observed dynamics among corporations, the state, and marginalized

communities within the framework of Indonesia's Omnibus Law and development agenda are emblematic of a significant departure from ecocentrism. To navigate this critical juncture successfully, it is imperative to restore ecocentrism to the forefront of policy and decision-making. Only then can development genuinely serve the interests of all stakeholders, ensuring the protection of the environment and the rights and well-being of marginalized communities.

4.2. Capitalism has No Answer

The Indonesian Omnibus Law, as a product of an extractive regime and endorsed by capitalist agendas, reflects a pivotal facet of the nation's development trajectory (Setia Negara et al., 2023). This law, designed to streamline regulations and stimulate economic growth, has inadvertently diverged from the principles of ecocentrism and social justice that are quintessential to a sustainable and equitable future. The essence of capitalism lies in the relentless pursuit of economic growth, a pursuit that fundamentally shapes the dynamics of governance, policy, and decision-making (Blühdorn, 2011). Capitalism's reliance on perpetual economic expansion invariably steers policies toward promoting economic gains and profitability (Harvey, 2007). However, this focus on growth often leads to an oversight of the essential principles of ecological sustainability and social justice (Alexander, 2020; Bekoff, 2014, 2017; Darnthamrongkul & Mozingo, 2020).

The Omnibus Law, driven by a capitalist ethos, mirrors this divergence from the ecocentric paradigm (Setia Negara et al., 2023). While it aims to enhance economic performance and attract investment, the critical consideration of the intrinsic value of nature and the rights of marginalized communities takes a back seat. Instead of prioritizing the well-being of its constituents and adopting policies rooted in the ecocentric paradigm, the law leans heavily toward a model that emphasizes capital growth and economic development (Brown, 2006). This deviation from the ideals of social justice is particularly concerning for marginalized communities who bear the brunt of such policies. These communities are often disproportionately affected by environmental degradation, land dispossession, and a lack of equitable development opportunities. As the policy makers embrace capital-driven growth policies, they risk further marginalizing these vulnerable groups, widening social disparities, and perpetuating injustices.

The development agenda appears far removed from the tenets of ecocentrism and social justice. Instead of integrating an ecocentric paradigm that places intrinsic value on nature and respects the rights of all community members, it gravitates towards a capitalist-driven model, which may stimulate economic growth but fails to address the deeper issues of social equity and environmental sustainability. The outcome is a policy framework that may benefit the economic elite but can have adverse consequences for the marginalized (Anggoro & Dwiranda, 2019). The pressing need is to reorient the development trajectory towards a more inclusive and sustainable paradigm. Integrating ecocentrism and social justice into policy-making is vital to ensure that development benefits all segments of society, regardless of their socio-economic status. This realignment can help address the complex challenges faced by the nation and work towards a more equitable, environmentally sustainable, and socially just future, acknowledging the intrinsic value of nature and the rights of all members of the community (Darnthamrongkul & Mozingo, 2020).

5. Conclusion

In essence, the absence of an ecocentric paradigm within the Indonesian development agenda has steered the nation towards a perilous path of unsustainable development. The prevailing development agenda, increasingly entangled with profit-driven motives, demonstrates a palpable disconnection from ecological

concerns. As this trajectory prioritizes economic gains over environmental ethics, it has become alarmingly evident that the nation's quest for rapid economic growth comes at the expense of environmental sustainability and the well-being of marginalized communities. The failure to integrate ecocentrism into the development agenda engenders an alarming environmental apathy, wherein the intrinsic value of nature is overshadowed by profit-maximization objectives. This ethos perpetuates a pattern of exploitation, where ecological degradation is normalized, and the rights of marginalized communities are routinely disregarded. It engenders a sense of ecological myopia, wherein the long-term consequences of environmental degradation are overlooked in the relentless pursuit of short-term gains. Consequently, the Indonesian development agenda's failure to embrace ecocentrism manifests itself in unsustainable practices, ecological imbalance, and social injustices.

The absence of an ecocentric paradigm has, therefore, rendered Indonesia's development agenda profoundly unsustainable. It necessitates a critical reevaluation of the nation's priorities, with an urgent shift towards a more balanced approach that harmonizes economic development with environmental preservation and the protection of marginalized communities. This requires a conscientious reintegration of ecocentrism into the core of Indonesia's development ethos, where the intrinsic value of nature is respected, and the rights of marginalized communities are upheld. Only through this transformative shift can Indonesia hope to cultivate a truly sustainable development agenda, one that benefits all stakeholders, preserves the environment, and fosters social justice.

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