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Embodying Ecological Policy in Defending the Leuser Ecosystem Area for Sustaining Collective Life Triono Eddy Lecturer of Graduate Law School Muhammadiyah University of North Sumatra (UMSU) Abstract This work is aimed at exploring an appropriate strategy and approach in embodying the ecological policy in defending the Leuser ecosystem area for maintaining the sustainability of collective life. This is highly relevant in light of the Leuser ecosystem functioning as the world lung that supplies and guarantees the availability of the collective sources, such as biodiversity, climate stability, water and so forth. This ecosystem is increasingly pivotal when we found that more than 1,7 million hectares of the Leuser ecosystems had already been destructed. The destruction stemmed from the wrong policy or paradoxical policy of the government, blunder regulation in the form of conflicted norms, legal vacuum, and blurred norms in regulating the Leuser ecosystem. To visualize the above ideas, this study will apply the normative legal research for coherencing the conflicted norms and empirical legal research for measuring the impact of the implementation of the related regulation. In the end, this work will offers a coherence approach in solving the conflicted norms, making relevant laws in addressing the legal vacuum, and reinterpreting the blurred norms in the management and protection of the Leuser ecosystems and the maintenance of sustainability of collective life .*** 1. Introduction The term Leuser Ecosystem Area (LEA) is regulated in the Ministerial Decree No. 227/1995. This Ministerial Decree grants Leuser Ecosystem Area Foundation of Indonesia (LEAFI) the rights to manage national parks, protected forests and production forests, for seven years¹. The supervision of LEA management is carried out by the head of the Leuser Mount National Park (LMNP), Regional Office of Forestry and the Ministry of Forestry. In a further development, LEA is normatively defined as a natural area integrated with the landscape elements covering the special characteristics of flora and fauna, supporting the balance of habitat, biodiversity and other special factors and forming a distinctive environment called Leuser Ecosystem². LEA is a vast conservation area that reaches 2.6 million hectares of its territory, stretching and crossing the two provinces of Aceh and North Sumatra. LEA plays its important role to maintain not only the stability of the global climate but also the sustainability of collective life as it contains biodiversity³ and germplasm so massively.⁴ ISSN 2220-8488 (Print), 2221-0989 (Online) ©Center for Promoting Ideas, USA www.ijhssnet.com Over the years, LEA provides ecological functions such as water supply, protector of landslides, droughts and floods⁵, and climate controls. No doubt LEA has provided enormous benefits to millions of people who live in the vicinity⁶. Although LEA has a significant role, locally, nationally, regionally and globally, it faces obstacles and challenges pertaining to the issue of sustainable conservation and utilization of the area. Many parties appear to have conflicting interests (diametrical⁷ interests) in the area, especially in the utilization of forest products, such as wood, rattan, wildlife, plantation, and agriculture. After the borderlines of LEA were arranged, the Decree of Forestry Minister No. 190/200 endorsed LEA's borderline of 2,255,577 hectares in Nangroe Aceh Darussalam (NAD) was issued. In the meantime, LEA of North Sumatra that covers 394,294 hectares was approved by the Decree of Forestry Minister No. 193/2002. With the publications of these decrees, the total areas of present LEA become 2,639,871 hectares. These two decrees mention that the area of Leuser Mount National Park in NAD becomes 602,582 ha and that of North Sumatra is 226,903 hectares. With reference to the Decree of Forestry Minister No. 276/Kpts-II/997, the width of National Park area now becomes 1,094,692 ha. Here lies a significant difference. Although efforts to conserve ecosystems, species and genetics have been done, the Indonesia laws do not recognize "Ecosystem" as a conservation area. The laws divide conservation areas into nature sanctuary (nature and wildlife reserves) and natural preservation area (national park, forest park and hunting ground). The release of the ministerial and presidential decrees concerning the Leuser Ecosystem Area does not automatically make the above area become a conservation zone. Thus, its protection status still follows the term referred to in the existing definition of ecosystems. This leads to activities that could damage the ecosystem. Such activities run as usual because the regulations cannot touch them. The regulations also cannot take legal action against the perpetrators although they have caused much destruction to the environment. Currently, about 30 percent of the total 2.6 million hectares in the Leuser area, NAD and North Sumatra was heavily damaged by illegal logging and forest encroachment. Thus, it can be figured out that the damage in this area will continually be expanded because previously the damage was calculated only 10 percent. In addition to the protected forest area, the damage also hit the Leuser Mount National Park covering 793 thousand hectares of core area. +The legal problem above was even more worsened by government's paradoxical policies. This can be seen from the governmental policy concerning the idea of developing "Ladia Galaska"⁸. On the one hand, the government wanted to rehabilitate and conserve the Leuser area. On the other hand the government also allows the development of Ladia Galaska project that connects Aceh and other parts of Sumatra (known as trans-Sumatra). This by-pass project did not run smoothly⁹. International Journal of Humanities and Social Science Vol. 5, No. 10; October 2015 In contrast, it surely brought about more severe impacts on the environment¹⁰. So far, the government of NAD has been considered to have passed the law that does not save LEA but worsen the existing situation. The Law No. 41 of 1999 and the Law No. 32 of 2004 on Regional Government and the Constitutional Court decision No. 35 of 2012 on the rights of indigenous peoples have created dual authority in the forestry management.

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Sustaining Collective LifeCompare text this ecosystem is increasingly pivotal when we found that more than 1,7 million hectares of the leuser ecosystems had already been destructed. the destruction stemmed from the wrong policy or paradoxical policy of the government, blunder regulation in the form of conflicted norms, legal vacuum... http://www.ijhssnet.com/journal/index/3316	30%