

Legal Implications for The Regulatory Enforcement of the Patterns of Central and Local Government Relations in the Field of Forestry

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Abstract

The purpose of this study is to determine whether the legal implications of the implementation of the regulation of the relationship between the Central and Regional Government in the forestry sector at this time. This research is a normative legal research with several approaches including the law approach, concept approach, historical approach, case approach and philosophical approach. Legal material analysis techniques are carried out in perspective. The results of the study indicate that the current regulations in the forestry sector are inconsistent in regulating the relationship between the central and regional authorities, Article 18 paragraph (5) of the 1945 Constitution of the Republic of Indonesia, requiring regional governments to exercise as much autonomy as possible, except for other matters that are determined as central government affairs. In the perspective of regional autonomy, the principles of managing forest resources must reflect the nuances of the economy of the community to manage forest resources, as stipulated in the Law of the Republic of Indonesia Number 23 of 2014 concerning Regional Government, not just transferring the authority of affairs to the Regional Government, but more than that is the surrender of autonomous management of forest resources to local communities, especially local indigenous communities as manifestation of the paradigm of community-based forest resource management.

Keywords: Forestry, Central and Local Government, Legal implications, regulation.

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