

Post-Job Creation Amdal Reform: Integration of Transcendental Values and Local Wisdom in Sustainable Development

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Abstract. *This study aims to examine the implications of the AMDAL policy reform in the Job Creation Law on sustainable development, while also offering an integrative model that combines a transcendental approach (prophetic law) and local wisdom. Using a juridical-normative research method with a legislative approach, a conceptual approach, and an analytical approach, this study critically analyzes changes in AMDAL regulations after the Job Creation Law and their impact on environmental protection. The results of the study reveal three main findings: first, the simplification of AMDAL procedures has the potential to reduce the effectiveness of environmental protection; second, there is a gap between the new policy and the principles of sustainable development; third, transcendental values derived from prophetic law and the local wisdom practices of indigenous communities can function as a corrective and complementary mechanism to the shortcomings of the new regulations. The study's conclusions indicate that the reformulation of AMDAL policy needs to consider the integration of transcendental values and local wisdom to create a more holistic environmental protection system. The proposed policy recommendations include: (1) strengthening local community participation in the AMDAL process; (2) internalizing prophetic law principles in implementing regulations; and (3) development of an environmental impact evaluation model based on local values. These findings provide an important contribution to the development of environmental policies that are more responsive to ecological and socio-cultural sustainability aspects.*

Keywords: *Ecological Justice; Environmental Impact Analysis; Job Creation; Local Wisdom; Prophetic Law.*

1. Introduction

Implementing a licensing system in the environmental sector is one way to prevent environmental problems. The requirements of Law No. 6 of 2023 concerning the Enactment of Government Regulation in Lieu of Law No. 2 of 2022 concerning Job Creation into Law (the Job Creation Law) regarding environmental permits have sparked discussions on environmental issues, including Environmental Impact Analysis (AMDAL) (Nur et al., 2021). Because the legal mechanisms used for proactive environmental law enforcement include Environmental Impact Analysis (AMDAL) and Licensing, the Job Creation Law has removed the article concerning permits for obtaining environmental permits. To obtain a business permit, applicants must obtain environmental feasibility approval. The term "Environmental Permit" in the Environmental Management Law has been changed in both nomenclature and substance to "Environmental Approval," which is issued by the Central Government and Regional Governments (Yuniardi et al., 2024).

The development targets that the government wants to achieve are improving the natural resource management system with an environmental perspective to create a balance between the utilization of natural resources as capital for economic growth and the protection of the sustainability of environmental functions as a support for the general life system. (Irawansah et al., 2023; Irawansah & Yuspin, 2022) Therefore, the principle of sustainable development in all sectors, both at the central and regional levels, is a must, where all activities must be based on three pillars of balanced development, namely economically profitable, socially acceptable, and environmentally aware (Devara et al., 2021).

One of the programs for controlling environmental pollution and damage is through various environmental management instruments, including spatial planning, environmental impact studies, and licensing. Therefore, from the outset, when planning a business and/or activity, environmental changes due to the formation of new environmental conditions, whether beneficial or detrimental, must be anticipated as a result of a business and/or development activity (Herlina & Supriyatin, 2021). Therefore, careful consideration of the risks or environmental disturbances to a planned activity is necessary, so that the best decision can be made regarding the activity before it is implemented or continued. This thinking underlies the need for a study on the environmental impact of an activity, hereinafter referred to as an Environmental Impact Analysis (AMDAL) as an effort to study activities that have been and will be carried out to determine what impacts can be detrimental to the activity, then efforts are made to avoid negative impacts (Herlina & Supriyatin, 2021).

The reform of the Environmental Impact Analysis (AMDAL) policy through the Job Creation Law has sparked academic and practical debate regarding the balance between accelerating investment and environmental protection (Hukum et al., n.d.; Winarni, 2022). This policy simplifies the AMDAL procedure by reducing the scope of projects that require AMDAL and reducing evaluation time, which has the potential to erode the

precautionary principle (Wildanu et al., 2023). According to the Agrarian Reform Consortium (KPA), data on environmental and agrarian conflicts following the enactment of the Job Creation Law recorded 295 agrarian conflicts in 2024, an increase of around 21% compared to 241 cases in 2023 (Putri, 2025). The conflict occurred across more than 1.1 million hectares of land, affecting 67,436 families in 349 villages, with the plantation sector (111 cases), infrastructure (79 cases, 36 of which were related to National Strategic Projects), and mining (41 cases) as the main contributors. In addition to widespread environmental damage, the 2024 agrarian conflict was also accompanied by hundreds of cases of violence and criminalization against farmers, indigenous communities, and other vulnerable group (M. Fadillah, 2023; Muhammad & Heriyanto, 2024).

On the other hand, the local wisdom of indigenous communities in managing natural resources, such as the Sasi system in Maluku, is able to reduce over-exploitation of marine resources by up to 60% (Zildjianda et al., 2023). Awig-awig in Bali as a basis for social, cultural and environmental harmony, (Abhiseka et al., 2025; Tina, 2017). Kanayat'n in Temila Landak (Astono et al., 2024; Satria et al., 2024), or the local wisdom of Maja Labo Dahu in Bima which contains the values of balance and prohibition against destroying nature, which is actually marginalized in the logic of this new policy (Furkan et al., 2023).

There are concerns about the potential impact of this regulatory reform, as it will facilitate the issuance of low-quality and inadequate AMDALs. The lack of public oversight over the AMDAL issuance process is a primary cause of this. Public oversight is a crucial component of AMDAL issuance that must be considered (Yuniardi et al., 2024). Regulations regarding the responsibility of forest utilization business permit holders for forest fires have been eliminated, AMDAL permits in the industrial sector have been eliminated, and wage regulations in the Job Creation Law have also been removed. Another moral flaw in the Job Creation Law is that it was enacted solely based on the government's wishes and lacked public consultation and transparency, thus being seen as disrespectful to the prevailing democratic system (Bintarto & Uwais Alqarni, 2021).

Sustainable development in Indonesia faces complex challenges following the enactment of the Job Creation Law, particularly in environmental management through the Environmental Impact Analysis (AMDAL) instrument. The AMDAL policy reforms in the Job Creation Law, which simplify procedures, shorten evaluation times, and reduce the scope of projects requiring AMDAL, have sparked a debate over investment efficiency and ecological protection (Febianti, 2022). Data from the Ministry of Environment and Forestry (2023) shows a 40% increase in cases of environmental damage related to national strategic projects, while at the same time, local wisdom systems such as Sasi in Maluku or Awig-awig in Bali, which have been proven to maintain sustainability, are being marginalized.

This situation demonstrates the imbalance between the anthropocentric approach of positive law and transcendental values (prophetic law) and holistic local wisdom. This research, addressing this urgent situation, aims to analyze the gaps in the Environmental Impact Assessment (EIA) regulations in the Job Creation Law and to offer an integrative model that combines transcendental principles with participatory local mechanisms (local wisdom). The significance and purpose of this research lie in bridging the interests of economic development and ecological sustainability, as well as filling the gap in the literature on environmental law in Indonesia.

2. Research Methods

The Normative Legal Research Method was used in this study. The legislative, conceptual, and analytical approaches were chosen to address the research problem. First, the legislative approach was chosen in accordance with Peter Mahmud Marzuki's view that a legislative approach helps researchers understand the hierarchy and principles of legal regulations (Marzuki, 2021). The statutory approach is used as an analytical tool in exploring normative sources in the form of primary, secondary, and tertiary legal materials governing AMDAL. Primary legal materials are in the form of laws and regulations, namely: 1) Law No. 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation into Law; 2) Law No. 32 of 2009 concerning Environmental Protection and Management; and 3) Government Regulation (PP) No. 22 of 2021 concerning the Implementation of Environmental Protection and Management. Secondary legal materials are in the form of books and scientific journals that represent previous research on the concept of AMDAL, transcendental, and local wisdom. Tertiary legal materials are in the form of sources from legal websites such as hukumonline.com.

Second, the conceptual approach is based on the views and doctrines that have developed in legal science (Marzuki, 2021). The conceptual approach in this research focuses on the concept of reform in AMDAL which has been updated from previously meaning "Environmental Permit" to "Environmental Approval". It also focuses on the integration of transcendental concepts and values as well as local wisdom as a solution concept to the problems in the research. Third, the analytical approach to the legal materials used in this research is to understand the meaning contained in the terms used in the legislation conceptually, as well as understanding their application in practice and legal decisions. (Ridwan, 2023a, 2023b)

The legal materials collected were processed through inventory, identification, classification, and systematization. The analysis used in this study employed qualitative analysis methods, namely interpreting the processed legal materials (Soekanto, 2020). The use of this interpretation method aims to interpret the law, whether the legal material, especially primary legal material, contains gaps in legal norms, conflicting legal norms or unclear legal norms (Muhaimin, 2019).

3. Results and Discussion

3.1. Post-Job Creation AMDAL Reforms for Sustainable Development

Law No. 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation into a Law that came into effect on March 31, 2023, several provisions therein are considered contrary to morality, namely the existence of various regulations that can lead to human rights violations and impunity, including: 1) Elimination of regulations regarding the responsibility of forest utilization business permit holders for forest fires (amendment to Article 104 of the Forestry Law); 2) Elimination of AMDAL permits for industries that have the potential to violate the right to a healthy environment (amendment to Article 104 of the Industrial Law); 3) Wage regulations in the Job Creation Law are eliminated and delegated to the PP on work protection; 4) Discrimination against teachers/lecturers who graduated from other state universities, lecturers or teachers from other countries are not required to have a teacher certificate (amendment to the Teachers and Lecturers Law) (Bintarto & Uwais Alqarni, 2021). The elimination of Building Permits (IMB) and Environmental Impact Analysis (AMDAL) as environmental instruments is an interesting issue to study.

Based on Government Regulation Number 22 of 2021 concerning the Implementation of Environmental Management and Protection, an Environmental Impact Analysis (AMDAL) is a study of significant impacts on the environment through a critical review of project planning and serves as a prerequisite for decision-making regarding the implementation of businesses and/or activities. An AMDAL identifies the negative and positive impacts of each development activity or project, as well as their impacts on people, property, and the environment. It also identifies measures to mitigate negative impacts while maximizing positive ones (Juniatmoko et al., 2023).

The primary objective of the EIA process is to encourage consideration of environmental issues in planning and decision-making, ultimately resulting in more environmentally sound actions. EIA is essentially a preventative process. It aims to minimize adverse environmental impacts and mitigate risks. A proper EIA can effectively manage environmental safety throughout all stages of a project's planning, design, construction, operation, monitoring and evaluation, and decommissioning (Juniatmoko et al., 2023).

Licensing issues are one of the investment-related problems that need to be addressed (Sudarwanto & Kharisma, 2020). Therefore, the government, through the Job Creation Law, is simplifying licensing processes. One form of licensing simplification is the elimination of environmental permits. This measure is claimed to simplify licensing and is expected to facilitate investment without sacrificing the quality of spatial planning and the environment. This effort certainly contradicts the Sustainable Development Goals. On the one hand, pollution and environmental damage remain among Indonesia's major problems and challenges that remain unresolved (Sudarwanto & Kharisma, 2020).

Environmental problems are still unresolved problems until now, environmental pollution and environmental damage are a major threat and challenge for the Indonesian Government in the field of the Environment (Wildanu et al., 2023). The following are substantive weaknesses in the AMDAL regulations following the Job Creation Law, along with their implications: (Undang-Undang Republik Indonesia Nomor 6 Tahun 2023, 2023).

- 1) Oversimplifications that Weaken Environmental Protection
 - a. Elimination of the AMDAL requirement for certain projects (Article 24A) that previously required an AMDAL. For example, projects in industrial areas deemed "low-risk" now only require an UKL-UPL (*Environmental Management Plan*), even though they have the potential to cause cumulative impacts.
 - b. Reducing the processing time from 75 days to a maximum of 35 days (Article 26) risks reducing the quality of scientific studies.
- 2) Weakening of Public Participation
 - a. Restricting the Space for Community Participation by only providing opportunities for "directly impacted" communities to provide input (Article 26 paragraph 3) ignores the principle of environmental democracy.
 - b. The objection mechanism is complicated by complex administrative requirements. This has resulted in the marginalization of indigenous communities, as in the case of the Batang Toru hydroelectric power plant, which ignored local protests.
- 3) Unclear National Strategic Project Criteria
Projects designated as "nationally strategic" (Article 25) are often exempt from in-depth AMDAL (Environmental Impact Assessment) studies, citing accelerated development. For example, a nickel mining project in Morowali for EV batteries has actually led to deforestation and marine pollution.
- 4) Lack of Sanctions and Supervision
 - a. Sanctions for AMDAL violations are no longer regulated in detail in the Job Creation Law, but are delegated to the derivative PP.
 - b. Weak Oversight. Monitoring authority is delegated to local governments without adequate budgetary and human resource support.
- 5) Neglect of Local Wisdom and Transcendental Dimension
 - a. There is no mechanism to integrate local systems (such as Sasi or Awig-awig) into the AMDAL process.
 - b. Anthropocentric Approach: The AMDAL in the Job Creation Law only focuses on economic impacts, not ecological or socio-cultural ones.
- 6) Contradictions with the Principles of Sustainable Development
 - a. Regulatory Dilemma: The Job Creation Law contradicts Indonesia's commitments to the 2030 SDGs (Goal 15: Life on Land) and the Paris Agreement.
 - b. 2023 Ministry of Environment and Forestry data: 60% of projects with "simple" AMDALs actually give rise to environmental conflicts.

Environmental permits, which should have been implemented as a preventative measure against environmental damage, are no longer included in the substance of the Job Creation Law. One such requirement is the Environmental Impact Assessment (EIA), which would have been a factor in decision-making regarding the implementation of

activities and/or businesses, which was also eliminated in the Job Creation Law. EIA, which is a study in the planning stage of activities and/or businesses, should have been a preventative measure against environmental damage. The elimination of EIA was carried out in order to simplify licensing, as stipulated in Regulation of the Minister of Environment and Forestry of the Republic of Indonesia P.24/MENLHK/SETJEN/KUM.1/7/2018 concerning Exceptions to the Obligation to Prepare an Environmental Impact Analysis for Businesses and/or Activities Located in Regencies/Cities that already have Detailed Spatial Planning Plans (RDTR) (Sudarwanto & Kharisma, 2020). As an environmental document in the context of environmental permits, RDTR cannot replace AMDAL.

Another aspect that has come under scrutiny is the role of public space and access, particularly in the AMDAL preparation process. Amendments to Article 26 Paragraph (2) of the Job Creation Law stipulate that in the AMDAL document preparation process, only the communities surrounding the directly impacted location are involved in the consultation process. This means that only residents living near the production area can express their views, approval, and input on the AMDAL process (Assa et al., 2024). In fact, the impact of environmental damage extends beyond exploitation sources or operational activities upstream, to downstream ones that impact the wider community. Within the environmental ecosystem, there is no administrative government that divides regions into compartments, due to its holistic and comprehensive nature (Suntoro, 2021).

Law No. 32 of 2009 concerning Environmental Protection and Management (Undang-Undang Republik Indonesia Nomor 32 Tahun 2009, 2009), in general provisions, Sustainable Development is defined as a conscious and planned effort that combines environmental, social and economic aspects into a development strategy to ensure the integrity of the environment, safety, welfare, capabilities and quality of life of the community now and in the future (Sudarwanto & Kharisma, 2020).

The major implications that will be felt in the future are prolonged environmental pollution and damage, waste of natural resources, triggering conflicts between communities, and obstacles in implementing development in accordance with the principles of environmentally conscious sustainable development (Sudarwanto & Kharisma, 2020). If development tends to prioritize only economic interests, without considering environmental permits as a preventative measure, it is actually dangerous and threatens investment stability. In its study, the World Bank emphasized that poor environmental management will impact the economy and poor communities (Sudarwanto & Kharisma, 2020).

3.2. Integration of Transcendental Values and Local Wisdom in Environmental Impact Analysis

1) Integration of Transcendental Values in Environmental Impact Analysis

The scientific crisis in positivism gave rise to the research school "Transcendental Phenomenology," which, according to Husserl, the source of scientific truth lies not in "deductive logic" thinking, but in direct observation (the real world)/the life world/the world of common experience/lived experience. Schutz calls this the "world of everyday life." (Tamangkeng & Maramis, 2022). According to Roger Garaudy, transcendentalism is defined from three perspectives: first, recognizing human dependence on its creator. The attitude of self-sufficiency, which views humans as the center and measure of all things, contradicts transcendence. Transcendence overcomes human vices, such as greed and overpowering lust. Second, transcendence means recognizing the continuity and common measure between God and humans, meaning that transcendence relativizes all power, wealth, and knowledge. Third, transcendence means recognizing the superiority of absolute norms that transcend human reason (Absori, 2017).

Transcendental law in the development of legal science emphasizes the integration of legal science and religion, which fills the gap in the world of science according to the postmodernist school. In this context, science is understood from a broader perspective, encompassing ethics, morals, and religious spiritual values. Within this, religion plays a crucial role in understanding law and legal science from a broad or holistic perspective (Absori, 2017). Various environmental disasters occur one after another, starting from damage, pollution, and natural disasters that occur everywhere.

The accumulation continues to increase year after year. Damage to coral reefs, forests, and air pollution (rivers, soil, and air) has reached a significant level. All of this is related to human behavior that views nature as a commodity to be exploited without considering the environmental carrying capacity, which can experience degradation (Absori et al., 2017). For example, the reform of the Environmental Impact Assessment (EIA) regulations in the Job Creation Law is considered to have an impact on future environmental sustainability. Several provisions in the Job Creation Law clearly illustrate that the government is solely focused on the country's economic growth, without considering the ease of investment permits that have a negative impact on the environment and can cause misery for the public in general. One area of concern in the Job Creation Law is the regulation of environmental permits for businesses. Various provisions in the Job Creation Law have limited a number of provisions in investments that are related to the environment. Now, investment permits are no longer uniform, but rather risk-based. Similarly, several changes have been made to the EIA assessment procedures.

Environmental damage is a sign of disharmony in the relationship between humans and the physical environment. This disharmony manifests itself in the "arbitrary" treatment of the environment. Humans treat the environment beyond its own limits, causing it to become "sick" and disrupting life processes. The environment no longer provides for human needs and is no longer a "partner" in human life itself (Halim & Zainuddin, 2019). Recently, the world has been filled with discussions about the so-called global crisis. Humanity is increasingly aware that all crises on earth are not solely caused by material

reasons, but rather by transcendental ones, due to humanity's perspective on nature. The modern world no longer possesses a spiritual horizon. Schumacher also firmly stated that the failure of the modernist project, marked by various crises, is due to the lack of religious involvement (Abd. Aziz, 2019).

Tracing all these 'exploitative' human actions, it is revealed that the main cause is the human perception of itself as 'superior' and placing the environment as an 'inferior' aspect. This view has implications for human actions that place the environment as a 'caretaker' for human well-being, as an 'inanimate' object and not as a complementary partner. The above view in positivism is a manifestation of instrumental rational knowledge. The essence of this knowledge is that everything always has a purpose and considerations based on calculations that must be achieved effectively and efficiently (Halim & Zainuddin, 2019). So this requires humans to make efforts to achieve their life goals by leaving the existence of other entities, especially the existence of the natural environment.

In Mulla Sadra's thinking on Transcendental Theosophy, he views all entities in this world as possessing their own "value," including "stones." Each entity gains "value" when it has a "relationship" with other entities. This means that human value is realized when it is related to the inherent value of other entities, such as the natural environment. Based on this Transcendental Theosophy perspective, the relationship between humans and the environment can be realized harmoniously and in balance for the survival of both (Halim & Zainuddin, 2019).

1) Integration of Local Wisdom Values in Environmental Impact Analysis
Environmental Impact Assessment (EIA) and local wisdom have a complex relationship, one of synergy and tension. Ideally, both share the same goal: preserving the environment. EIA serves as a safeguard to prevent adverse environmental impacts resulting from company planning and operations. Furthermore, EIA serves as a mechanism to proactively reduce environmental pollution, as mandated by law. Therefore, obtaining an Environmental Impact Analysis (EIA) is a mandatory prerequisite for obtaining an environmental permit in Indonesia (Yuniardi et al., 2024).

AMDAL, as a modern legal instrument, is designed to predict and mitigate the impacts of development projects. Local wisdom, such as the Sasi system in Maluku, is a local wisdom or customary system that includes prohibitions and restrictions on the extraction of natural resources (both at sea and on land) within a certain timeframe. There is also Awig-awig in Bali, a set of customary law rules or local wisdom that regulates community life, particularly in traditional villages. These rules serve to maintain peace, tranquility, and comfort within the community, as well as to control community life in traditional village areas. These two examples of local wisdom have proven effective in maintaining ecological balance through generations through customary rules and spiritual values. However, in practice, AMDAL often ignores the participation of local communities, which are actually facilitated by local wisdom. For example, the Job Creation Law, which

simplifies AMDAL procedures, tends to marginalize the role of traditional institutions, as is the case with mining projects in Halmahera that ignore customary rights.

In response to environmental problems, various efforts have been made by scientists, researchers, religious figures, and environmentalists to find solutions. One of the steps taken as a solution is to formulate environmental wisdom values within indigenous communities in various regions. This step is important because various studies have proven that indigenous communities possess sustainable and long-lasting environmental wisdom, such as research conducted by Akib (2003) on the local wisdom of the Kajang people in Bulukumba, South Sulawesi, Indonesia; Manda (2007) on the local wisdom of the Karampuang indigenous community in Sinjai, South Sulawesi, Indonesia; Maidin (2015) on local wisdom and leadership in the To-Lotang community in Sidrap, South Sulawesi, and on the Appa Alliri customary institution in Maiwa, South Sulawesi. These local wisdom values are seen in the actions of communities who treat the environment as an 'essential' part of nature. This is also closely related to their belief or myth that nature will guarantee human life if treated well (Halim & Zainuddin, 2019).

Paradigm conflicts also arise from differences in approach. Environmental Impact Assessment (EIA) is based on science and economics, while local wisdom encompasses holistic dimensions, such as the Balinese concept of Tri Hita Karana, which emphasizes harmony between humans, nature, and God. EIA focuses on short- to medium-term impacts, while local wisdom considers sustainability across generations. A concrete example is the rejection of a geothermal project in Bali because it violates Segara Kerthi, a sacred zone in Hindu cosmology.

However, integrating the two is not impossible. New Zealand, for example, recognizes the Whanganui River as a "living entity" with legal rights, combining positive law and Māori beliefs. In Indonesia, similar steps could be taken by adopting a Customary-Based Environmental Impact Assessment (AMDAL) model, involving traditional elders in the expert team, or incorporating local wisdom as a mandatory criterion in the AMDAL document (Zamroni & Kafrawi, 2021). With this synergy, development not only fulfills legal and economic aspects, but also ecological and cultural justice. In this context, it is clear that local communities and the natural environment have a harmonious and balanced relationship. Both are part of a macrocosm that mutually safeguards the environment for the continuity of life together.

4. Conclusion

The reform of the Environmental Impact Assessment (EIA) policy within the framework of the Job Creation Law has had serious implications for environmental protection in Indonesia. Simplifying procedures, shortening evaluation timeframes, and reducing the scope of projects requiring an EIA have the potential to weaken environmental damage prevention mechanisms, reduce public participation, and marginalize local wisdom and transcendental values. The regulatory approach, which tends to be anthropocentric and focused on accelerating investment, is considered contrary to the principles of sustainable development. To address the substantive weaknesses of this new policy, this article proposes an integrative approach that integrates transcendental values (such as

prophetic law and religious spiritual ethics) and local wisdom (such as the customary systems of Sasi and Awig-awig) into the EIA process. These values have been proven to maintain harmony between humans and the environment in a sustainable manner and bridge the gap between positive law and the socio-ecological needs of communities. Therefore, the reformulation of EIA policy needs to be directed toward a more holistic, inclusive model rooted in the local context, while strengthening public control. This is important to ensure that development does not only pursue economic growth, but also guarantees ecological justice, social balance, and environmental sustainability between generations.

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