

LEGAL POLICY AND ENVIRONMENTAL JUSTICE IN INDONESIA'S FOREST AREA ENFORCEMENT

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Abstract. *Forest governance remains a significant legal and environmental challenge in Indonesia due to the widespread occurrence of illegal logging, unauthorized oil palm plantations, and unlicensed mining activities within forest areas. These practices have caused environmental degradation, reduced state revenues, and generated conflicts involving indigenous peoples and local communities. In response, the Indonesian government enacted Presidential Regulation Number 5 of 2025 concerning Forest Area Enforcement as a legal instrument to restore state control over forest areas and strengthen forest governance. However, concerns remain regarding the extent to which the regulation reflects environmental justice principles. This research aims to analyze the legal policy underlying state re-control of forest areas through Presidential Regulation Number 5 of 2025 and to evaluate its conformity with the principles of environmental justice. The study employs normative legal research using statutory and conceptual approaches. The study concludes that while Presidential Regulation Number 5 of 2025 strengthens state authority over forest governance and contributes to legal certainty, its implementation requires further legal reform to ensure the fulfillment of distributive, procedural, and social justice principles. Integrating environmental justice into forest area enforcement is essential for achieving sustainable and equitable forest governance in Indonesia.*

Keywords: *Keywords: Environmental Justice; Forest Governance; Forest Area Enforcement; Legal Policy.*

1. Introduction

Forests constitute one of the most strategic natural resources in sustaining ecological balance, biodiversity conservation, climate regulation, and human welfare. As an integral ecosystem consisting of biological and non-biological resources, forests perform vital environmental, economic, and social functions. Consequently, forest governance is not merely an issue of natural resource management but also a constitutional obligation of

the state to ensure environmental sustainability and intergenerational justice (Boratti, 2016).

In the Indonesian constitutional framework, Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia stipulates that land, water, and natural resources contained therein shall be controlled by the state and utilized for the greatest prosperity of the people. This constitutional mandate is further elaborated in Law Number 41 of 1999 concerning Forestry, which grants the government authority to regulate, manage, supervise, and determine the legal status of forest areas. The principle of state control over natural resources has also been reinforced through various Constitutional Court decisions, emphasizing that state control encompasses regulatory, administrative, management, supervisory, and policy-making functions aimed at ensuring public welfare (Sibuea, 2010).

Despite this normative framework (*das sollen*), the reality of forest governance in Indonesia (*das sein*) demonstrates persistent structural problems. Illegal occupation of forest areas, unauthorized oil palm plantations, illegal logging, and unlicensed mining activities continue to occur on a large scale. These practices have caused significant environmental degradation, biodiversity loss, reduced state revenues, and social conflicts involving indigenous peoples and local communities. Such conditions indicate a substantial gap between the constitutional objective of forest governance and its practical implementation (Pustaka Halomoan, 2021).

The existence of this gap raises an important legal problem concerning the effectiveness of state control over forest resources and the extent to which forest governance policies reflect principles of justice. Although the state possesses constitutional authority to reclaim and regulate forest areas, law enforcement measures frequently generate concerns regarding community participation, recognition of customary rights, and equitable distribution of benefits derived from natural resource management (Wibisana & Fadhillah, 2022). Consequently, forest governance should not only focus on restoring state authority but also ensure the realization of environmental justice.

In response to these challenges, the Government of Indonesia enacted Presidential Regulation Number 5 of 2025 concerning Forest Area Enforcement. The regulation establishes a legal mechanism for reclaiming forest areas under unlawful occupation through the collection of administrative sanctions, recovery of state assets, and restoration of state control over forest lands. Through the establishment of the Forest Area Enforcement Task Force, the government seeks to accelerate forest governance reform and strengthen the state's authority over natural resources (Hidayat & Arifin, 2019). Nevertheless, while the regulation reflects a strong commitment to restoring state control over forests, questions remain regarding whether its implementation adequately accommodates environmental justice principles, particularly for indigenous peoples and local communities who are directly affected by forest governance policies.

The urgency of this research lies in the growing tension between environmental protection, state authority over natural resources, and community rights. Forest area enforcement has become one of the most prominent environmental governance policies under the current administration, involving millions of hectares of reclaimed forest areas and substantial recovery of state revenues. However, legal legitimacy alone is insufficient if policy implementation fails to ensure fair distribution of benefits, meaningful public

participation, recognition of customary rights, and equitable access to environmental resources (Boratti, 2016). Therefore, evaluating the conformity of Presidential Regulation Number 5 of 2025 with environmental justice principles is essential to ensure that forest governance reforms contribute not only to legal certainty but also to substantive justice.

Previous studies have primarily focused on environmental law reform, climate governance, and environmental protection policies in Indonesia. Zerlina Mendy Mahardika et al. entitled "The Urgency of Environmental Law Reform in the Context of Climate Change in Indonesia", written in 2024 examined the urgency of environmental law reform in addressing climate change challenges and emphasized the need for stronger environmental governance frameworks (Mahardhika et al., 2024). Similarly, Kristianto Pustaka Halomoan entitled "Challenges in Regulating Environmental Protection and Management Following Law Number 11 Year 2020 and in the Wake of the 2019 Covid-19 Pandemic", written in 2021 analyzed regulatory challenges following the enactment of the Job Creation Law and highlighted the importance of balancing environmental protection with economic development (Pustaka Halomoan, 2021). While these studies contribute significantly to the discourse on environmental governance, they do not specifically examine Presidential Regulation Number 5 of 2025 concerning Forest Area Enforcement, nor do they analyze the regulation through the integrated perspectives of legal policy and environmental justice.

Unlike previous studies that primarily examine environmental governance reform, climate change regulation, or forest management from a general environmental law perspective, this research specifically focuses on Presidential Regulation Number 5 of 2025 concerning Forest Area Enforcement as a newly enacted legal instrument for reclaiming state control over forest resources. Existing scholarship has largely concentrated on environmental protection frameworks, social forestry, and sustainable resource governance, while limited attention has been devoted to analyzing the political direction underlying forest area enforcement policies and their implications for environmental justice.

The novelty of this study lies in three interrelated aspects. First, it integrates Mahfud MD's legal policy theory with Kuehn's environmental justice framework as a comprehensive analytical model for evaluating forest governance. Second, it provides one of the earliest legal analyses of Presidential Regulation Number 5 of 2025, a regulatory instrument that has not yet been extensively examined in legal scholarship. Third, the study develops a normative framework for strengthening forest governance through distributive justice, corrective justice, procedural justice, and social justice principles, thereby bridging the gap between state-centered forest enforcement and justice-oriented environmental governance.

Accordingly, this research contributes both theoretically and practically. Theoretically, it enriches environmental law scholarship by expanding the application of legal policy and environmental justice theories within the context of forest governance. Practically, it offers policy recommendations for improving the implementation of Presidential Regulation Number 5 of 2025 and for developing a more inclusive, participatory, and sustainable forest governance framework capable of balancing state authority, environmental protection, and community rights.

Based on the foregoing discussion, the objective of this research is to analyze the legal policy underlying state re-control of forest areas through Presidential Regulation Number 5 of 2025 concerning Forest Area Enforcement and to evaluate its conformity with the principles of environmental justice.

Accordingly, this study addresses the following research questions:

1. How does Presidential Regulation Number 5 of 2025 concerning Forest Area Enforcement reflect the legal policy of the state in reclaiming and regulating forest areas?
2. To what extent does Presidential Regulation Number 5 of 2025 incorporate and implement the principles of environmental justice, particularly distributive justice, corrective justice, procedural justice, and social justice?
3. What legal reforms are necessary to strengthen environmental justice within the framework of forest area enforcement and state re-control of forest resources in Indonesia?

2. Research Methods

This study employs normative legal research aimed at examining legal norms, principles, doctrines, and regulatory frameworks governing forest area enforcement and environmental protection in Indonesia. Normative legal research is appropriate because the primary focus of this study is to analyze the legal policy embodied in Presidential Regulation Number 5 of 2025 concerning Forest Area Enforcement and to evaluate its conformity with environmental justice principles.

The research utilizes four complementary approaches. First, the statutory approach is employed to examine constitutional provisions, laws, presidential regulations, and other relevant legal instruments governing forest management, environmental protection, and state control over natural resources. Second, the conceptual approach is used to analyze legal doctrines and theoretical concepts relating to legal policy and environmental justice. Third, the case approach is applied through the examination of Constitutional Court decisions concerning state control over natural resources, particularly Constitutional Court Decision Number 35/PUU-X/2012 concerning customary forests. Fourth, the analytical approach is utilized to evaluate the compatibility of Presidential Regulation Number 5 of 2025 with indicators of environmental justice.

The legal materials used in this research consist of primary, secondary, and tertiary legal materials. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, Law Number 41 of 1999 concerning Forestry, Law Number 32 of 2009 concerning Environmental Protection and Management, Presidential Regulation Number 5 of 2025 concerning Forest Area Enforcement, and relevant Constitutional Court decisions. Secondary legal materials consist of scholarly books, peer-reviewed national and international journal articles, policy papers, and scientific reports concerning environmental law, forest governance, legal policy, and environmental justice. Tertiary legal materials include legal dictionaries, encyclopedias, and other supporting references.

The collected legal materials were analyzed using qualitative juridical analysis through legal interpretation, legal reasoning, and doctrinal examination. The analytical framework was constructed using Mahfud MD's legal policy theory to identify the political direction and constitutional objectives underlying forest area enforcement and Kuehn's environmental justice framework consisting of distributive justice, corrective justice, procedural justice, and social justice. The results of the analysis are presented descriptively and analytically to provide a comprehensive assessment of the extent to which Presidential Regulation Number 5 of 2025 reflects both constitutional legal policy and environmental justice principles.

3. Results and Discussion

3.1. Legal Policy of State Re-Control of Forest Areas under Presidential Regulation Number 5 of 2025

The constitutional foundation of forest governance in Indonesia is derived from Article 33 paragraph (3) of the 1945 Constitution, which mandates that natural resources shall be controlled by the state and utilized for the greatest prosperity of the people. Within the doctrine of state control over natural resources, the state possesses regulatory, administrative, management, supervisory, and policy-making functions. According to Mahfud MD, legal policy represents the official direction adopted by the state in formulating and implementing law to achieve national objectives (Hidayat & Arifin, 2019). Consequently, forest area enforcement constitutes not merely an administrative measure but also a constitutional obligation aimed at safeguarding public welfare and environmental sustainability.

From the perspective of legal policy theory, state intervention through legal instruments functions as a mechanism for directing social and economic development while ensuring the achievement of constitutional objectives (Sibuea, 2010). The establishment of the Forest Area Enforcement Task Force reflects the government's effort to strengthen state control over forest resources and address long-standing problems associated with illegal occupation and exploitation of forest areas.

Recent studies on forest governance indicate that effective state intervention remains an essential component of sustainable forest management, particularly in addressing deforestation, illegal land use, and environmental degradation (Arts et al., 2024). However, contemporary forest governance literature also emphasizes that regulatory effectiveness depends not only on enforcement mechanisms but also on the capacity of governance systems to accommodate local interests and stakeholder participation (Henriksen et al., 2023). Therefore, while Presidential Regulation Number 5 of 2025 demonstrates a strong legal policy orientation toward restoring state authority, its long-term legitimacy depends on its ability to integrate participatory governance mechanisms.

The findings reveal that Presidential Regulation Number 5 of 2025 prioritizes legal certainty and the restoration of state authority over forest areas. Nevertheless, environmental governance scholars argue that state-centered approaches frequently encounter implementation challenges when community rights and local knowledge systems are insufficiently recognized (Roengtam et al., 2023). In many jurisdictions, forest governance reforms have shifted toward collaborative governance models that combine regulatory authority with community participation and local stewardship

(Henriksen et al., 2023). Accordingly, although the regulation strengthens the legal basis for forest area enforcement, greater attention should be given to participatory mechanisms capable of enhancing social legitimacy and reducing conflicts involving indigenous peoples and local communities.

3.2. Implementation of Environmental Justice Principles in Forest Area Enforcement

3.2.1. Environmental Justice Framework

Justice is one of the fundamental values of human life that remains a complex issue to this day because there has never been a consensus on its meaning. Erlyn Indarti argues that justice can only be understood differently according to the paradigm adopted by its users (Indarti, 2010). John Rawls argued that substantive justice can be achieved only if two main conditions are met: first, everyone must have an equal right to basic liberties, provided that these liberties can be enjoyed equally by all; second, social and economic inequalities must be arranged to provide the expected benefits for all levels of society, and ensure that all positions and offices are available and openly accessible to every individual (Lafah, 2015).

Environmental justice is a principle that emphasizes equal treatment and balanced participation for all people, regardless of race, color, nationality, or income level, in all stages of the development, implementation, and enforcement of environmental laws, regulations, and policies (Boratti, 2016). Environmental justice is realized through the right to the environment and is closely related to climate change, considering that policies and actions taken impact various communities, especially those most vulnerable to the consequences of climate change (Yoel et al., 2025). The environmental justice approach emphasizes that climate change policies and measures must not only reduce carbon emissions, but also consider the social, economic, and public health consequences, and ensure that the benefits and burdens of these actions are distributed equitably among various communities (Yoel et al., 2025). Environmental justice is important because environmental injustices, such as pollution, tend to burden certain groups. The exploitation of natural resources without regard for the rights of local communities also constitutes a violation of the right to a healthy environment. In other words, the right to a healthy environment cannot be fulfilled without environmental justice. Environmental justice is an effective means of realising the fulfilment of the right to an ideal environment for society. For this reason, the concept of environmental justice is vital as the foundation for the formulation of legislation governing environmental matters.

Based on the above, it is known that environmental justice has several indicators, including the following: 1) distributive justice; 2) corrective justice; 3) procedural justice; and 4) social justice (Kuehn, 2020). These indicators serve as a reference for assessing whether a law or regulation aligns with the principles of environmental justice. Presidential Regulation Number 5 Year 2025 concerning Forest Area Enforcement, which serves as a legal tool for the state to regain control of forests, was drafted due to the increasing number of cases involving forest areas. Furthermore, this regulation also represents a political-legal response to the state's efforts to control natural resources. However, it is still necessary to assess Presidential Regulation Number 5 Year 2025

concerning Forest Area Enforcement based on the concept of environmental justice by examining whether the existing indicators reflect this idea.

3.2.2. Distributive Justice

Distributive justice requires equitable distribution of environmental benefits and burdens among stakeholders (Kuehn, 2020). The findings indicate that Presidential Regulation Number 5 of 2025 primarily focuses on restoring state control and recovering state revenues. However, explicit mechanisms for allocating benefits to indigenous peoples and local communities remain absent.

This finding is consistent with international environmental justice scholarship, which demonstrates that environmental governance reforms often generate asymmetrical distributions of benefits and burdens, particularly when local communities are excluded from access to environmental resources (Loos et al., 2023). Similarly, Fischer et al., found that successful community-based forest governance requires equitable benefit-sharing arrangements that simultaneously support biodiversity conservation, carbon management, and local livelihoods (Fischer et al., 2023). Consequently, distributive justice within the regulation remains insufficiently developed because the economic gains generated through forest area enforcement are not clearly linked to community welfare enhancement.

3.2.3. Corrective Justice

According to Kuehn, corrective justice is a type of justice that seeks to repair past injustices resulting from specific actions, such as environmental damage or unfair treatment of certain groups. The basic idea emphasizes that violations of justice must be addressed through restorative efforts, whether in the form of compensation or other reparatory measures, without relying on the specific responsibility borne by the perpetrator (Kuehn, 2020). Corrective justice seeks to remedy environmental harm and restore ecological functions damaged by unlawful activities. Presidential Regulation Number 5 of 2025 accommodates this principle through mechanisms of administrative sanctions, forest area reclamation, and asset recovery.

Contemporary environmental governance literature recognizes restoration-based approaches as essential components of environmental justice because they focus not only on punishment but also on ecological recovery and long-term sustainability (Schwantes et al., 2024). In this regard, the regulation demonstrates a relatively strong commitment to corrective justice by providing legal instruments for addressing environmental damage resulting from illegal forest exploitation.

3.2.4. Procedural Justice

Procedural justice refers to fairness that emphasizes the decision-making process and its implementation. This means the process must be fair, transparent, and involve equal participation from all affected parties, especially low-income communities and minority groups. Procedural justice also includes the aspect where each party has an equal opportunity to express their opinion and influence the decision-making process (Kuehn, 2020). Procedural justice requires transparency, participation, and equal access to

environmental decision-making processes (Boratti, 2016). Although Presidential Regulation Number 5 of 2025 establishes institutional mechanisms for forest area enforcement, the regulation provides limited opportunities for substantive participation by indigenous peoples and local communities.

Recent international studies emphasize that meaningful participation constitutes one of the most important indicators of environmental justice because environmental decisions directly affect community livelihoods and access to natural resources (Martinez et al., 2023). Furthermore, Pike et al., demonstrate that governance systems characterized by inclusive participation tend to achieve greater legitimacy and long-term policy effectiveness (Pike et al., 2024). Therefore, procedural justice remains one of the weakest dimensions of environmental justice within the current regulatory framework.

3.2.5. Social Justice

Social justice is a subset of justice that seeks to distribute needs and benefits equitably across the social, economic and environmental sectors to all levels of society, with an emphasis on improving the quality of life of disadvantaged groups and upholding the social obligations of those in a superior position (Wibisana & Fadhillah, 2022). Social justice requires that environmental governance contribute to equitable social and economic development, particularly for vulnerable groups. While Presidential Regulation Number 5 of 2025 seeks to restore state control over forest areas, it does not explicitly guarantee that reclaimed forest resources will improve community welfare.

Recent environmental justice scholarship emphasizes that social justice cannot be separated from environmental governance because environmental benefits, ecological services, and development opportunities are often distributed unequally among different social groups. Sikor et al., argue that sustainable forest governance requires institutional arrangements capable of simultaneously promoting environmental protection, community welfare, and social inclusion (Langemeyer et al., 2024). Similarly, McDermott et al., demonstrate that forest governance reforms are more effective when social equity considerations are integrated into environmental decision-making processes (Arts et al., 2024). Consequently, social justice within forest area enforcement should extend beyond ecological restoration and include legal mechanisms that guarantee equitable access to environmental benefits, community empowerment, and long-term livelihood security for affected populations.

3.2.6. Recognition Justice and Indigenous Forest Rights

Recent developments in environmental justice theory have expanded beyond distributive and procedural concerns to include recognition justice. According to Schlosberg, environmental justice requires not only equitable distribution of environmental benefits and meaningful participation in decision-making processes, but also recognition of the identities, cultures, knowledge systems, and rights of marginalized communities. Recognition justice becomes particularly relevant in forest governance because indigenous peoples frequently possess historical, cultural, and spiritual relationships with forest territories that are not adequately reflected in state regulatory frameworks.

Within the Indonesian context, recognition justice is closely connected to the constitutional protection of indigenous peoples as guaranteed under Article 18B

paragraph (2) of the 1945 Constitution. This constitutional guarantee was significantly strengthened through Constitutional Court Decision Number 35/PUU-X/2012, which established that customary forests (hutan adat) are no longer categorized as state forests but constitute forests located within the territories of indigenous peoples. This landmark decision transformed the legal relationship between the state and indigenous communities by limiting the state's authority over customary forest areas and affirming indigenous rights as constitutionally protected rights.

From the perspective of environmental justice, Presidential Regulation Number 5 of 2025 concerning Forest Area Enforcement presents a potential challenge because its primary objective is to restore state control over forest areas that are considered unlawfully occupied or utilized. Although the regulation seeks to address illegal exploitation of forest resources, its implementation may generate legal conflicts when enforcement measures overlap with territories that are claimed by indigenous peoples but have not yet been formally recognized by administrative procedures. In such circumstances, state enforcement actions may inadvertently undermine constitutionally protected customary rights.

Based on the foregoing analysis, the implementation of environmental justice principles in Presidential Regulation Number 5 of 2025 demonstrates varying degrees of compliance across different dimensions of environmental justice. While corrective justice is relatively well accommodated through restoration and enforcement mechanisms, other dimensions, particularly procedural justice, distributive justice, and recognition justice, remain insufficiently institutionalized. The overall assessment is summarized in Table 1.

Table 1. Assessment of Environmental Justice Principles in Presidential Regulation Number 5 of 2025

Environmental Justice Principle	Regulatory Accommodation	Assessment
Distributive Justice	No explicit benefit-sharing mechanism for local and indigenous communities	Partially fulfilled
Corrective Justice	Administrative sanctions, forest restoration, reclamation, and asset recovery mechanisms	Fulfilled
Procedural Justice	Limited public participation and consultation mechanisms	Weakly fulfilled
Social Justice	No explicit guarantee of welfare improvement or equitable access to reclaimed resources	Partially fulfilled
Recognition Justice	Customary rights protection not comprehensively regulated	Weakly fulfilled

Source: Author's analysis based on Presidential Regulation Number 5 of 2025 and Kuehn's Environmental Justice Framework.

Table 1 demonstrates that Presidential Regulation Number 5 of 2025 places greater emphasis on corrective justice than on other dimensions of environmental justice. Although the regulation provides relatively comprehensive mechanisms for restoring state control and addressing environmental damage, it offers limited guarantees regarding equitable benefit distribution, meaningful public participation, and the protection of indigenous peoples' rights. These findings indicate the necessity of future legal reforms aimed at strengthening environmental justice within Indonesia's forest governance framework.

3.3. Strengthening Environmental Justice in Forest Area Enforcement: Future Legal Reforms

The findings of this study demonstrate that Presidential Regulation Number 5 of 2025 has strengthened the legal framework for forest area enforcement, particularly in relation to restoring state control over illegally occupied forest lands. However, the analysis also reveals that the regulation has not fully accommodated the principles of distributive justice, procedural justice, and social justice. Consequently, future legal reforms should not merely focus on strengthening enforcement mechanisms but also on ensuring that forest governance is implemented in accordance with environmental justice principles.

From the perspective of legal policy theory, legal reform should function as a strategic instrument for achieving constitutional objectives while simultaneously responding to social realities and contemporary governance challenges (Mahfud, 2019). Similarly, progressive legal theory emphasizes that law should serve human welfare and substantive justice rather than merely operate as a mechanism of state control (Rahardjo, 2009). Therefore, forest area enforcement should be designed not only to restore state authority but also to ensure the protection of community rights and environmental sustainability.

The first reform concerns the strengthening of distributive justice through benefit-sharing mechanisms. The current regulatory framework primarily focuses on recovering state assets and restoring forest areas but provides limited guarantees that indigenous peoples and local communities will benefit from the economic value generated by reclaimed forest resources. Environmental justice scholarship argues that equitable access to environmental benefits is essential for achieving sustainable resource governance (Kuehn, 2020). Recent empirical research further demonstrates that community-based forest governance produces more effective outcomes when local communities receive tangible economic and social benefits from forest conservation initiatives (Fischer et al., 2023). Accordingly, future reforms should require that a proportion of economic benefits derived from reclaimed forest areas be allocated to local development programs, social forestry initiatives, and community empowerment schemes. Such measures would strengthen the alignment between forest governance and the constitutional objective of public welfare.

The second reform concerns procedural justice through meaningful public participation. Although Presidential Regulation Number 5 of 2025 establishes institutional mechanisms for forest area enforcement, it provides limited opportunities for indigenous peoples and local communities to participate substantively in decision-making processes. Contemporary environmental governance literature increasingly recognizes participation as a fundamental component of environmental justice because governance outcomes are more legitimate and sustainable when affected stakeholders are involved in policy formulation and implementation (Fischer et al., 2023). Recent studies also indicate that collaborative governance models contribute significantly to effective forest management by fostering trust, accountability, and stakeholder cooperation (Henriksen et al., 2023). Therefore, future legal reforms should mandate consultation procedures, public hearings, participatory monitoring systems, and community representation within forest governance institutions. Such mechanisms would strengthen procedural legitimacy while reducing potential conflicts arising from forest area enforcement.

The third reform relates to the recognition and protection of indigenous and customary rights. Forest governance policies frequently generate tensions when state enforcement measures overlap with customary claims over forest territories. Environmental justice scholars emphasize that recognition justice constitutes an essential dimension of environmental governance because marginalized communities often experience disproportionate burdens resulting from environmental policies (Schlosberg, 2007). In Indonesia, recognition of customary rights has become increasingly important following Constitutional Court Decision Number 35/PUU-X/2012, which affirmed that customary forests are not state forests. Consequently, future legal reforms should explicitly integrate mechanisms for identifying, recognizing, and protecting customary territories before implementing forest area enforcement measures. Such reforms would strengthen legal certainty while ensuring that environmental governance respects cultural diversity and community rights.

The fourth reform concerns the development of inclusive and collaborative forest governance. Contemporary forest governance scholarship demonstrates a significant shift from centralized regulatory approaches toward governance models based on collaboration among governments, local communities, civil society organizations, and private actors (Arts et al., 2024). Research further indicates that strong governance networks and local participation contribute positively to forest conservation outcomes and long-term sustainability (Henriksen et al., 2023). Similarly, studies on environmental justice emphasize that equitable governance requires not only fair outcomes but also fair governance structures that enable affected stakeholders to influence environmental decision-making processes (Pike et al., 2024). Therefore, future reforms should institutionalize collaborative governance arrangements capable of integrating state authority with local knowledge and community stewardship.

The fifth reform concerns transparency and accountability in forest area enforcement. Effective environmental governance requires transparent decision-making procedures, accessible information, and robust oversight mechanisms. According to Sands et al., accountability is a fundamental principle of environmental law because it ensures that governmental actions remain consistent with legal norms and sustainability objectives (Sands et al., 2018). In practice, transparency mechanisms can prevent regulatory capture, reduce opportunities for corruption, and enhance public trust in environmental institutions. Therefore, future forest governance policies should require public disclosure of enforcement activities, periodic reporting mechanisms, and independent oversight systems capable of evaluating the environmental and social impacts of forest area enforcement.

To facilitate a comprehensive understanding of the proposed reforms, the main findings and recommendations are synthesized in Table 2. The table demonstrates the relationship between existing regulatory deficiencies, proposed legal reforms, environmental justice dimensions, and their expected governance outcomes.

Table 2. Proposed Legal Reform Model for Environmentally Just Forest Governance

Existing Problems	Proposed Legal Reform	Environmental Justice Dimension	Expected Outcome
Absence of benefit-sharing mechanisms	Mandatory allocation of economic benefits from reclaimed forest resources to local communities	Distributive Justice	Equitable distribution of environmental and economic benefits
Limited public participation in enforcement processes	Public consultation, participatory monitoring, and community representation mechanisms	Procedural Justice	Increased legitimacy and public trust
Weak protection of indigenous and customary rights	Formal recognition and verification of customary territories before enforcement actions	Recognition Justice	Reduced social conflict and stronger constitutional compliance
Centralized forest governance model	Collaborative governance involving government, indigenous peoples, civil society, and local communities	Social Justice	Inclusive and sustainable forest governance
Limited transparency and accountability	Public disclosure systems, independent oversight, and periodic reporting obligations	Corrective Justice and Accountability	Improved governance effectiveness and legal certainty

Source: Developed by the author based on Legal Policy Theory and Environmental Justice Framework.

Table 2 illustrates that future forest governance reforms should move beyond a purely enforcement-oriented approach and embrace a multidimensional environmental justice framework. Integrating distributive, procedural, social, corrective, and recognition justice principles would strengthen the legitimacy, effectiveness, and sustainability of forest area enforcement while ensuring greater protection of community rights and environmental interests.

4. Conclusion

This study concludes that Presidential Regulation Number 5 of 2025 concerning Forest Area Enforcement reflects the state's legal policy in implementing the constitutional mandate of Article 33 paragraph (3) of the 1945 Constitution through mechanisms of administrative sanctions, forest area reclamation, and asset recovery. The regulation serves as an instrument for restoring state control over forest areas that have been unlawfully occupied or exploited, thereby strengthening legal certainty and supporting sustainable forest governance. From the perspective of legal policy theory, the regulation demonstrates the government's commitment to protecting natural resources and recovering state losses arising from illegal activities within forest areas.

However, the findings reveal that the implementation of environmental justice principles within the regulation remains incomplete. While corrective justice is relatively well accommodated through enforcement and restoration mechanisms, distributive justice, procedural justice, and social justice are insufficiently reflected. The absence of explicit

benefit-sharing arrangements, limited opportunities for meaningful community participation, and inadequate protection of indigenous and local community interests indicate that forest area enforcement continues to emphasize state authority rather than inclusive environmental governance.

Accordingly, future legal reforms should strengthen environmental justice through the incorporation of equitable benefit-sharing mechanisms, participatory decision-making procedures, recognition of indigenous and customary rights, collaborative forest governance models, and enhanced transparency and accountability measures. Such reforms are necessary to ensure that forest area enforcement not only restores state control over natural resources but also promotes sustainable environmental protection, social legitimacy, and equitable public welfare.

The findings of this study contribute to the development of environmental law scholarship by integrating legal policy theory and environmental justice theory in the analysis of forest governance. Furthermore, this research provides policy recommendations for improving the implementation of Presidential Regulation Number 5 of 2025 and may serve as a foundation for future studies examining the effectiveness of forest governance reforms, indigenous rights protection, and environmental justice implementation in Indonesia's natural resource management framework.

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