

Legal Protection Towards Endangered Oragutan (Pongo Pygmaeus) In A Sustainable Management of Natural Resources

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ABSTRACT

Indonesia is famous for its rich flora and fauna. As a society of Indonesia, it is obligatory to protect and preserve the flora and fauna. Yet, today, there are rampant illegal clearing and burning of forests that make the flora and fauna dropped dramatically in number, one example is the case of endangered orangutans in Kalimantan. The government has sought to preserve the endangered species by establishing an animal conservation area. But the existence of animal protection areas did not succeed in preserving the habitat precisely which even from year to year orangutans are moving towards extinction. This is because the construction of law in legal protection for endangered Orangutan (*Pongo pygmaeus*) in its management contains conflict of norm with the management of sustainable natural resources. The management of endangered orangutan (*Pongo pygmaeus*) is incompatible with the principle of regional autonomy. Based on the various legal issues, the government must move rapidly in protecting endangered species in a sustainable manner. The results of the study indicate that the urgency of legal protection against endangered orangutan (*Pongo pygmaeus*) in the management of sustainable natural resources is by legal Protection in the management of Natural Resources and Environment in a Sustainable Development, policy on the conversion of Forest Area and Approach of Forest Management System With regard to the Conversion of Forest Area into Plantation Land. When the three urgencies of legal protection are achieved and performed optimally, the legal protection of endangered orangutan species (*Pongo pygmaeus*) in the management of sustainable natural resources in the future can be done by the Change of Natural Resource Management Policy, Legal Protection of Natural Resources and Environment through the Implementation Autonomy of Local Government and Construction of Local Government, Bureaucracy to optimize sustainable management of natural resources and environment.

Keywords: Endangered species, Orangutan (*Pongo pygmaeus*), legal protection, urgency, Management of natural resources.

A. Introduction

Indonesia is known worldwide as a country with rich and abundant natural resources. Biological natural resources and their ecosystems¹ are the most important part of natural resources, comprising animal, vegetable, or natural phenomena,² which each having functions and benefits as the constituent elements of the environment, whose presence cannot be replaced. Its nature cannot be replaced and has an important position and role for human life, so the conservation of protected plants and plants is considered necessary because the destruction or extinction of one element of biological natural resources and its ecosystem will lead to great losses to the community, while the recovery to the original state takes a long time and even impossible anymore.

Today, the environment has been heavily carrying burdens, both because of the effects of deforestation, the uncontrolled use of natural resources, and the absence of environmental conservation principles. A real example occurs in Central Kalimantan Province where the potential for reduction and even damage to forests greatly affects flora and fauna both in quality and quantity, thus disrupting the balance of ecosystems. This research suggests based on the observation that there are two causes of ecosystem imbalance, especially in Central

¹Koesnadi Hardjasoemantri, *Hukum Perlindungan Lingkungan, Konservasi Sumber Daya Alam Hayati dan Ekosistemnya*, first edition, (Yogyakarta, Gadjah Mada University Press, 1991), pg. 2.

²Things that can be received by senses, and can be explained as well as assessed scientifically, for instance, natural phenomenon. (**Kamus Bahasa Indonesia**, Language Center of Department of National Education, Jakarta, 2008, pg. 410.

Kalimantan. Firstly, the amount of palm oil companies and plantations are which is getting out of control, either by the central government or local government. Secondly, due to uncontrolled licensing, such as the extent of permits issued by the district government to palm oil plantation and mining companies which seems irrational.

Various ways have been taken to control and conserve these natural resources. One of the concepts of controlling the exploration of natural resources, both biological and non-biological is the concept of forest conservation. But in 2012, Kompas stated that the preservation of endangered species is not successful, and actually from year to year, move towards extinction. One of them is the condition of the vulnerability of endangered species in the wildlife reserve of Lake Sentarum, West Kalimantan, which contain protected animals such as Arowana fish, Belida fish, hornbills, estuarine crocodiles, and orangutans.¹ Moreover, in 2011, the people were overwhelmed by the video of orangutan expulsion and carnage in Kalimantan. Aggression against orangutan life occurs because people assess the existence of orangutans threaten palm plantations.

A report by Ahmad FauziMasyhud, a spokesman for the Ministry of Forestry, that during April 2008 to September 2009, the number of killed orangutans ranges from 750 to 1,800 orangutans.² The highest killing rates of orangutans occur in Central Kalimantan, while the lowest is in West Kalimantan. The research data shows that the clearing of Kalimantan's forests causes orangutans to lose their habitat so that orangutans often have to get in to the human settlements and then be killed. In early July 2016, the IUCN (International Union for Conservation of Nature) established the status of Borneo Orangutans up to (Critically Endangered / CR) level from the previous level as Endangered (EN) status.³

The State of Indonesia is obliged to "protect the whole nation and the whole country of Indonesia". Statement in the Fourth Paragraph in The Preamble of the 1945 Constitution is a constitutional precedent of state obligations and the duty of the government to protect all human resources in Indonesian environment, to the welfare of all Indonesians and the entire humanity,⁴ including providing protection for endangered species, especially orangutans. In the realm of constitutional legislation, exploitation of biological natural resources, especially on endangered species, especially orangutans, is inconsistent with Article 33 of the 1945 Constitution of the State of the Republic of Indonesia. Under Article 33, the State should be obliged to control by protecting the animals which is protected by a spirit of justice and sustainability. Therefore, the protection of protected animals should be done with the principle of benefit and justice, togetherness, openness and integrity in holistical nature. Forest as a non-renewable natural resources have important roles and positions in maintaining a buffer system of plant, animal, and human life. Especially if it is associated with the existence of forests in Indonesia which has a diversity of plants and protected animals.⁵

The existence of plants and animals, especially rare animals in Indonesia, from year to year diminishes, which is due to substantive issues of legal injustice and vagueness of norms and arrangements about the model of legal protection against the power of human aggression in exploiting nature, especially forests as a place of life of these animals. Legal construction that designed to protect and preserve these animals have not been comprehensive. This is seen when Article 21 Paragraph (2) of the Law of the Republic of Indonesia Number 5 year 1990 concerning Conservation of Biological Natural Resources and Ecosystem, has not expressly regulated the permit arrangement of forest function transfer as a buffer system for the lives of animals, especially protected endangered species. Nevertheless, the government is trying to solve the problem in various ways, namely by establishing a pattern of animal conservation area that aims to protect animals. However, the existence of animal protection conservation areas does not accommodate the environmental damage conditions themselves and only

¹ www.kompas.com/eksistensi_orangutan.5910.23, accessed on friday, 7 november 2014.

² Daud Silalahi, 2003, *Perkembangan Hukum Lingkungan Indonesia: Tantangan dan Peluang*, Seminar on National Development of Law, dated 14-18 July 2003, pg. 50.

³ <http://www.mongabay.co.id/2016/08/20/naik-status-perlindungan-orangutan-kalimantan-dan-habitatnya-harus-serius/> accessed on 4 november 2017

⁴ Koesnadi Hardjasoemantri. *Hukum Tata Lingkungan*, (Yogyakarta: Gadjah Mada Univ. Press, 1999)Ed. XIV, pg. 66. In this case, he stated that the basic principle that underlies development and protection to the environment in Indonesia is regulated in the Preamble of the 1945 Constitution, Fourth Paragraph. This basic principle is further elaborated in Article 33 paragraph (3) of The 1945 Constitution, therefore the provision, according to him, provide "rights to rule" to the state over the entire natural resources in Indonesia and provide "obligation to the state" to use it for the greater purpose of people's welfare.

⁵ According to Article 20 Paragaph (1) and (2) of the Law of Republic of Indonesia Number 5 Year 1990 on Conservation of Biological Natural Resources and Its Ecosystem, that fauna which falls under the classification as protected species is any fauna exposed in the danger of extinction and those with rare population. Orangutan is included in the category of endangered fauna, which existence is in the brink of extinction. As stated in the attachment of Government Regulation Number 7 Year 1999 on The Mummification of Flora and Fauna.

cause the space for human movement and orangutan conservation forest to become narrower. As a result, forests as a source of community economy as well as habitat that buffers the lives of orangutans are eroded by the conversion of forest to plantation land and the impact of forest fires that almost occurred in Central Kalimantan. While local governments have no rights to manage and utilize the animal protection conservation areas. The maximum legal protection model is the crucial point in the legal issue of this research. The study was conducted to determine the urgency of legal protection against endangered orangutan (*Pongo pygmaeus*) in Sustainable Natural Resources Management and how to provide legal protection for the endangered orangutans (*Pongo pygmaeus*) in Sustainable Management of Natural Resources in the future.

B. Research Method

The type of legal research in this research is normative law research (doctrinal research) with statute approach,¹ conceptual approach, and philosophical approach.² The type of legal materials in this study consist of primary legal materials, secondary legal materials, and tertiary legal materials.³ Primary legal material includes various laws and regulations that are closely related to the studied issue. Secondary Legal Materials are in the form of publications on law, literature / reference books, research reports, dissertations, scientific journals, websites, legal documents related to studied issues to clarify and confirm the legal material found with relevant informants or sources. While the tertiary legal materials include encyclopedias, legal dictionaries, newspapers, and index of terms. Sources of legal material in this study were obtained through library / reference searches and legal documents, which supported and completed with legal materials from in-depth interview.

The analysis technique used in this research is by conducting a legal, theoretical, rational study of law based on the requirements of deductive logic.⁴ The legal materials were collected, processed and analyzed qualitatively using interpretation techniques by giving interpretation of the text of legislation by holding to the sound of the text. The results of the interpretation are used to answer the research problem, draw conclusions and formulate Legal protection for endangered orangutan (*Pongo pygmaeus*) in the management of sustainable natural resources.

C. Result and Discussion

1. The Urgence of Legal Protection Towards Endangered Orangutan (*Pongo Pygmaeus*) in A Sustainable Management of Natural Resources

There are three important factors that are included in the urgency of legal protection for endangered animal, such as Legal Protection of Natural Resources and Environment Management in Sustainable Development, Forest Area Change policy and Forest Management System Approach with regard to the conversion of Forest Area into plantation area.

Legal Protection of Natural Resources and Environment Management in Sustainable Development.

Natural Resource Management and a good environment are fundamentally based on several principles, one of which is the principle of sustainability.⁵ The principle of sustainability is the policy of natural resources management that must be able to guarantee the continuity of the functions and benefits of natural resources and the environment, both benefits for the state and society in a balanced and proportional portion and the benefits for the present and future generations in a sustainable manner. Therefore, natural resource and environmental management policies need to pay attention and integrate important principles in ecological development.⁶ Article 33 of the 1945 Constitution, justifies the State of Indonesia to seek natural resources related to public utilities

¹Peter Mahmud Marzuki. *Op. Cit.*, Pg. 93-95

²Jonny Ibrahim. *Teori dan Metodologi Penelitian Hukum Normatif*. (Malang: Bayu Media Publishing. 2006). Pg. 320

³Soerjono Soekanto dan Sri Mamudji. *Penelitian Hukum Normatif Suatu Tinjauan Singkat*. (Jakarta : PT. RajaGrafindo Persada. 2003)., Pg. 13-14

⁴Jonny Ibrahim, *Op. Cit.*, pg. 4

⁵I Nyoman Nurjaya., *Laporan Akhir Tim Pengkajian Konstitusi Tentang Pengelolaan Sumber Daya Alam Untuk Menjamin Kemakmuran Rakyat*. (Department of National Law Counselling, Ministry of Law and Human Rights, Republic of Indonesia, 2014), *Op. Cit.*, Pg. 21

⁶Id.

and public services on the basis of consideration of philosophical aspects (basic spirit of the economy is joint and communal effort), strategic aspects (public interest), political aspect (preventing monopoly and oligopolies that are detrimental to the state's economy), economic aspects (efficiency and effectiveness), and for the welfare of the general and the greatest prosperity of the people. Because of these, natural resources, must be enjoyed by the people by equal and affordable, in a fair and equitable prosperity and welfare.¹ According to M. Daud Silalahi,² the inherent right of the state to control natural resources is manifested in the formulation of laws and regulations governing natural resources in Indonesia. The legislation should meet the needs of the community and meet the sense of justice, but in practice there are still irregularities that result in the regulation to be not / less effective. Therefore, it is necessary to develop supporting activities for the implementation of new provisions which are technical and scientific. Such activities may include, inter alia: short training and education aimed to field executives, such as assistants in the licensing process, inspectors, assessors, investigators, and lab operators capable of analyzing problems, in case of legal cases concerning conservation and protection of diversity of biological natural resources and its ecosystem. Such activities have been developed in the Office of the State Minister of Environment in collaboration with the relevant agencies in the task of enforcing environment law.³

In relation to this study, forest resources fall into the category of natural resources that are important to the state and concern the lives of the people. The right to control held by the state over forest resources is not the right to own, but the right to formulate policies, regulate, manage, control, and supervise in the utilization and use of potential forest resources. Government policy in forest management for improving people's welfare, will be closely related to the issue of authority. Based on Law No. 41 Year 1999 on Forestry, the authority of forest tenure is owned by central government and not owned by local government. The control of forests by central government and the authority to change the status and designation of forest which is areas not granted to regional governments, is significant enough to reduce the rate of conversion and destruction to forest. However, the determination of the central government as the only one authorized to regulate and manage everything related to forests, forest area, and forest products, as explicitly stated in the law, seems to be the cause of ineffectiveness of the implementation of regional autonomy in the field of forestry. In this case, although all licensing is the authority of the Central Government, it will not necessarily occur if there is no consideration and recommendation from the Regional Government. In this connection, it is hoped that between the central government and local government can implement its control function in licensing the utilization of forest resources. This indicates that the function of monitoring and enforcement of repressive law both by the central government and local government, is not going well.

Policy on Forest Area Conversion. The scope of forest area conversion includes: a. Change of forest area function; b. Change of forest area design; c. Partial appointment of other usage areas into forest areas. The purpose of conversion in Forest Area Function is the realization of sustainable and continuous utilization and function of forest area. The study of forest area change by the author is an action or steps taken by the government related to forest area management, especially the act of changing the designation, altering the function, and/or changing the use of a forest area to non-forest area, or non-forest area into forest area, and/or altering the use of a forest area for other purposes outside forestry field, in order to achieve optimal benefits from a forest area and / or non-forest area. The use of forests and forest areas shall be adjusted to their basic functions of conservation, protection, and production functions. The compatibility of these three functions is very dynamic and the most important is that in its utilization must maintain synergy. In order to maintain the quality of the environment then in the utilization of forest areas, as far as possible avoid the conversion of natural forests that are still productive and converted for the benefit outside the field of forestry, to avoid forest destruction, although normatively.

The conversion or alteration of the forest area is not prohibited by law. In Law No. 41/1999 on Forestry, the changes in the designation and function of forest areas are regulated in Article 19, and on the use of forest areas for development purposes outside forestry activities are regulated in Article 38. With regard to issues concerning the policy on the conversion of forest area, the decision makers should change the mindset and action in forest area management, so that the policy of forest area conversion is not only oriented to the economic aspect alone, but also pay attention to the social aspect, and more importantly, the environmental aspect.

Policy on Forest Area Conversion and Forest Management System Approach With regard to Forest Area Conversion Into Plantation Land. Forest area management, including forest utilization, is important as forestry

¹Bagir Manan, *Beberapa Catatan ...*, Pg. 2.

²M. Daud Silalahi, *Hukum Lingkungan Dalam Sistem Penegakan Hukum Lingkungan Indonesia*, (Alumni, Bandung, 2001), Pg. 107-108.

³Id.

issues, particularly related to changes in the designation, function, and use of forestry areas, will certainly affect other components of the system. Therefore, environmental considerations with all related aspects in it should always be the concern of all stakeholders as the actors of development and decision makers. The policymakers in considering a decision, whether to approve a conversion of forest area and or not to approve a proposed conversion of forest area, must be wisely aware that whatever they decide will have consequences for various components of the overall environmental system.

Environmental sustainability is essentially for the survival of human society, or the concept of sustainable society. This is an important need as it is the direction of sustainable development. A sustainable development strategy is an important mechanism for improving and bridging national capacity to express social, economic, and environmental policy priorities in a harmonious manner. Sustainable development emerges by first explaining the views of the community's environment, which includes three stages: environment for economic development (eco-developmentalism), environment for eco-humanism, and environment for the environment (eco environmentalism).¹ The disadvantages of first and second views have resulted in an alarming environmental condition. Both for human life and for the life of nature and the environment, although it can be improved, may only be enforced by combining the advantages contained in all of them. Especially the principle that states that environment must also be for the environment as well.

Based on the above views and principles, there has been an awareness that development issues have two sides that should be aligned. On the one hand, it should be regarded as an indicator of human progress, because humans have had certain systematic efforts to meet economic needs. Meanwhile, on the other hand, environmental sustainability (ecological) and forms of societal change / socio-cultural development are important and an agenda that can not be ignored.

The form and direction of societal / socio-cultural change and environmental variables should be included in all development efforts and in forest resource management policies. The achievement of the level of economic progress becomes meaningless, when it must sacrifice the extinction and destruction of forest and environmental resources for the future. The sustainability of good forests and environment will result in a resilient community. The new awareness must emerge that economic development as a process should not be black-eyed on the fate of forest resources and the environment in the future. There should be a non-dominant relationship between human interests and the existence of forest and environmental resources. Precisely that also must be considered and still maintained a harmonious and balanced relationship between the two.

In the utilization of the potential of forest resources, for the sake of development, whether concerning economic, social, and environmental aspects, should be done in a balanced manner. The balance in the utilization will depend largely on how a policy is established, both in the setting and in its establishment and implementation in the field. In this arrangement and determination will be greatly influenced by how the concept of control over the potential of forest resources referred to by the state and or government.

2. Legal Protection Towards Endangered Orangutan (*Pongo Pygmaeus*) In A Sustainable Management of Natural Resources In The Future

There are three important factors that are included in the legal protection of endangered orangutan (*pongo pygmaeus*) in the management of sustainable natural resources in the future, such as changes in natural resources management policy, legal protection of natural resources and environment management through the implementation of regional autonomy, and construction of local government bureaucracy to optimize the management of natural resources and environment in a sustainable manner. These three factors should be sought by the government to prevent the extinction of endanger orangutan in Kalimantan, at least it is able to maintain the number of orangutans in order to avoid extinction.

Changes in Natural Resource Management Policy. The management of forest resources in Indonesia over a very long span of time until the era of reforming government has now changed. Problems faced in managing the forestry sector, namely the existence of forest areas that are not covered by law enforcement and certainty, as well as legal protection and justice. Forest areas that have been arranged in such a way through the agreement process in the Land Use Rights, spatial planning and designation of forest and water areas, in legal formal should be able to provide certainty, protection, and fair use. In fact, so far, the process of determining and conversing forest area is still being pursued or amended by a top down mechanism and sometimes denying the existence of laws and other rules that have been and are mutually agreed upon by local communities. So, it is necessary to

¹Id. Pg. 189.

formulate a concept of sustainable and fair development of forest area which covers the policy direction, policy objectives, economic instruments and institutional strengthening, as well as criteria or indicators of policy on forest area conversion.

The concept is described as follows:

1. Perspective of direction in the policy on forest area conversion in sustainable forest area management, related to conservation aspect of environmental function
2. Perspectives of goals in the policy on forest area conversion in sustainable forest area management to be achieved related to the preservation of environmental functions
3. Perspective of development of economic instruments and institutional strengthening in the policy of sustainable forest areas conversion in accordance with the objectives of the welfare state of law.
4. Perspective of developing indicators or criteria in determining policy of design conversion, change of function, and use of sustainable forest area in forest area management in accordance with purpose of welfare state of law.

If these four concepts are understood and implemented, then the threat of forest degradation can be avoided or prevented, since the concept is a concrete form of legal principle of environmental conservation, so that the forest area can be utilized optimally and responsibly, and ultimately, the management of the forest area will be able to become one of the efforts in realizing prosperity and justice for the greatest prosperity of the people of Indonesia.

Legal Protection of Natural Resources and Environment Management Through the Implementation of Regional Government Autonomy. Legal protection in the development of natural resources including legal protection of endangered species, especially orangutans, requires a clear structure and legal substance. So far, orangutans, as endangered species that being protected has not obtained a clear legal framework in the aspect of its protection. In relation to this, in relation to natural resources and the environment, reconstruction of the concept of regional autonomy is required to achieve not only the sustainability of development but also ecological sustainability in the regions. This can be achieved when the granting of autonomy through decentralization of both political and administrative authority results in the implementation of local governance reflecting non-anthropocentrism principles. Local governments that reflect non-anthropocentrism principles mean pro-environment local government, or may be referred to by the term eco local governance. For the realization of eco local governance, some principles that underlie local governance are: ecocentrism as paradigm, ecological justice as a goal, and eco democracy as a method.

In ecocentrism, ethical validity is not only in humans, but in all ecological communities, both living and non-living. Moral obligations and responsibilities are not limited only to humans or living beings, but also to all ecological realities, which includes abiotic community.

In the context of the protection of natural resources and the environment, the concept of justice requires a redefinition that departs from the redefinition of the self-image. For that purpose, it is necessary to extend the scope of morals,¹ the extension of social environment,² and the extension of personality.³ The extent of coverage in the above three contexts is basically to extend the scope of everything from human to broader, which includes non-human beings and elements of the environment beyond that in the form of abiotic community.

In connection with the existence of various weaknesses of democracy as a political system of state governance, new democratic concepts are needed, which on the one hand can overcome congenital defects of democracy, and on the other hand can create an environmental friendly political system. called eco-democracy, or even biocracy.⁴ The three principles described above can be regarded as universally applicable and widely applicable

¹M. Daud Silalahi, *Hukum Lingkungan Dalam Sistem Penegakan Hukum Lingkungan Indonesia*, (Alumni, Bandung, 2001), Pg. 107-108.

²Terence Ball, *Op.Cit.* Pg. 5. Extension of social environment is deemed necessary to expand the boundaries of what is referred as society, so it covers land, water, plant, and animal, or those collectively referred as those lies above the earth. The idea is an idea from certain inclusive society whose life is underlied on what is referred by Aldo Leopold as “*land ethic*”. According to this ethic, what is referred as society, also consider the interest of future generation of human, non-human creatures, and ecosystem, as well as the environment that support their lifes.

³Nicholas Low and Brendan Gleeson, *Op. Cit.*, pg. 214 in relation to extension of personality, the theoretist of *Deep Ecology* signify that personality is not a closed entity, and in the context of nature, everything is correlated one to each other, though even only in a single form of reality, its parts is sensed as an entity.

⁴Jimly Asshiddiqie. *Green Constituion: Nuansa Hijau Undang-Undang Dasar Negara Republik Indonesia Tahun 1945*,

principles, as they come from various theories and concepts which, in the context of science, have been recognized by the scientific community. When these three principles are to be internalized in the practice of local governance in Indonesia, they should be linked to Pancasila as the foundation of the Unitary State of the Republic of Indonesia.

Construction of Local Government Bureaucracy to Optimize Sustainable Natural Resource Management and Environment. Implementation of autonomy still leaves the issue of sustainability of natural resources and environment, this is caused by the construction of local government bureaucracy, hence maintaining decentralization policy of management of natural resources and environment to region, will necessitate reconstruction of local government bureaucracy. Due to the factors that complicate the bureaucratic construction of local government are in the aspects of institutional structure, the substance of legislation, and the legal culture, then the offered reconstruction is also directed to these three aspects. In the aspect of institutional structure, reconstruction is carried out through changes and adjustments of institutional devices of the region, by placing the environmental field as an integral part in the function of planning and implementation of development. Thus, efforts need to be made to reconstruct the local government bureaucratic institutions, by increasing the degree of the environmental field to a higher level, i.e. as coordinator of other fields from the time of development planning.

In the aspect of the substance of legislation, reconstruction is done to eliminate the character of anthropocentrism, then the editorial of Article 33 paragraph (3) of the 1945 Constitution needs to be reconstructed to reflect the spirit. Because the editors of the 1945 Constitution related to the purpose of this domination change, the consequences of the same editorial that exist in the rules of sectoral legislation, also must be changed in line with the editorial of the 1945 Constitution.

In the aspect of legal culture, local government bureaucratic culture also needs to be reconstructed by basing on three principles of eco local governance, namely: (1) ecocentrism as a paradigm; (2) ecological justice as a goal; and (3) eco democracy as a method, by always adhering to the noble values of Pancasila. Based on these three principles and using the progressive legal concept framework, the reconstruction of bureaucratic culture is done to change the paradigm / mindset of bureaucracy, shifting perceptions and value orientation, and reducing formalistic and sectoral attitudes. The reconstruction of bureaucratic culture is directed to create biocritical character, by encouraging the bureaucracy of the regional government with holistic perspective, the local government bureaucracy that carries out its duty with care, and the local government bureaucracy which is oriented to make people happy. Bureaucracy with bureaucratic character who carries out his duty with conscience and care will be able to understand that running the government is a total job, that is, activities that deal with humanitarian problems is far greater than just a matter of law.

D. Conclusion

Based on the studied problems, the urgency of legal protection for endangered orangutan (*pongo pygmaeus*) in the management of sustainable natural resources is by the protection of the law, the change of rain area, and the conversion of forest area into plantation land. Policies and laws related to natural resource management cannot be separated from the management of conservation areas as they are part of natural resource management policies and laws. Changes in the function of production forest areas and protected forests into conservation areas are undertaken to preserve biodiversity, protection of germplasm, and retain other assets present in production forest and protection forest areas. Changes in the function of a forest area, whether production forest, protected forest, or conservation area, have different consequences. Where productive forest area involves many people in its management, while protected forests and conservation areas are more closed for protection.

So far, the formulation of legal protection against endangered orangutan (*pongo pygmaeus*) in the management of sustainable natural resources has not yet obtained a clear legal framework in its protection aspect. Therefore, in regulating and maintaining a fair, balanced, and integrated legal construction, it needs to support both the orangutans and the people themselves.

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