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# **THE 5 th INTERNATIONAL AND CALL PAPER**

## **Legal Reconstruction in Indonesia Based on Human Rights**

**Imam As Syafei Building**

**Faculty of Law, Sultan Agung Islamic University**

**Jalan Raya Kaligawe, KM.4 Semarang, Indonesia**

**UNISSULA PRESS**

# The 5<sup>th</sup> PROCEEDING

## *“Legal Reconstruction in Indonesia Based on Human Right”*

**IMAM AS SYAFEI BUILDING**

Faculty of Law, Sultan Agung Islamic University  
Jalan Raya Kaligawe, KM. 4 Semarang, Indonesia

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## PREFACE

First of all, let's say Thanks to Allah, who has been giving us guidance, happiness, healthy, and mercy, so we can finish this conference proceeding without any obstacles. Praise and salutation upon our prophet Muhammad saw the last messenger, the best figure of this universe; the person who was able to save us from Jahiliyah era.

We would like to extend our thanks to the invited speakers: Prof. Henning Glaser from Thammasat University, Prof. Shimada Yuzuru from Nagoya University, Hilaire Tegnau, Ph.D from Sorbone University, Prof. Topo Santoso From Indonesian University, and Dr. Sri Endah Wahyuningsih, S.H., M.H from Sultan Agung Islamic University.

This was our fourth International conference and call for paper held by Faculty of Law, Sultan Agung Islamic University. This annual conference tries to gain any information and studies done by academician and practitioner in the concerned field to be discussed as guidelines to exchange and talk about views on the most important recent on Legal Construction and Development focusing on The Role of Indigenous and Global Community in Constructing National Law happens in both developed and developing countries and its role in shaping a good future, and to discuss the challenges and practical aspects in integrating competition law enforcement and guidelines to develop legal state in accordance with the diversity of all countries around the world. We hope this conference brings benefit for both participants and our faculty.

We are pleased to have your critique, suggestion and correction in order to make us better. Finally, we do thanks to all who helped this conference. May Allah guide us to always develop useful knowledge for human being.

## PROCEEDINGS

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# Reconstruction Of Legal Drinking Water Management Company (Pdam) Based On Justice

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## Abstract

*After the cancellation of the Law on Water Resources by the Constitutional Court, a Government Regulation of the Republic of Indonesia Number 122 Year 2015 concerning the Drinking Water Supply System is a form of covert privatization in water management, Because The provision of drinking water can be Carried out by the private sector and even by foreign parties, so it should be reconstruction of water resources management regulations is Carried out so that it is in accordance with the mandate of the 1945 Constitution,*

**Keywords:** Reconstruction, Regional Enterprises, Drinking Water, Justice

## A. preliminary

Water is God's creation to meet the needs of human life in the world, hence the use of clean water must be grounded by a sense of responsibility and fully to the welfare of mankind. as a religion that has a predicate rahmatan lil 'alamin, Islam teaches its followers to always interact with the environment as well, because Allah has created the universe for human beings to be used as well as possible for the sake of improvement of quality of life and well-being<sup>413</sup>, Then water management should also be in harmony with natural law, accountable, equitable and empowering people<sup>414</sup>, Utilization of water resources should be directed as much as possible for the welfare and prosperity of society, so that the availability and distribution of potential sources of clean water should be planned in a comprehensive and meets the principles of

expediency, justice, independence, conservation and sustainability<sup>415</sup>, 1945 Article 33 paragraph (3), which mandates that water resources controlled by the state and used for the people's welfare. As also stipulated in the Basic Agrarian Law of 1960. Definition of basic agrarian not just land, but also water and space. In other words, this policy will govern tenure rights over water. This policy recognizes customary rights or customary rights to water<sup>416</sup>,

In 2004 published a more specific policies in the water resources sector, namely Law No. 7 of 2004 on Water Resources (Act-SDA). Law-SDA which meet the needs of multinational companies as well as free trade regime (the World Bank and other international financial institutions) for making water a profitable commodity. Commercialization and privatization of water by private parties put water as a function of economics

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<sup>413</sup> Ari Handriatni 2007, *Islam Role In Environmental Rescue*, Millah, Vol. VI, No. 2, pp. 35.

<sup>414</sup> Azis Ghufroon and Saharani 2007, *Islam and Environmental Conservation*, Millah, Vol. VI, No. 2, pp. 60.

<sup>415</sup> Atyanto Dharoko 2006, *Model Manager Land Use for the conservation of water resources in Sleman*, *Journal of Human and Environment*, Vol. 13, No. 2, July 2nd, 2006, p. 92.

<sup>416</sup> Ajeng Kartika et al. 2013 *Economics of Water Resources Islamic Perspective*, UB Press, Malang, p. vi.

than social function. Law-SDA reaping a lot of controversy because there are several articles that indicated triggering privatization water management and commercialization of water which is contrary to the spirit of Article 33 paragraph (2) and (3) of the 1945 privatization of the water itself has been run by the Indonesian government, particularly the privatization<sup>417</sup> of the Regional Water Company (PDAM), among others<sup>418</sup>:

1. In 1997, the World Bank sponsored the privatization of water in Jakarta, shared with Thames Water (England), and Suez-Lyonnaise (France).
2. Privatization of PDAM Batam and Palembang by Biwater (England).
3. Privatization of PDAM Pekanbaru and Manado (still in progress).
4. Privatization of water by the Ondo-Suez that operate in Jakarta, Medan, Semarang, and tanggerang, and
5. Privatization of water in Sidoarjo by Vivendi (France).

Law-SDA finally by the Constitutional Court (MK) on 17 September 2014 is canceled and re-enacted Law No. 11 of 1974 on Water (Water Act). Furthermore, in 2015 issued regulation Government No. 122 Year 2015 on Water Supply System (SPAM PP), which is basically a privatization of water supply. The problem formulated in this study are:

1. Why not worth the taps Management \_\_\_\_\_ justice?

<sup>417</sup> Elly Erawati and JS Badudu etymologically decipher the meaning of privatization privatization as a translation of "shape changing process followed by the transfer of the rights of a state-owned company into a private company; pengelolaan submission of certain economic sectors to private parties." Elly nurses and JS Badudu, *Economic Law Dictionary*, in Winarno Yudho et. Al, 2005, *Privatization of Electricity, Oil and Gas: In Perspective of Legislation, Policy Government Politics and Its Application In Indonesia*, in cooperation with the Konrad Adenauer Foundation, Jakarta, p. 5.

<sup>418</sup> Bunasor Sanim, 2011, *Water Resources and Public Welfare (An Overview of Theoretical and Practical Study)*, Matter I, IPB Press, Bogor, p. 71

<sup>419</sup> See Sudarwan Danim, 2002. *Being a qualitative researcher, Faithful Reader*, Bandung. See also in Lexy J. Maleong 2005, *Qualitative Research Methodology, Rosda paper, Revised Edition*, Bandung, p. 165. Also in Anas Saidi, 2005 "Qualitative Research Methods", *Papers Research Proposal Preparation Workshop*, LIPI, Jakarta. p. 6. And also in S. Nasution, *Naturalistik Qualitative Research Methods*, Transito, Bandung, hlm.12. see also Esmi Warassih 2006, "Socio-Legal Studies: History and Progress Dynamics", *Paper Workshop, Dynamics Research Forum of Justice and the Ombudsman Magazine*, Bandung, p. 5. Also in Bambang Sunggono 2003, *Methods of Legal Research*, King Grafindo Persada, Jakarta, p. 103.

<sup>420</sup> Soerjono Soekanto, 1986, *Introduction to Legal Research*, UI Press, Jakarta, p. 52.

2. How weaknesses in the management of PDAM in Indonesia at this time?
3. How the legal construction of PDAM management based justice?

The method used is a qualitative research method with sociolegal approach, departing from constructivism<sup>419</sup>, with juridical empirical approach is a method or procedure used to solve the problem by first examining the existing secondary data, followed by a study of primary data in the field<sup>420</sup>, The approach is to understand that the law is not merely a set of rules that are normative, but legal as mengejala community behavior in public life, interact and relate to aspects of society, socio-cultural aspects.

## **B.Results and Discussion**

Basically the welfare of society depends on the wealth of resources alammya. Countries with abundant natural resources will likely be a prosperous country. Prosperous country, depending on how the state government to manage and organize the results alammya resources. Yield management of natural resources are abundant depend on market influences and conditions of the State itself. So, do not be surprised if there is a country with abundant natural resources but impoverished conditions of local communities or mediocre. While a country with limited natural resources, the condition of affluent and prosperous society. Article 33 paragraph (3) of the 1945 Constitution which mandates that water resources controlled by the state and used for

the people's welfare. This theory considers that privatization PDAM going to rip justice,

Size of justice that gives each person what they are entitled as proposed by Gunawan Setiardja, can only be realized by law<sup>421</sup>, One purpose of the law is justice. This is to be realized by the appropriate law Gustav Radbruch opinion on the three objectives of the law of legal certainty, the benefit of law and justice law<sup>422</sup>, To achieve the necessary legal instruments in the law of the legislation. Departing from the opinion of Gustav Radbruch the issuance of PP SPAM is not at all meet the three objectives of the law of Gustav Radbruch, as the first legal certainty of PP SPAM none of this regulation may at any time tested materials and canceled again because it is contrary to the 1945 Constitution, Kedia expediency the law does not have, because PP SPAM only benefit employers and harm the public, third legal justice is not fulfilled, because the PP SPAM is not the welfare of society, but rather the liberalization and retreat to the colonial period for inviting foreign countries in power and not be developed for the welfare of the people as mandated by the 1945 Constitution. thus it takes a progressive legal theory.

Progressive is the word that comes from a foreign language (English) whose origin he is, which means forward progress. Progressive is an adjective, so something that is developed. Progressive Law means the law is advanced. Understanding literally is progressive, favoring new, modern ideas, happening or developing steadily<sup>423</sup> (Contribute towards a new, modern ideas, events or developments that steady), or the desire to go forward, always (more) advanced, increased<sup>424</sup>.

The understanding of progressive law itself is changing rapidly, perform a funda-

mental reversal in the theory and practice of law, and make breakthroughs. The exemption is based on the principle that the law is for man and not vice versa, and the law was not there for himself, but for something broader for human dignity, happiness, prosperity, and the glory of man<sup>425</sup>. Thus the privatization of taps that show a lack of clarity or disagreement, then refers to view progressive law, the provisions of the law that should have to be fixed or improved, in terms of construction norms, thus opening up opportunities for people to get justice in getting drinking water from the taps, as part of an attempt to make people (humans) a prosperous and happy.

## C. Conclusions and suggestions

### 1.knot

- a. PDAM management has not been worth the regulations issued fairness does not support the taps to be managed based on the values of justice.
- b. Weaknesses in the management of PDAM in Indonesia at this time because of the regulations in particular PP SPAM provide opportunities for the private sector to manage the water which impact on consumers paying higher prices of water taps and taps has a dependency on the private sector.
- c. Construction law is a justice-based management taps with no privatization of the taps.

### 2.Suggestion

- a. Within the framework of implementing the 1945 purely and consistently, taps should not enforced privatization.
- b. Drinking water supply should be re-administered by PDAM as enterprises not

<sup>421</sup> Carl Joachim Friedrich, 2004, *the Law Philosophy Historical Perspectives* (Translation Raisul Muttaqien), PT Nuance and Nusamedia, Bandung, p. 239.

<sup>422</sup> Achmad Ali, 2002, *Raising the Curtain Law: A Philosophical and Sociological Studies, Cet II*, PT Gunung Agung Tbk, Jakarta, p. 112.

<sup>423</sup> *Oxford Learner's Pocket Dictionary (New Edition) (third edition) Oxford University Press, Oxford*, pp. 342.

<sup>424</sup> A Partanto Pius and M. Dahlan Al Barry, 2001, *Dictionary of Popular Science, Arkola, Surabaya*, p. 628

<sup>425</sup> Satjipto Rahardjo, 2007, *Dissecting Progressive Law*, Kompas, Jakarta, p. 154.

even foreign-owned private companies.

- c. Reconstruction regulation of drinking water supply should be returned to the taps as the realization of Article 33

paragraph (3) of the 1945 Constitution, namely water resources controlled by the state and used for the people's welfare.

## D. References

- Ali, Achmad, 2002, *Menguak Tabir Hukum: Suatu Kajian Filosofis dan Sosiologis*, Cet II, PT Gunung Agung Tbk, Jakarta.
- Bunator Sanim, 2011, *Sumber Daya Air dan Kesejahteraan Publik (Suatu Tinjauan Teoritis dan Kajian Praktis)*, Cetakan I, IPB Press, Bogor.
- Danim, Sudarwan, 2002. *Menjadi Peneliti Kualitatif*, Pustaka Setia, Bandung.
- Dharoko, Atyanto, 2006, Model Arahana Pemanfaatan Lahan Untuk Konsevasi Sumber Daya Air di Kabupaten Sleman, *Jurnal Manusia dan Lingkungan*, Vol. 13, No. 2, 2 Juli 2006.
- Friedrich, Carl Joachim, 2004, *Filsafat Hukum Perspektif Historis (Terjemahan Raisul Muttaqien)*, PT Nuansa dan Nusamedia, Bandung.
- Ghufron, Azis, dan Saharani, 2007, *Islam dan Konservasi Lingkungan*, Millah, Vol. VI, No. 2.
- Handriatni, Ari, 2007, *Peran Islam Dalam Penyelamatan Lingkungan Hidup*, Millah, Vol. VI, No. 2.
- Kartika, Ajeng, et al. 2013, *Ekonomi Sumber Daya Air Perspektif Islam*, UB Press, Malang.
- Maleong, Lexy J., 2005, *Metodologi Penelitian Kualitatif*, Rosda Karya, Edisi Revisi, Bandung.
- Nasution, S., *Metode Penelitian Naturalistik Kualitatif*, Transito, Bandung.
- Oxford Learner's Pocket Dictionary (New Edition) (Edisi ketiga) Oxford University Press, Oxford.
- Partanto, Pius A., dan M. Dahlan Al Barry, 2001, *Kamus Ilmiah Populer*, Arkola, Surabaya.
- Rahardjo, Satjipto, 2007, *Membedah Hukum Progresif*, Kompas, Jakarta.
- Saidi, Anas, 2005, "Metode Penelitian Kualitatif", Makalah Workshop Penyusunan Proposal Penelitian, LIPI, Jakarta.
- Soekanto, Soerjono, 1986, *Pengantar Penelitian Hukum*, UI Press, Jakarta.
- Sunggono, Bambang, 2003, *Metode Penelitian Hukum*, Raja Grafindo Persada, Jakarta.
- Warassih, Esmi, 2006, "Penelitian Socio-Legal: Dinamika Sejarah Dan Perkembangannya", Makalah Workshop, Forum Kajian Dinamika Hukum dan Majalah Ombudsman, Bandung.
- Yudho, Winarno, et. Al, 2005, *Privatisasi Ketenagalistrikan, Minyak dan Gas Bumi: Dalam Perspektif Peraturan Perundang-undangan, Kebijakan Politik Pemerinta, dan Penerapannya Di Indonesia*, bekerjasama dengan Konrad-Adenauer-Stiftung, Jakarta.