

# Principles

*by* Zaidah Nur Rosidah

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## PRINCIPLES OF PUBLIC PARTICIPATION IN THE PREPARATION OF SPATIAL PLANNING AT RIAU PROVINCE

Lego Karjoko  
Djoko Wahyu Winarno  
Heriyanti

20 Zaidah Nur Rosidah  
I Gusti Ayu Ketut Rachmi Handayani

### ABSTRACT

In general, this study aims to provide prescriptions (1) coherence of regulations on spatial planning with the principle of natural resource social functions, (2) spatial planning in Riau Province that balances the interests of food, energy, and the environment, (3) spatial planning arrangements that can balance the interests of food, energy, and the environment. This study uses native legal research methods, with approach statute approach, conceptual approach, and case approach. The source of this study include the primary legal materials and secondary legal materials related to research problems. Legal materials collected through library research by utilizing indices both print and electronic law, including the Internet. Analyses were performed by syllogism induction-deduction and interpretation. The conclusions of this study, the first, spatial planning regulations have not been able to balance the interests of food, energy, and the environment. This is caused by four factors, namely: the provision of spatial planning evaluation every five years; laws relating to exploitative and pro-capital natural resources; spatial planning without public participation, regulation of holding zone. Second, political space of riau provincial government is more oriented towards food and energy interests and tends to ignore the existence of forests as a provider of clean air. Third, public participation at the level of delegation of authority and public control should be regulated in spatial planning so that spatial planning can be generated that balance the interests of food, energy and the environment.

**Keywords:** Principle of social functions of natural resource, public participation, spatial planning

### A. INTRODUCTION

Based on the doctrine of the right to control of the State and the principle of the social function of natural resources, the state was given the mandate to develop spatial planning that can balance the interests of food, energy, and the environment. In the logic of the capitalistic economic order, spatial planning is an embodiment of the economic planning. Spatial planning is an issue of political economy, an arena of struggle over what to do with natural resources, who mastered the SDA, who works for natural resources, who benefits from natural resources (Bernstein, 2010). The complexity of spatial planning mainly occurs in areas that rich of natural resources. Conflict of interests even strengths compete between corporations and indigenous peoples and environmental activists, both through direct expansion and politics of regional head elections (Rivani Noor LubabunNi'am, 2011). Landscape of Indonesia's spatial planning politics is not only colored by classic conflicts of interest between the government, the private sector, and the community. A sharper conflict actually occurs in internal conflicts between government institutions, namely sectors with sectors, and sector with local government (ErnanRustiadi, 2011).

The problem of space utilization conflicts were recorded in most areas of Riau Province mainly related to overlapping the functions of space, differences in interests of land and illegal land use. Utilization of land and sea space that functions as a protection by aquaculture has the effect of damaging and decreasing environmental quality. In the future, spatial use needs to be harmonized with the provisions stipulated in the Spatial Planning of Riau Province, especially in the effort to maintain, keep, and protect the preserve areas, both of nature reserves, protection of subordinate areas, local protection, disaster-prone areas nature, peatland and mangrove forest, and coral reef and seagrass areas (Riau Province RPJP of 2005-2025).

One of the strategic issues of spatial planning in the Riau province, including of land function change; changes in land function is one of the causes of environmental damage in the Riau region. The clearing of forests for other diverse functions took place gradually and was recorded at ± 1.7 million hectares until 2007. The opening of secondary forests for agricultural land and community plantations has caused the formation of critical lands (Academic Manuscript of Spatial Planning Regional Regulation of Riau Province).

### B. PROBLEM STATEMENTS

1. Are laws and regulations regarding spatial planning coherent with the principle of the social function of natural resources?
2. Does spatial planning in Riau Province balance the interests of food, energy and the environment?
3. How should the spatial planning arrangements to be able balance the interests of food, energy, and environment?

## C. THEORETICAL REVIEW

### 1. The Right to Control of the State and the Principle of Social Function of Natural Resources as the Basics of Spatial Planning

State Control Rights, regulated in <sup>17</sup> Article 33 paragraph (3) of the 1945 Constitution Jo Article 2 paragraph (2) of the Agrarian Basic Law (UUPA), authorizes the state as an organization of power of the Indonesian people at the highest level to:

- <sup>4</sup> a. Regulate and operate the designation, use, supply and maintenance of the earth, water and space.
- b. Determine and regulate legal relations between people to the earth, water and space.
- c. Determine and regulate legal relations between people and legal actions concerning the earth, water and space.

According to BagirManan, the provisions of Article 33 paragraph (3) of the 1945 Constitution were interpreted by two aspects of the principles contained therein, the rules of “the right to control the state” and the rules “used for the greatest benefit of the people”. <sup>27</sup> two aspects of the rule are inseparable from each other, because both are systemic entities. “Right to control of the country” is an instrument (instrumentally), while “used for the greatest prosperity of the people” is the objectives. The link between the rules of “the right to control the state” and “as much as possible the prosperity of the people” will create the state obligations such as:

- <sup>3</sup> a. All forms of utilization <sup>3</sup> the earth, water, space and natural resources contained in it, must be able to significantly improve the prosperity and welfare of the community;
- b. Protect and guarantee all people’s rights contained in and on the earth, water, space, and natural resources contained in them, can be produced directly or enjoyed directly by the people. <sup>6</sup>
- c. Prevent any action from any party that will cause the people have not the opportunity or will lose access to the earth, water, space and natural resources contained in it.

According to Bag<sup>6</sup>Manan, the three aspects above must always be the direction or reference in determining and regulating everything related to the earth, water, space, and natural resources contained therein (BagirManan, 1999).

The right to control the state should require the need for an active role of the government in regulating the arrangement, control and use of agrarian resources so that its use can be directed towards achieving of national goals. The role of the government is not only in planning the physical use, but also in terms of legal arrangements regarding its authority (Lutfi I Nasution, 2002). This is in line with the principle of social function on land contained in Article 6 and principles of optimization of land use contained in Article 14 of the UUPA (Ida Nurlinda, 2009: 57). By referring to the two principles of agrarian law mentioned above, the limited land area can be utilized as efficiently as possible in accordance with the objectives of the UUPA, namely to form a prosperous, justice, and prosperous society; so to make it happen, land and other agrarian resources must be controlled by the state (Ida Nurlinda, 2009: 65).

<sup>1</sup> Based on the second principle of the Pancasila, ‘Just and civilized humanity’, the principle of social function of natural resources was aimed at human beings who carry out their humanity, who carry out their essence as human (monopluralist) optimally, namely the realization of ‘full of the human’. Based on Article 6 of the UUPA and its explanation can be found three indicators of the principle of social function of natural resources, including of:

- a. Suitability of use of natural resources with the condition and nature or purpose of natural resource administration.
- b. Inter<sup>22</sup> of use of natural resources.
- c. The orientation of the use of natural resources is the realization of a balance of fulfillment of interests between food, energy, and the environment.

Based on the doctrine of the right to control the State and the principle of the social function of natural resources, the state is given the mandate to develop spatial planning that can balance the interests of food, energy and the environment.

### 2. Spatial Planning Based on Public Participation

The Constitutional Court has defined <sup>14</sup> definition of “mastery concept” as intended by Article 33 paragraph (3) of the 1945 Constitution. In its decision on case No. 001-021-022/PUU-I/2003 on the review of Law No. 20 of 200<sup>15</sup> Electricity, the Constitutional Court mentioned five forms of control by the state, including of policy making (*beleid*), management actions (*bestuursdaad*), regulation (*regelendaad*), management (*beheersdaad*), and supervision (*toezichhoudensdaad*). <sup>5</sup> The achievement of the objectives of the greatest prosperity of the people, was formulated into four benchmarks, including of (1) the benefits of natural resources for the people, (2) the level of equitable benefits of natural resources for the people, (3) the level of people’s participation in determining the benefits of natural resources and (4) respect for the rights of the people from generation to generation in utilizing natural resources (Yance Arizona, 2011).

<sup>11</sup> Based on the Constitutional Court’s interpretation of Article 33 paragraph (3) of the 1945 Constitution, public participation is a prerequisite for spatial planning that can balance the interests of food, energy and the environment. Public participation is a categorical term for public/citizen power. It is a redistribution of power that enables “a non-entitled public”, which is currently excluded from political and economic processes, should be included deliberately in the future. This is a strategy where people who do not have that right join in determining how information is disseminated, goals and policies set, sources of tax allocated,

programs operated and benefits such as contracts and safeguards packed. In short, this is a way in which they can encourage significant social reforms that enable them to share the benefits of a prosperous society (Sherry R. Arnstein, 1969).

There is an important difference between an empty ritual of participation and rituals that have real power needed to affect an outcome of the process. Typology of eight levels of participation may help in the analysis of the perplexing problem. For the purposes of depicting these eight types arranged in a pattern of a ladder with each of ladder connected to the level of public power in determining the final product. From the bottom up (Sherry R. Arnstein, 1969).

The bottoms of the ladder are (1) Manipulation and (2) Therapy. The 8<sup>th</sup> two steps illustrate the level of non-participation that has been formed by several people to replace genuine participation. Their real purpose is not to allow people to participate in planning or implementing programs, but it allows power holders to “educate” or “cure” the participants. 3<sup>rd</sup> and 4<sup>th</sup> ladder is develop to the level of tokenism/delusive/imaginary which allows “people who do not have” to hear and voice; (3) inform and (4) consultation. When they are offered by holders of power as a total amount of participation, the public may actually hear and speak out. But under these conditions there is no power to ensure that their views will be considered by those in power. If participation is limited to this level, there is no follow-up no strength so there isn't certainty to change the status quo. The 5<sup>th</sup> ladder is placation/silence, only a higher level because the basic rules permit the “people who do not have” to give her advice, but the fact remains that authorities will execute/still retaining the planning that they already decided (Sherry R Arnstein, 1969).

Furthermore, from these ladders the level of public power with the level of influence of increased decision making. The public can enter into (6) Partnerships. This makes it possible to negotiate and engage in trade-offs (situations where someone has to make decisions on two or more things, sacrifice/lose an aspect with certain reasons to obtain other aspects of different qualities as choices taken) with traditional power holders. On the top of ladder (7) of delegated power and (8) Public Control, “a non-entitled public” obtains the majority of seats in decision-making or managerial power in full (Sherry R. Arnstein, 1969).

#### D. RESEARCH METHODS

This normative legal research was used a legal and conceptual approach. Secondary data collection was done through library research and content analysis, determined the answers to legal issues used syllogistic deduction and interpretation.

#### E. RESEARCH RESULTS AND DISCUSSION

##### 1. Principle of Social Function of Natural Resources and Regulations concerning Spatial Planning

Based on the principle of the social function of natural resources, spatial planning regulations should be able to balance the interests between food, energy and the environment. In fact, spatial planning regulations have not been able to balance the interests between food, energy and the environment. This was caused by three factors including of:

###### a. Provisions for evaluating of spatial planning every five years

Article 23 paragraph (4) Law No. 26 of 2007 stated that the provincial spatial planning was reviewed one time in five years. According to Article 26 paragraph (5), the regency spatial planning was reviewed one time in five years. The provision of a review of the regional spatial planning every five years is a gap for officials granting location permits to avoid sanctions that cancel permits and criminal sanctions by conducting bleaching against violations of regional spatial planning. Provincial and district/city governments develop spatial planning that is not in accordance with the drafting guideline and incomplete data as a basis for spatial planning (Rafli, 2011: 126-127). The orientation of economic growth has caused the government to lose control of land use activities. The pattern of land using tends to be determined by the way private companies capture and realize market opportunities. The result is that spatial planning marginalized by market mechanisms are no longer able to function as a guard of the public interest. Instead of controlling development, the spatial planning becomes a tool to justify the release and utilization of land by the private sector. Moreover, the development planning is largely influenced by the objectives and declaration of the central or regional governments in promoting efforts to attract investment in order to support sustainable economic growth (Tristam Moeliono, 2010: 361).

The legal actions of the regional government are not coherent with the principles of conservation and people's welfare which are mandated by Law No. 26 of 2007. This is due to natural resource legislation which is a reference for the preparation and determination of the balance sheet of land stewardship, the balance sheet for water resources management, the balance sheet for air stewardship, and the balance sheet for the use of resources other nature and subsequently become the basis of spatial use only oriented to economic development (pro-capital) and exploitative. Regulation of SDA legislation that is only oriented towards economic development (pro-capital) and uncoherent exploitation with the principle of the social function of natural resources because there is no fulfillment of land use orientation indicators to realize the balance of fulfillment of food, energy and environmental interests. The landscape of Indonesian spatial politics is not merely colored by classic conflicts of interest between the government, the private sector, and the community. A sharper conflict actually occurs in internal conflicts between government institutions, namely sectors with sectors; sector with local government (Ernan Rustiadi, 2016).

#### b. Laws Regarding Natural Resources which are Exploitative and Pro-Capital

Of the 12 laws governing natural resources, there are eight laws that prioritize exploitation for food and energy and pro-capital, including of (1) Law No. 11 of 1967, (2) Law No. 41 of 1999, (3) Law No. 22 of 2001, (4) Law No. 27 of 2003, (5) Law No. 7 of 2004, (6) Law No. 31 of 2004, (7) Law No. 27 of 2007, (8) Law No. 18 of 2008. Eight laws related to natural resource-oriented exploitation for food and energy and pro-capital not coherent with the principle of the social function of natural resources, because it causes spatial planning oriented to the interests of food and energy that did not materialize utilization of natural resources balanced the fulfillment of interests between food, energy, and environment.

Eight laws related to exploitation of natural resources for food and energy and pro-capital are not coherent with Article 33 paragraph (3) of the 1945 Constitution. The provisions of the 1945 Constitution required that the government intervene in spatial planning with the aim of creating agrarian justice. The concept of social development adopted by Article 33 paragraph (3) of the 1945 Constitution aims at the occurrence of social transformation fundamentally in the form of equitable spatial planning (Nurhasan Ismail, 2007: 27-28).

Eight laws related to natural resource exploitation were oriented for food and energy and pro-capital are not justified by the natural law which stated that the rule of law must be built in a structure that culminates in God's will. According to the doctrine of Thomas Aquinas, eight laws relating to exploitation and pro-capital-oriented natural resource (lex humane) become incorrect because: (1) ignoring the goodness of the community, (2) serving the passions and arrogance of the maker, (3) originating from arbitrary power, (4) discriminatory against the people, then the law is not valid because it contradicts the moral law of nature and God (Bernard L. Tanya, Yoan N. Simanjuntak, Markus Y. Hage, 2010: 59).

Eight laws related to natural resource exploitation oriented for food and energy and pro-capital are not justified by progressive law that adheres to 'ideology'; pro-justice law and pro-people law (Bernard L. Tanya, Yoan N. Simanjuntak, Markus Y. Hage, 2010: 212). With this ideology, the dedication of the State should be to restore agrarian injustice or rearrange spatial planning that is environmentally sound and equitable. Eight laws relating to the natural resources exploitation oriented for food and energy and pro-capital shown the dedication of State actually perpetuate the exploitative spatial planning for food and energy and pro-capital.

Eight laws relating to the natural resources, which stimulated the exploitative spatial planning for food and energy and pro-capital, is not coherent with the principle of just and civilized humanity. Justice, in relation to humanity, that is just to himself, to his fellow human beings and to his God. Civilized is the implementation of all the elements of human nature. It is all in the form of implementing a life with the highest dignity, so that civilized human beings are those who carry out their humanity who carry out their essence as human (monopluralist) optimally, so that the realization of Indonesia's development goals is the realization of 'full human' (Kaelan, 2002: 169-170).

Eight laws related the natural resources, which stimulated the exploitative spatial planning for food and energy and pro-capital, not justified by Hegel and Thomas Aquinas. A flow of Hegel's idealism of legal philosophy which states that there is an original impulse from individuals to form a group or association, which although at the first level pursues personal interests, but also pays attention to the common goals of society, because the goals of society are relatively broader and more general in nature rather than individual goals (W. Friedmann, 1960: 13-14). In line with Hegel, Thomas Aquinas states that humans have a tendency to want to live in society so that it is natural for humans to avoid everything that is detrimental in the life association (Peter Mahmud Marzuki, 2012: 94).

Eight laws related to the natural resources, which only prioritizes food and energy interests and ignoring the interests of the environment, incoherent with the ideals of the 'Democracy led by understanding wisdom among honorable representatives from the parliament house' which required the implementation of spatial planning to realize the use of natural resources that balance the interests of food, energy and the environment. In line with the precepts of "populism" according to Jhering, that the State, society, and individuals have the same goal, to pursue benefits. The state, by using law, carries out the unification of interests for the same purpose of benefits. The law has double functions. On the one hand, it is the duty to guarantee the freedom of individuals to achieve their goals to pursue benefits and avoid losses. On the other hand, the law carries the task of organizing individual goals and interests so that they are related to the interests of others (Bernard L. Tanya, Yoan N. Simanjuntak, Markus Y. Hage, 2010: 108-109).

#### c. Spatial planning without Public Participation

Based on the doctrine of the right to control the State and the principle of the social function of natural resources, the state is given the mandate to involve public participation in preparing spatial planning so that regional spatial planning can be produced that balance the interests of food, energy and the environment. Public participation is a categorical term for public/citizen power. This is a redistribution of power that allows "a non-entitled public", which is currently excluded from political and economic processes, to be deliberately included in the future.

According to Article 65 of Law No. 26 of 2007, the implementation of spatial planning was carried out by the government by involving the role of the community. The role of the community in spatial planning was carried out through participation in preparing spatial planning; participation in spatial utilization; and participation in controlling spatial utilization. Public participation in the preparation of the provincial spatial planning was regulated in the Minister of Public Works Regulation No.

15/PRT/M/2009 on Guidelines for the Compilation of the Provincial Spatial Planning above is an empty participation ritual, which has no power.

## 2. Spatial planning in Riau Province: Competition in the Interests of Food, Energy and the Environment

Regulations on natural resources legislation that are only oriented towards economic development (pro-capital) and exploitative are not coherent with the principle of social function of natural resources because they are stimulant in the preparation of the spatial planning more oriented for food and energy so there not fulfillment the orientation indicators of land utilization realized the balance fulfillment of food, energy environment interests. The landscape of Indonesian spatial politics is not merely colored by classic conflicts of interest between the government, the private sector, and the community. A sharper conflict actually occurs in inter conflicts between government institutions, namely sectors with sectors, sector with local government (Ernan Rustiadi, 2016) the preparation of the Riau Province Spatial Planning there was a conflict between the Government of Riau Province and the Ministry of Environment and Forestry regarding the area of forest in Riau Province.

Table 1  
Changes in the Allotment of Forest Areas to Non-Forest Areas of Riau Province

No.	Legal basis	Forest Area (Ha)	Non Forest Area (Ha)	Range of Riau Province (Ha)
1	Forestry Minister Decree No. 173/Kpts-II/1986	9,456,160	-----	9,456,160
2	Forestry Minister Decree No. SK.7651/Menhut-VII/KUH/2011	± 7,121,344	2,334,816	9,456,160
3	Riau Provincial Government Proposal of 2008,2009,2012	5,925,464	3,530,696	9,456,160
4	Timdu 2012	6,720,023	2,736,137	9,456,160
5	Forestry Minister Decree No. SK. 673/Menhut-II/2014	5,483,095	3,973,065	9,456,160
6	Forestry Minister Decree No SK 25/Menhut-II/2014	± 5,499,693	3,956,467	9,456,160
7	Decree of the Minister of Environment and Forestry No SK.314/MENLHK/SETJEN/PLA.2/4/2 016	5,434,568	4,021,592	9,456,160

The holding zone settlement mechanism for forest area designation conflicts in the preparation of the Riau Province Planning is evidence of space politics more oriented to the interests of food and energy and tends to ignore the existence of forests as providers of clean air.

The holding zone settlement mechanism for forest area designation conflicts in the preparation of the Riau Province Spatial Planning is incoherent with Article 33 paragraph (3) of the 1945 Constitution. The provisions of 1945 Constitution require public participation in spatial planning with the aim to realize agrarian justice. The concept of social development adopted by Article 33 paragraph (3) of the 1945 Constitution aims at the occurrence of social transformation fundamentally in the form of equitable spatial planning (Nurhasan Ismail, 2007: 27-28).

The holding zone settlement mechanism for forest area designation conflicts in the preparation of the Riau Province Spatial Planning is not coherent with the principle of the social function of natural resources, because it causes spatial planning that is oriented to the interests of food and energy so that natural resource utilization is not realized balancing of fulfillment of interests between food, energy, and environment.

The holding zone settlement mechanism for forest area designation conflicts in the preparation of the Riau Province Spatial Planning is not justified by the natural law that states the legal system must be built into the structure culminating in God's will. According to the doctrine of Thomas Aquinas, the holding zone settlement mechanism for forest area designation conflicts in the preparation of the Riau Province Spatial Planning to be incorrect due (1) ignoring the goodness of the community, (2) serving the passions and arrogance of the maker, (3) originating from arbitrary power, (4) discriminatory against the people, then the law is not valid because it contradicts the moral law of nature and God (Bernard L. Tanya, Yoan N. Simanjuntak, Markus Y. Hage, 2010: 59).

The holding zone settlement mechanism for forest area designation conflicts in the preparation of the Riau Province Spatial Planning is not justified by the progressive law that embraces 'ideology'; pro-justice law and pro-people law (Bernard L. Tanya, Yoan N. Simanjuntak, Markus Y. Hage, 2010: 212). With this ideology, the dedication of the State should be to restore agrarian injustice or rearrange spatial planning that is environmentally sound and equitable. The holding zone settlement mechanism for forest area designation conflicts in the preparation of the Riau Province Spatial Planning shown the dedication of State actually perpetuate the exploitative spatial planning for food and energy and pro-capital.

### 3. Public participation and spatial planning arrangements that can Balance the interests of food, energy, and environment

Based on the principle of the social function of natural resources and the doctrine of the right to control the state, in the arrangement of spatial planning it should be regulated the ritual of participation that has the real power needed to influence an outcome of process, including of

#### a. Delegating authority

2 Negotiations between citizens and public officials can also result in citizens reaching the dominant decision-making authority on certain plans or programs. The model of the city policy council or the CAA delegation body where citizens have a majority of seats and certain powers is clearly a typical example. At this level, the ladders have adjusted to the level in which citizens hold the significant cards to assure accountability of the program to them. To overcome differences, holders of power need to begin the process of bargaining rather than responding to pressure from the other end.

#### b. Public Control

Demand for schools that are controlled by the community, controls by black people and environmental control is increasing. With no one in this country having absolute control, it is very important that rhetoric is not confused with intentions. Communities only demand a level of power (or control) with the assurance that participants or residents can arrange a program or institution, take full responsibility for policy and managerial aspects, and can negotiate conditions where "outsiders" can change them. An environmental company that does not have intermediaries between it and the source of funds is the most frequently recommended model. A small number of such experimental companies already produce goods and or social services. Some others are reported in the development stage, and new models for control, will undoubtedly emerge when goods continue to suppress greater levels of strength during their lifetime.

Both types of participation was parallel with type of natural resource management as a common property, which is bound by a set of social norms and rules can be referred to as common property regimes. On the other hand, the resource management regime can be either private or state property. A common property of natural resources management regime will better guarantee the ability of these resources to provide services sustainably for all parties who depend on these resources. The management regime of private or state property will not be able to guarantee the sustainability differently to various aspects such as productivity, sustainability, and justice of the resource in question. In the common-property regime, all group members are guaranteed access to resources, based on rules that are jointly created and accepted; whereas in the other two regimes these conditions did not occur. An ideal common-property regime will be characterized:

- a. There are only minimal (or even nonexistent) discrepancies between members and only require little effort to become the integrity of resources; then the regime becomes efficient;
- b. Large capacity to manage progressive change through adaptation, such as the inclusion of new techniques: the regime is stable;
- c. Capacity to accommodate sudden shocks: the regime is resilient; and
- d. There is a perception of similarity among members, by heeding input and outcome; then the regime is fair (Maria SW Sumardjono et al, 2011: 36-37).

Based on natural resource concepts and management regimes, there is a need to protect and proportionally provide adequate space for social, economic, political, technological and institutional changes. This needs will be even more urgent, as Ostrom, proposes the concept of governing resources to replace the concept of management resource, to provide wider space for various aspects that give strength to natural resource management. Stewardship of natural resources may be a satisfying alternative answer, because it can be protective (governing) natural resources through regulation of aspects of mastery and utilization. Natural resource stewardship is a management policy that regulates aspects of mastery and utilization of natural resources which are in the form of consolidating the use of resources through a unified system for the benefit of the community fairly. By formulating natural resource management policies as a system, stewardship should reflect the various sub-systems that build them, such as social, economic, institutional, ecosystem, and legal sub-systems. Thus, aspects of mastery and utilization in stewardship can be measured by various regime criteria such as efficiency, stability, resilience, and justice (Maria SW Sumardjono et al., 2011: 38-39).

### F. CONCLUSION

1. Based on the principle of the social function of natural resources, spatial planning regulations should be able to balance the interests of food, energy and environment. In fact, spatial planning regulations have not been able to balance the interests between food, energy and environment. This is caused by three factors, the provisions for evaluating regional spatial planning every five years; laws related to exploitative and pro-capital of natural resources; spatial planning without public participation, the holding zones as a mechanism for resolving forest area allotment conflicts in spatial planning.
2. In the preparation of the Riau Province Spatial Planning there was a conflict between the Government of Riau Province and the Ministry of Environment and Forestry regarding the forest area in Riau Province. The holding zone settlement mechanism for forest area designation conflicts in the preparation of the Riau Province Spatial Planning is give evidence the space politics more oriented to the interests of food and energy and tends to ignore the existence of forests as providers of clean air.

3. Based on the doctrine of the right to control the State and the principle of the social function of natural resources, the state is given the mandate to involve public participation in preparing spatial planning so that regional spatial planning can be produced that balance the interests of food, energy and the environment.

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Lego Karjoko  
Universitas Sebelas Maret  
Email: legokarjoko@staff.uns.ac.id

Djoko Wahyu Winarno  
Universitas Sebelas Maret  
Email: Wahyuwinarnodjokogmail.com

16  
Heriyanti  
Universitas Prima Indonesia  
Email : heriyanti@unprimdn.ac.id

Zaidah Nur Rosidah  
IAIN Surakarta 16  
Email : zaidahnurr@yahoo.com

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