

CRIMINALIZATION OF CIVIL SOCIETY AND INDONESIA ENVIRONMENTAL POLITICS: CASE STUDY OF TANJUNG BENOA RECLAMATION

Verdinand Robertua

Department of International Relations, Universitas Kristen Indonesia, Jakarta

verdinand_robertua@uki.ac.id

Abstract

There is a serious problem with Indonesia's environmental politics because the government supported policies that potentially harmed the environment, including the reclamation project. Reclamation has harmed the mangrove forest and coral reef, as well as the fishing area. Civil society questioned the commitment of Indonesia's government to protecting the mangrove forest in Indonesia. The problem is worsened when activists and indigenous communities are criminalized. Activists are threatened by legal action due to their political activism. This research attempted to understand the role of civil society in changing government decisions by using a case study of the cancellation of the reclamation plan in Tanjung Benoa, Bali. Primary data is obtained through direct observation in Tanjung Benoa, Bali, and supported by secondary data from journals, news outlets, and official reports. There are two main findings. Firstly, the criminalization of civil society showed that the contradiction between the Indonesian constitution and law enforcement is clearer. Secondly, the government finally canceled the reclamation project in Tanjung Benoa due to massive protests from communities and civil society.

Keywords: Environmental Politics, Indonesia, Tanjung Benoa, Civil Society, Reclamation

1. Introduction

Mangrove deforestation in Indonesia has emerged as a critical environmental issue with far-reaching implications for both local ecosystems and the global climate. Indonesia, one of the biggest archipelagic nations, known for its rich biodiversity and extensive coastal areas, has witnessed a staggering loss of mangrove forests, amounting to approximately 50% over the last three decades.

The period from 1980 to 2005 marked a particularly alarming trend, with Indonesia experiencing a mangrove deforestation rate of 52,000 hectares per year. This rapid loss has been attributed to various factors, including the expansion of aquaculture, agriculture, and infrastructure development, such as the controversial reclamation projects. The widespread destruction of mangrove ecosystems has profound consequences for the delicate balance of coastal environments.

Mangroves serve as invaluable ecosystems due to their unique ability to thrive in the interface between land and sea. These coastal forests play a pivotal role in providing habitat for diverse marine life, acting as nurseries for numerous fish species. Additionally, mangroves contribute significantly to carbon sequestration, acting as efficient carbon sinks. Their intricate root systems trap and store large amounts of carbon, playing a crucial role in mitigating climate change.

The loss of mangroves in Indonesia not only jeopardizes local biodiversity but also exacerbates global environmental challenges. The country's mangrove deforestation contributes to 6% of its total annual forest loss, a statistic indicative of the magnitude of the issue. Furthermore, Indonesia's mangrove loss represents a staggering 42% of the global degradation of coastal ecosystems, underscoring the global significance of preserving these critical habitats.

From a global perspective, the consequences extend beyond biodiversity loss. The blue carbon emissions associated with mangrove deforestation in Indonesia contribute to 3-19% of the total greenhouse gas emissions from global deforestation. This not only intensifies climate change but also results in substantial economic losses, estimated to be between US\$ 6-42 billion annually at a rate of US\$ 41 per ton of CO₂.

The urgency to address mangrove deforestation in Indonesia is evident, necessitating a comprehensive approach that balances economic development with environmental sustainability. It calls for strengthened conservation efforts, sustainable land-use practices, and heightened awareness of the intricate ecological roles played by mangrove ecosystems. The ongoing protests against reclamation projects highlight a growing public concern and a call for more environmentally responsible policies to ensure the preservation of Indonesia's mangrove heritage for future generations (Siikamäki et al., 2012).

The Mangrove Conservation Forest in Bali stands as a testament to the collaborative efforts between the Indonesian government and the Japan International Cooperation Agency (JICA) to preserve and sustainably manage mangrove ecosystems. Covering an expansive 200 hectares along the By Pass Ngurah Rai Road, this conservation area serves the dual purpose of ecological preservation and eco-tourism,

offering a unique blend of environmental education and recreational opportunities (Mongabay, 2014).

Situated in Tanjung Benoa, at the southern side of Bali, this mangrove forest holds a strategic location between key tourist destinations, including Nusa Dua, Sanur, and Kuta. The bay's proximity to the Ngurah Rai International Airport, Benoa International Harbour, and the Bali Mandara Toll Road further emphasizes its centrality to the island's infrastructure. (Putra, Priadarsini, & Resen, 2019). These resources serve as valuable guides for the sustainable management of mangrove ecosystems.

The mangrove conservation in Bali faces a significant threat with the approval of a reclamation project in the Tanjung Benoa area by the Governor of Bali. The permit, issued to PT. Tirta Wahana Bali Internasional (TWBI) through Decree Number 2138/02-C/HK/2012, outlines plans for a substantial reclamation effort covering 838 hectares. This decision raises concerns about the potential environmental impact on the mangrove conservation area.

PT. Tirta Wahana Bali Internasional (TWBI), identified as a private investor, has assumed a crucial role in driving the reclamation project in Tanjung Benoa. The magnitude of the investment, amounting to 30 trillion Rupiah, underscores the scale and significance of the proposed development in the region (TWBI, 2016).

ForBali is the Bali's civil society that against the reclamation project in Tanjung Benoa. They used social media and public protest to voice out the threat of reclamation toward the livelihood of coastal communities in Tanjung Benoa and the ecosystem of the mangrove forests. ForBali's campaign successfully attracted nationwide attention including the public figures, political leaders and the ministers. Bali's newly elected governors agreed to cancel the reclamation project. ForBali's movement faced serious problem when the police arrested two ForBali's activists due to illegal action. Bali Police accused that the activists has degraded the Indonesia Flag during the protest movement. According to ForBali activists, the arrest is part of criminalization of civil society (Metro Bali, 2016).

Discussion on the criminalization of civil society in Indonesia environmental politics is still rare. Most of the scholars in Indonesia environmental politics focused to criticize the effectiveness of the Indonesian government in protecting Indonesian natural resources. Hidayat (2005) presented the dynamic of Indonesian environmental politics in forestry sectors. He focused on the impact of transmigration policy and one million hectares of peat farms in the Suharto era. Robertua (2020) analyzed Indonesia's environmental politics into three main themes (energy politics, forestry politics, and maritime politics) without elaborating on the issue of criminalization of environmental politics.

There are increasing pressures toward environmental activism in many countries. Based on 2.800 cases of environmental conflicts worldwide, Scheidel, et.al (2020) presented a comprehensive analysis of the threat of criminalization, physical violence, and assassinations toward environmental defenders. They argued that indigenous communities are the most vulnerable part of society for the risk of criminalization, physical violence, and assassination. Berta Isabel Cáceres Flores is one of the activists killed by strangers. Berta is actively protesting the plan of the Honduras

government in building a dam in the area of Berta's community. The dam project threatened the ecosystem of the forest and destruction of the living area of indigenous communities. She has been threatened due to her active opposition to the plan. The Honduras police has conducted an investigation and yet arrested the suspect.

It is interesting to further the research on criminalization toward civil society in Indonesia. In the case of the protest against the reclamation of Tanjung Bena, Bali, the police have arrested two Balinese due to the allegation of the degradation of state flag. I Gusti Putu Dharmawijaya, and I Made Jonantara are ForBali activists that protested the reclamation plan. It is important to understand the impact of the reclamation project in Tanjung Bena and the role of civil society in conducting protest toward the plan.

2. Literature Review

According to Robertua (2020), environmental politics is the politics about the natural resources. Robertua elaborated environmental politics using Watts's definition of ecology politics. Watts (2000) defined ecology politic: "*to understand the complex relations between nature and society through a careful analysis of what one might call the forms of access and control over resources and their implications for environmental health and sustainable livelihoods*". Indonesia's environmental politics is based on the Indonesia constitution article 33, points 3 and 4. These articles pointed out that the government must use natural resources for the greater society and sustainable approaches. The constitution is translated into multiple regulations, including Law Number 32, the year 2009, on the protection and management of the environment.

Indonesia's environmental politics emphasized not only the consistency of regulation but also the actors with their identities and characteristics. The government will face opposition from international society, parliaments, and civil society if the decision brings a detrimental effect on the community. Cooperation between governments and civil society in managing Indonesia's natural resources is implemented in many programs and actions. Civil society is key partners in achieving sustainable development in Indonesia.

The increasing integration of the global economy has reshaped power dynamics, challenging the traditional authority of national governments. This shift has paved the way for various political and economic actors, beyond governmental bodies, to actively participate in global affairs. Among these actors, civil society groups and non-governmental organizations (NGOs) have emerged as influential forces in shaping international cooperation, particularly in the realm of environmental governance.

Civil society, broadly defined as the public sphere outside of government activities, has become a driving force in mobilizing public support for international agreements on environmental issues (Meidinger, 2002). The effectiveness of global environmental governance hinges on the constructive participation of civil society, making it a crucial task for policymakers to facilitate and enable this engagement. The diversity and significance of civil society's role in environmental governance are acknowledged in Agenda 21, a comprehensive sustainable development blueprint adopted at the Rio Earth Summit in 1992.

Sawhney, Kobayashi, Takahashi, King, and Mori (2007) showed that there is an increasing number of collaboration projects between governments and civil society in natural resource management. Civil society participation in government projects will offer advantages and benefits to the community and government. It is interesting to

analyze the source of NGO funds. Most of NGO's project comes from the government, but the government only contributed less than 50 percent of NGO's budget. The civil society helped the government to ensure the effective implementation of the projects in natural resources management.

The conflict between civil society and governments also happened in many cases. Criminalization is a form of government intervention toward social protest. Terwindt and Schliemann (2017) showed the struggle of civil society to fight against governments and corporations because civil society attempted to protect the local community from a land grab or environmental degradation. There are four kinds of pressures, namely: physical harassment and intimidation, criminalization through prosecution and investigation, administrative restrictions, stigmatization, and participation under pressure. To win the battle against the government, there are several options for civil society. Civil society can decide to leave the country, denounce the corporation in public, or set up a dialogue with the government.

The successful implementation of the Sustainable Development Goals relies heavily on building effective partnerships between governments, the private sector, and civil society. SDG 17 (Partnership for Goals) recognizes that achieving the ambitious targets of the other goals requires collaboration, shared responsibility, and collective action. However, the criminalization of civil society can pose significant challenges to the formation and sustenance of such partnerships, hindering progress in several ways:

1. Suppression of Advocacy and Collaboration:

- Criminalization may discourage civil society organizations from engaging in advocacy, collaboration, and constructive dialogue with governments and other stakeholders. Fear of legal repercussions may lead to self-censorship and reluctance to participate in initiatives aimed at achieving the SDGs.

2. Diminished Trust and Cooperation:

- The criminalization of civil society can erode trust between the government and non-governmental entities. Effective partnerships require mutual trust, and the imposition of legal restrictions may breed suspicion and hinder the development of collaborative efforts needed for SDG implementation.

3. Restriction of Resources:

- Civil society organizations are often instrumental in mobilizing resources, expertise, and grassroots support for sustainable development initiatives. Criminalization may result in reduced funding, limitations on operational capacity, and restrictions on foreign aid, impeding the ability of civil society to contribute effectively to SDG-related projects.

4. Undermining Inclusivity:

- SDG 17 emphasizes the importance of inclusivity in partnerships. Criminalization may disproportionately target certain groups or individuals, excluding them from participating in decision-making processes. This undermines the inclusivity aspect of partnerships and can lead to an imbalanced representation of diverse perspectives.

5. Impact on Innovation and Solutions:

- Sustainable development requires innovative solutions and diverse perspectives. Criminalizing civil society stifles creativity and discourages

the exploration of alternative approaches to addressing complex challenges. SDG 17's call for innovation and collaboration becomes challenging in an environment where civil society is suppressed.

3. Research Methods

The case study method serves as a powerful empirical investigation strategy, offering an in-depth exploration of one or more phenomena within their real-world context. This research will employ the case study method to gain advantage on in-depth exploration of the reclamation project in Bali and the role of civil society in protesting the reclamation project. The case study method involves a meticulous examination of specific cases to unravel their unique configurations and to illustrate features applicable to a broader class of similar phenomena. As highlighted by Porta and Keating (2008), case studies are diverse in objectives, characteristics, and results, allowing researchers to tailor their approach based on the specific nature of the phenomenon under investigation.

In employing the case study method for this research, the interpretive aspect becomes particularly crucial. This approach entails not only describing and understanding the cases but also interpreting them within theoretical frameworks. The interpretive case study aims to provide nuanced explanations for the observed phenomena, utilizing existing theories to guide the analysis. This approach is valuable for refining theories and evaluating their applicability in real-world scenarios. By exploring the configurations of the chosen cases, this research seeks to offer insights that extend beyond the specific instances studied, contributing to a broader understanding of the phenomena in question.

Furthermore, the case study method allows for a holistic examination of the context, relationships, and factors shaping the cases. It goes beyond statistical analysis to capture the richness and complexity of real-world situations. By adopting an interpretive lens, this research aims to delve into the depths of each case, unraveling the intricacies and uncovering the underlying dynamics that may not be immediately evident.

Process-tracing, as a complementary methodology, adds a temporal dimension to the research (Hall, 2003). It involves a sequential analysis of events or processes, facilitating the identification of causal mechanisms and a deeper understanding of how and why certain outcomes occur. In the context of this research, process-tracing becomes instrumental in unraveling the chronological development of the phenomena under study (Klotz, A., Prakash, D., Klotz, A., & Prakash, D, 2008)..

This method enables the researcher to trace the causal links and mechanisms that drive the the Presidential Regulation No. 122 of 2012 regarding the reclamation in coastal areas and remote islands and Presidential Regulation No. 73 of 2012 regarding mangrove governance in Indonesia. Process tracing helped the researcher to provide a systematic approach to understanding the dynamics over time, offering insights into the decision-making processes, interventions, and contextual shifts that influence the cases. Process-tracing is inherently geared towards uncovering the underlying mechanisms behind observed patterns, making it a valuable tool for establishing causal relationships. By integrating process-tracing with the case study approach, this research aims to contribute not only to theoretical refinement but also to a comprehensive understanding of the temporal dynamics inherent in the phenomena under examination.

4. Result and Discussion

Former President SBY issued Presidential Regulation Number 51 of 2014, amending the existing Presidential Regulation Number 45 of 2011. This amendment played a crucial role in changing the conservation status of Tanjung Benoa into a public use area. The amendment appears to be a necessary step to facilitate the reclamation project, allowing the area to be repurposed for a different land use.

The amendment signifies a shift in the designated status of Tanjung Benoa, from being a conservation area to being classified as a public use area. This change likely created the legal framework to support large-scale development activities, such as the 700-hectare reclamation plan. PT. TWBI, the entity behind the reclamation project, obtained a license for the reclamation area from the Minister of Maritime Affairs and Fisheries. This license is documented under Number 445/MEN-KP/VIII/2014. The license covers 700 hectares in the Tanjung Benoa bay area and is situated within the Sarbagita areas, indicating official approval for the implementation of the reclamation project.

It appears that the local community in Bali, represented by ForBALI, has been actively opposing the reclamation project in Tanjung Benoa. The community's efforts include demonstrations, peaceful protests, and cultural parades expressing their rejection of the project.

Table 1. Timeline of Opposition Activities of ForBALI

January 2014	Initial Opposition ForBALI, the local environmental community in Bali, organizes a demonstration in front of the State Palace in Jakarta, specifically opposing the reclamation project in Tanjung Benoa
February 2014	Peaceful Protest The Balinese community conducts a peaceful protest, reading out their rejection of the reclamation plan.
August 2018	Permit Expiry The permit for the reclamation project in Tanjung Benoa, held by PT. TWBI, expires, leading to the project being put on hold. The continuation of the project is dependent on the revocation of Presidential Regulation No. 51 of 2014.
Ongoing Opposition Activities	ForBALI continues its efforts to oppose the reclamation project through routine cultural parades, such as the #TolakReklamasiTelukBenoa parade

Source: Author

The ForBALI community has outlined six main reasons why the Balinese reject the reclamation project in Tanjung Benoa. Here are some of the key points:

1. Damage to Function and Conservation Value:

The reclamation project is anticipated to harm the function and conservation value of Tanjung Bena and its surrounding waters.

2. Impact on Reservoirs:

Tanjung Bena serves as a reservoir for waters from five watersheds, and the reclamation is expected to negatively impact these reservoirs.

3. Sacred Area/Campuhan Agung:

The project poses a threat to sacred areas, including Campuhan Agung.

4. Reduction in Flood Reservoir Function:

Tanjung Bena acts as a flood reservoir for five sub-watersheds: Badung, Mati, Tuban, Bualu, and DAS Sama.

5. Potential Flooding in Surrounding Areas:

The reclamation project is predicted to result in a reduction of Tanjung Bena's flood reservoir function, leading to potential water inundation and flooding in surrounding areas.

6. Affected Regions:

Areas such as Sanur Kauh, Suwung Kangin, Pesanggaran, Pemogan, Simpang Dewa Ruci, Tanjung Bena, and even I Gusti Ngurah Rai Airport, along with surrounding lowlands, may be adversely affected.



Protest Against Reclamation in Bali (Tempo, 2016)

The status determination of Tanjung Bena as a Maritime Conservation Area in 2019, as outlined in the Decree of the Minister of Maritime Affairs and Fisheries RI No. 46 / KEPMEN-KP / 2019, represents a significant development in the regulatory landscape. In 2019, Susi Pudjiastuti, who held the position of Minister of Maritime Affairs and Fisheries, decided the status of Tanjung Bena. The decision to designate Tanjung Bena as a Maritime Conservation Area was in response to a letter from the Governor of Bali to the Minister of Maritime Affairs and Fisheries (Number 523.32 / 1687 / KL / Dislied, dated September 11, 2019). The proposal from the Governor likely highlighted the significance of preserving Tanjung Bena as a maritime conservation area.

The official decision to establish Tanjung Benoa as a Maritime Conservation Area is documented in the Decree of the Minister of Maritime Affairs and Fisheries RI No. 46 / KEPMEN-KP / 2019. This decree, dated October 4, 2019, outlines the specific details and conditions for the establishment of the Benoa Bay Maritime Conservation Area in the waters of the Province of Bali.

This decree marks a shift in the official designation of Tanjung Benoa, emphasizing its importance as a maritime conservation area. The decision reflects a commitment to environmental preservation and may have implications for the ongoing discussions and conflicts surrounding the reclamation project in Tanjung Benoa. It showcases a recognition of the area's ecological value and the need to protect it for the benefit of marine biodiversity and the local community.

It is interesting to understand the power of civil society in protecting natural resources. In the case of protecting mangrove forests in Tanjung Benoa, civil society used the internet, parade, and local election in favor of the cancellation of reclamation in Tanjung Benoa. ForBali used multiple campaign media to gather support from other provinces such as change.org, Facebook, Twitter, and Instagram. They also did several parades in Jakarta and Denpasar that were able to attract thousands of people. The election of the Bali governor is a chance for environmental activists to change the decision of the previous Bali governor. I Wayan Koster the new Bali governor agreed to protect the mangrove forest in Tanjung Benoa. I Wayan Koster sent official letters and direct messages to the central government to cancel the reclamation in Tanjung Benoa.

There is a big question regarding the relevance of democracy in sustainable development. Commission of Corruption Eradication stated that the candidate of local leaders needs financial support from business communities in exchange for a future permit to the corporation. Many local leaders are arrested due to the money gratification for the permit. The permit is used to clear the forest to be palm oil or rubber plantation. The clearing of forests usually uses illegal means such as fires. In 2015, Indonesia faced the worst haze and forest fire disaster. Malaysia, Singapore, and Thailand also experienced haze from Indonesia. Therefore, Berenschot (2015) believed that democracy has a significant impact on environmental deterioration, and Berenschot published the term "the haze of democracy."

The political election not only changed the policy of Bali's governor but also Jakarta's governor. The newly elected governor of Bali stipulated that Bali province would stop the reclamation plan. It is similar to the newly elected governor of Jakarta that the permit for reclamation in Jakarta Bay is canceled (Karim, 2019). The previous government of Jakarta supported the reclamation plan in Jakarta. The election became a new hope for civil society to change the decision of government from destructive and exploitative practices to be aligned with the spirit of the Indonesian constitution.

The freedom of civil society to protest the government's decision is not taken for granted. There is a trend that civil society is slightly losing its freedom in voicing out the negative impact of the government plan. There is a shrinking space for civil society. The government can use coercive action to implement their project. However, civil society has several opportunities to win the battle. In democratic countries, a leader is determined by the popular vote. Civil society can use its power to shape public perception toward a certain candidate. The environmental issue can be prioritized in campaigns and elections and changing the regional government's decision in the future.

In 2018, two candidates were running for Bali Governor, I Wayan Koster and Ida Bagus Rai Dharmawijaya Mantra. Tanjung Benoa reclamation is a top issue in the

candidate debate. Both candidates will cancel the reclamation project in Tanjung Benoa. Both of them agreed that the reclamation project would harm the community and the ecosystem. I Wayan Koster won the election and fulfilled his promise. Based on the law of coastal areas, the central government can issue a permit for reclamation if there is any recommendation from the local government.

The possibility of working with candidates in the election didn't eliminate the threat to civil society. Business owners can hire private security officers to threaten activists and communities. Not only security threats, business owners can divide the communities by offering certain local group incentives such as jobs and money. Recently, the police did a raid and investigation into non-existent cases because business owners filed a lawsuit against civil society. Activists are jailed because of criminal activity not related to mining or business projects. If the government leader is elected in the election, the corporation has an unlimited period of doing business.

PT TWBI, backed by the Artha Graha business group and investor Tomy Winata, expressed plans to invest a substantial amount in the Tanjung Benoa Reclamation Project. The estimated value of the investment was 30 trillion rupiah, as of 2014. The ambitious project aimed to transform Tanjung Benoa into nine new tourist destination islands. This indicates a significant effort to create additional spaces for tourism and potentially boost the local economy (Tempo News, 2019) and claimed that:

"Revitalization of Benoa Bay primarily is meant for Bali; in essence, it means to develop Bali as the leading tourist destination in Indonesia, while equally seeking to serve the needs of the people. The whole development itself revolves around Balinese cultural, and traditional values, and the Environmental Enhancements of the bay. Hence, as the development unfolds, you will find that the idea of the Revitalization of Benoa Bay is to establish an eco-sustainable development."

The expiration of the permit for the Tanjung Benoa Reclamation Project in 2018 and its subsequent non-renewal mark a significant development in the trajectory of the project. The main factor of the non-renewal is the sustained and vocal opposition from civil society, exemplified by organizations like ForBALI. The local community's strong stance against the reclamation project, coupled with environmental concerns, has influenced decision-makers to reconsider the project's viability. The complexities involved in navigating community sentiment and addressing environmental impact assessments could have led to a reassessment of the project's feasibility.

The non-renewal of the Tanjung Benoa Reclamation Project permit in 2018 marks a notable pause in the trajectory of the initiative. This hiatus reflects the intricate interplay of community activism, environmental considerations, and evolving regulatory landscapes, providing a nuanced perspective on the challenges associated with balancing development aspirations and environmental preservation. The absence of a renewed permit underscores the dynamic nature of large-scale projects and the need for comprehensive and sustainable development practices in sensitive ecosystems.

There is a case of criminalization toward environmental activists in the case of Tanjung Benoa. Bali Police arrested I Gusti Putu Dharmawijaya and I Made Jonantara because of the allegation of the degradation of state symbols (CNN Indonesia, 2017). Both of them are ForBali activists. The police accused them of degrading state symbols by taking down the Indonesian flag. ForBali activists and local communities protested the arrest because there was no strong evidence of criminal activity. I Gusti Putu Dharmawijaya, and I Made Jonantara were released after the public protest.

There are many environmental conflicts in Indonesia involving the criminalization of civil society. Business entities and government officials noted that civil

society had violated the rules and regulations related to their movement. For example, a fisherman in Makassar is arrested because he rip off the money (CNN Indonesia, 2020). The police used the rule that citizens can't degrade the money because it is the identity of the nation. The fishermen rip off the money because they rejected the gratification from the corporation.

Civil society is arrested not only related to the movement but also personal life. An activist is arrested in Jakarta because of the allegation of narcotics use. (Tempo, 2020) After the investigation, the activists are released because there is no evidence of narcotics. According to the activist, the arrest is used to stop him from campaigning for environmental rights. He wanted the government to stop legislation against environmental rights. The lawyer of the activist said that there was a legal violation of the investigation of the activists.

The criminalization of civil society means that the law enforcer attempted to find and punish the illegal action of civil society. However, we need to see the government and business perspective as well. In the case of reclamation in Jakarta, there is a permit from the government granting a corporation to do reclamation. Civil society brings the decision to the court. The court stipulated that the reclamation in Jakarta is illegal. This is also an act of criminalization. Criminalization is an act of adversary between government, business, and civil society.

Civil society protested the permit because the reclamation would harm the livelihood of fishers and surrounding communities. In the case of Tanjung Benoa, civil society brings the issue of reclamation to the governor's election. There is mounting pressure for the governor candidate to cancel the reclamation permit. The newly elected governor stipulated to cancel the plan. However, civil society is criminalized due to their illegal activities. In the case of Tanjung Benoa, it is noted that two activists degraded the Indonesian flag. Civil society believed that police worked together with an investor to criminalize civil society.

5. Conclusion

Indonesian environmental politics has the problem of inconsistency between the constitution and the policy of the government and law enforcer. The constitution adopted a sustainable approach to managing Indonesia's natural resources. According to the constitution article 33, point 4, the Indonesian government must use the principle of sustainable development in managing its resources. The constitution is elaborated into the law, regulation, and decree. For example, based on Law number 32, the year 2009 on the environmental permit, the mining corporation must have an environmental impact assessment before doing exploration and exploitation.

Civil society actively protested the inconsistency between the constitution and the policy of the government. There are multiple numbers of public demonstrations and media campaigns to gain support in changing the government policy to be aligned with the Indonesian constitution. In response to civil society opposition, the police noted that there is some form of illegal activity related to civil society activities. In the case of Tanjung Benoa, ForBali activists are arrested because they are alleged to have degraded the symbol of the Indonesian flag. According to ForBali activists, the police are used by the corporation to frighten the civil society in opposition to the reclamation in Tanjung Benoa.

The criminalization of civil society is a tactic for reducing public opposition toward the reclamation plan. The contradiction between the constitution and the implementation of the constitution is clearer. Law enforcers should support the civil society movement because they adopted peaceful protests that aligned with the spirit of the Constitution. Law enforcers must focus on the injustice and environmental degradation related to the reclamation plan. Reclamation is a serious threat to the livelihood of the fisher and coastal communities, as well as the sustainability of natural biodiversity. Reclamation in many parts of the world is a factor in the increasing trend of floods and land sinks.

Due to massive protests by Balinese communities, the government of Bali stipulated to cancel the reclamation plan. The business plan should be integrated into sustainable development. By adopting sustainable development, investors will find easier access to work together with civil society and government. Sustainable development is the common position between the corporation, civil society, and government.

Bibliography

Books

- Hall, P. (2003). *Aligning Ontology and Methodology in Comparative Research. In Comparative Historical Analysis in the Social Sciences*, eds J. Mahoney and D. Rueschemeyer. New York: Cambridge University Press.
- Hidayat, H. (2005). *Politik Lingkungan: Pengelolaan Hutan Masa Orde Baru dan Reformasi*. Jakarta: Yayasan Pustaka Obor Indonesia.
- Klotz, A., Prakash, D., Klotz, A., & Prakash, D. (2008). *Qualitative methods in international relations*. London: Palgrave Macmillan.
- Porta, D. D., & Keating, M. (2008). *Approaches and Methodologies in the Social Sciences: A Pluralist Perspective*. Cambridge: Cambridge University Press.
- Terwindt, C., & Schliemann, C. (2017). *Tricky Business: Space for Civil Society in Natural Resource Struggles*. Berlin: Heinrich Böll Foundation, European Center for Institutional and Human Rights.
- Robertua, V. (2020). *Politik Lingkungan Indonesia: Teori dan Studi Kasus*. Jakarta: UKI Press.
- Watts, M. (2000). Political Ecology. Dalam E. Sheppard, & T. Barnes, *A Companion to Political Geography* (hal. 257-274). Oxford: Blackwell.

Journals

- Sawhney, P., Kobayashi, M., Takahashi, M., King, P. N., & Mori, H. (2007). Participation of Civil Society in Management of Natural Resources. *International Review for Environmental Strategies*, 117-132.
- Scheidel, A., Bene, D. D., Liu, J., Navas, G., Mingorria, S., Demaria, F., . . . Martinez-Alier, J. (2020). Environmental conflicts and defenders: a global overview. *Global environmental change*, 1-12.

Articles

- Berenschot, W. (2015, October-December). *Haze of Democracy*. Dipetik February 14, 2016, dari <http://www.insideindonesia.org/haze-of-democracy>
- Karim, M. (2019). *Pokok-Pokok Pikiran Reklamasi Teluk Jakarta dan Pengelolaan Pesisir dan Laut Indonesia*. Dipetik August 28, 2019, dari <https://acch.kpk.go.id/images/ragam/makalah/pdf/reklamasi/Pokok-pikiran-reklamasi-teluk-jakarta-dan-pengelolaan-pesisir-dan-laut-indonesia-muhamad-karim.pdf>

- Mongabay. (2014, September 23). *Nasib Miris Hutan Mangrove Teluk Benoa*. Diambil kembali dari Mongabay: <https://www.mongabay.co.id/2014/09/23/nasib-miris-hutan-mangrove-teluk-benoa/>
- Putra, P. G., Priadarsini, N. W., & Resen, P. T. (2019, August 8). *Peranan JICA dalam Konservasi Mangrove di Indonesia sebagai Bagian dari Program the Project for Mangrove Ecosystem Conservation and Sustainable Use in the ASEAN Region (MECS)*. Diambil kembali dari <https://ojs.unud.ac.id/index.php/hi/article/view/30064/18444>

News

- CNN Indonesia. (2017). *Polri Diminta Setop Kriminalisasi Penolak Reklamasi Benoa*. Diambil kembali dari CNN Indonesia: <https://www.cnnindonesia.com/nasional/20170223171214-12-195708/polri-diminta-setop-kriminalisasi-penolak-reklamasi-benoa>
- CNN Indonesia. (2020, August). *Nelayan Tolak Reklamasi Makassar Ditangkap, Kapal Dikaramkan*. Diambil kembali dari CNN Indonesia: <https://www.cnnindonesia.com/nasional/20200824102822-12-538546/nelayan-tolak-reklamasi-makassar-ditangkap-kapal-dikaramkan>
- Metro Bali. (2016, September). *Pasubayan Desa Adat: Lindungi Warga Adat, "Kulkul Bulus" akan dibunyikan*. Diambil kembali dari Metro Bali: <http://metroballi.com/lindungi-warga-adat-kulkul-bulus-akan-dibunyikan/>
- Tempo. (2016, January 29). *Ini Aksi Seniman Bali Tolak Reklamasi Teluk Benoa*. Diambil kembali dari Tempo: <https://nasional.tempo.co/read/740721/ini-aksi-seniman-bali-tolak-reklamasi-teluk-benoa>
- Tempo. (2020, August). *Asal Geledah Reserse Narkoba*. Diambil kembali dari Tempo: <https://majalah.tempo.co/read/hukum/161313/kejagalan-tes-narkoba-dan-pengeledahan-polisi-terhadap-aktivis-walhi>
- TWBI. (2016, March). *Pemerintah Diminta Buat Kajian yang Matang Tentang Reklamasi*. Diambil kembali dari PT Tirta Wahana Bali Internasional: <http://twbi.co.id/index.php?page=singlePost&postId=139>