

# RUWA JURAI MODEL: THE INDONESIAN COASTAL VILLAGE LEGAL DESIGN

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## **RUWA JURAI MODEL: THE INDONESIAN COASTAL VILLAGE LEGAL DESIGN**

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**Abstract:** *The sea coast in Indonesia is generally an area with high poverty, damaged ecology, low independence of rural social organizations and the loss of local cultural values, as well as poor infrastructure and health. Similar conditions were found along 1,105 km of coastal coastline in Lampung Province with an area of 16,625.3 km<sup>2</sup> of coastal waters. This study aims to present the local wisdom of ruwa jurai in the legal arrangement of the Lampung sea coast. The results of the analysis concluded that the availability of legal instruments that protect and empower coastal communities with a socio-cultural religious aspect approach that integrates immigrants and natives in a spirit of togetherness into a long-term solution. Meanwhile, for the short term by implementing the law in the coastal area development policy in a single village development planning unit every year.*

**Keywords:** *legal design, coastal areas, ruwa jurai.*

### **I. INTRODUCTION**

Lampung Province with 15 (fifteen) regencies / cities, six of which have coastal areas with 428 villages<sup>1</sup>, namely Bandar Lampung City, South Lampung Regency, East Lampung Regency, Pesawaran Regency, Tanggamus Regency, Pesisir Barat Regency, and Tulang Bawang Regency with a coastline spanning 1,105 km and an area of 16,625.3 km<sup>2</sup> of coastal waters.<sup>2</sup>

The problems in the coastal areas of Lampung are no different from those in coastal areas in Indonesia, which are related to poverty<sup>3</sup>, poor infrastructure<sup>4</sup>, health

<sup>1</sup> Heryandi, dkk *Harmonisasi dan sinkronisasi pengaturan hukum desa pesisir*, LPPM Univ. Lampung. 2017, p. 100.

<sup>2</sup> Tim Penyusun, BPS, 2019. "Statistik Sumber Daya Laut dan Pesisir 2018", Badan Pusat Statistik Jakarta. p 2

<sup>3</sup> Anak Agung Istri Ari Atu Dewi, *Model Pengelolaan Wilayah Pesisir Berbasis Masyarakat: Community Based Development (Community Based Development: Community-Based Coastal Area Management Model)*, De Jure Akreditasi LIPI: No:740/AU/P2MI-LIPI/04/2016, p. 65.

<sup>4</sup> Rokhimin Dahuri, *Pengelolaan Ruang Wilayah Pesisir dan Lautan Seiring Dengan Pelaksanaan Otonomi Daerah*, Mimbar, Volume XVII No. 2 April - Juni 2001 : p. 139.

facilities<sup>5</sup> and damaged environment. <sup>6</sup>LPPM IPB mentions 5 issues of Lampung bay, namely (1) environment and natural resources; (2) social and institutional; (3) economy; (4) infrastructure; and (5) education.<sup>7</sup>

The legal arrangements for coastal areas are scattered in various regulations, zoning is regulated by Law no. 27/2007 in conjunction with Law No.1 / 2014 and Law 6/2006, village communities are regulated by the Village Law (Law 6/2014), and the division of authority to manage within the decentralization framework is regulated by Law 23/2014 (Regional Government Law). As for the development, besides being subject to the planning pattern regulated in the Village Law, it is also subject to Law 25/2004. This article aims to measure the integration of coastal area legal arrangements and to find the ideal model for integrating law in the management of coastal areas with the approach of local wisdom of the people of Lampung.

<sup>1</sup> This paper is written in the corridor of normative legal research (doctrinal research) which only uses secondary data. <sup>2</sup> The legal research model is a comprehensive and analytical study of primary and secondary legal materials. The approach to the problem uses a statute approach and a conceptual approach. <sup>8</sup> The data were analyzed qualitatively by describing the data generated from the research in the form of a systematic explanation so that a clear picture of the problem under study can be obtained, the results of the data analysis were concluded deductively.

## II. DISCUSSION

### Chaotic Coastal Zoning and *Ruwa Jurai* Legal Solutions

This section analyzes problems that arise in the regulation of coastal areas including the issue of division of authority between the central and regional governments, as well as spatial planning issues and the solutions offered. The authority to manage coastal areas appears in Law 32/2004 on regional government which gives regional authority to manage marine resources related to exploration, exploitation, conservation and management of marine resources; administrative arrangements; spatial arrangement; law enforcement of regulations issued by regions or those delegated by the Government; participate in security maintenance; and participate in the defense of state sovereignty.<sup>9</sup> Along with the strengthening of the flow of

<sup>5</sup> Tommy Cahya Trinanda, *Pengelolaan Wilayah Pesisir Indonesia dalam Rangka Pembangunan Berbasis Pelestarian Lingkungan*, Mitra Pembaruan. Vol. 1 No. 2 tahun 2017. p. 75-84.

<sup>6</sup> Tim Penyusun, KKP, *Panduan Penyusunan Profil Desa Pesisir*, Kementerian Kelautan dan Perikanan, Jakarta, 2012, p. 13.

<sup>7</sup> Tim Penyusun, LPPM IPB, *Kajian Gerakan Membangun Pesisir Lampung Berdaya Guna "Gerbang Pelana"*, 2017. p. 46.

<sup>8</sup> Peter Mahmud, *Penelitian Hukum*, Kencana Prenada, Jakarta. 2005, p. 23.

<sup>9</sup> Yuanita Anggraini, Tjahjanulin Domai, dan Abdullah Said, *Implementasi Program Pengembangan Desa Pesisir Tangguh (PDPT) Dalam Upaya Pembangunan Wilayah Pesisir (Study in*

centralization of power, this article was corrected by Article 27 of Law 23/2014 which fully manages marine resources under the authority of the province, which includes exploration, exploitation, conservation and management of marine resources other than oil and natural gas; administrative arrangements; spatial arrangement; participate in maintaining security at sea; and take part in defending state sovereignty. Attachment letter Y of Law 23/2014 regulates that matters of Marine, Coastal and Small Islands are fully under the authority of the province. The only affairs given to regencies/municipalities are limited to empowering fishermen, and organizing fish auction places, fishing business permits in the regency, empowering fish farming small businesses, and managing fish breeding.

Meanwhile in the Village Law, the meaning of village includes coastal areas which are part of a customary village or village, and local governments (provincial and district/city) have similar authority in village planning. Except in the case that the coastal area is a traditional village, this is fully the authority regulated by the province, even then it is limited to the position of the head of the customary village.

The second problem that arises in the management of coastal areas is spatial and territorial layout. Law 6/2006, each unit at the regional level has the same authority in making spatial and regional spatial plans provided that the district / city RTRW adjusts to the province. Meanwhile, Law 27/2007 excludes the making of RTRW as provincial authority for regions that have coastal areas and small islands. Thus, provinces that have coastal areas and small islands in addition to the RTRW made under Law 6/2006 also provide RTRW based on Law 27/2007.

The two divisions of authority in turn do not make it easier and more effective and efficient in the implementation of regional development, including the coast and the smallest islands, but become a source of regional financial expenditure that should not occur twice. The creation of an RTRW or zoning manifested in the form of a regional regulation based on Law 12/2011 requires a long process from field research to ratification and enactment, at least one year will run. From the budget side, the preparation of these two perda has also resulted in large financing, the cost of compiling one RTRW perda requires a budget of at least 1 billion, so if the two perda are the amount needed. This condition is not in accordance with the legal purpose of creating relief in financing, including the process of its formation.

#### **Legal Structuring Model Of *Ruwa Jurai* Coastal And Inland Areas**

*Ruwa jurai* is a phrase taken from the slogan of the Lampung provincial government “*Sai Bumi Ruwa Jurai*” which means that the land of Lampung is symbolized as a

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*Tambakrejo Village, Sumbermanjing Wetan, Malang*), Jurnal Administrasi Publik (JAP), Vol. 3, No.11, p. 1862-1867.

great household inhabited by indigenous groups, namely pepadun and adat saibatin. The meaning is the spirit of unity and mutual respect in the Lampung ethnic community, both from Saibatin and Pepadun, in advancing Lampung Province as the home of the Lampung people. Besides that, ruwa jurai also means the kinship relationship between the indigenous people of Lampung and the immigrants who live in Lampung Province. The immigrants themselves came from various other tribes such as Javanese, Sundanese, Batak, Minang, Chinese, Bugis, Malay, and others. This kinship has become a spirit of unity between the natives and immigrants to build Lampung Province as a friendly earth to live in together.

The spirit of the unity of the ruwa jurai in structuring the laws of coastal and land areas means that the authority to formulate regional regulations on spatial planning does not need a partial dichotomy between the regime of Law 6/2006 and Law 27/2007 which leads and requires the formation of two different regional regulations. However, one regional regulation on spatial planning is sufficient by giving different treatment in one of its units to specifically place the spatial layout for coastal areas and the smallest islands. So that it will reduce the burden on regional budgets in the formation of regional regulations and also accelerate the implementation process.

The pattern of division of authority to manage coastal areas and small islands regulated in the Village Law, the Regional Government Law and the Coastal Zone Law has left the spirit of a unitary state with decentralization of authority. Supposedly with regional autonomy, the implementation of coastal area development is a unity in the spirit of building mainland villages (without coastal areas) meaning that the spirit of the ruwa jurai does not want special legal treatment in development between coastal and non-coastal villages.

### III. CONCLUSION

The development of coastal areas requires a special legal umbrella, which specifically regulates development models and patterns according to the human characteristics who occupy the area as well as the geographical conditions and social environment, however, one legal umbrella related to RTRW and zoning of coastal areas is sufficient. The legal development model that is suitable for the coastal areas of Lampung which integrates coastal and land areas is the formation of a regional spatial regulation regulation for land areas as well as coastal areas and small islands. Thus, the slogan *ruwa jurai* The people of Lampung, by integrating the spirit of change in coastal and inland communities, between the spirit of change of immigrants are united with the persistence of local communities to maintain their cultural identity, thus giving birth to a new legal combination for the two entities. *Hukum ruwa jurai*.

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