

Constitutional balance: Synchronizing energy and environmental policies with socio-economic mandates

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Abstract. Article 33 of the 1945 Constitution (UUD 1945) has been a focal topic of normative legal study because of the tension it highlights between the competing goals of economic efficiency and social fairness. Public policy, particularly in the areas of energy and the environment, is impacted by this problem. Article 33 of the 1945 Constitution requires the government to exercise control over natural resources. However, this provision sometimes leads to "constitutional extractivism," which puts efficiency ahead of social justice and environmental sustainability. This problem is especially noticeable in Indonesia's mining investments, where a concentration on economic expansion at the expense of environmental and social justice is a real risk. Conventional techniques that place too much emphasis on quantitative data or public engagement need to be abandoned in favour of renegotiating objectives in the socioeconomic agenda from a public policy viewpoint. Indicators of social justice and environmental sustainability should be acknowledged as critical factors in the new paradigm. More study is required to align energy and environmental policy with societal and economic imperatives. The effects on society and the environment must be included in any policy that seeks to promote the use of renewable energy. To ensure that policies are just and lasting, they should be evaluated and revised on a regular basis.

1 Introduction

Lawrence Friedman divides the law into three distinct parts: the law itself (content), the administration of the law (structure), and legal culture (values, ideas, and conventions) [1]. Article 33 paragraph 3 of the 1945 Constitution and Lawrence Friedman's thesis connect basic ideas that impact state governance and public services in Indonesia [2]. This essay emphasises the state's control over vital resources and their allocation for the people's benefit, demonstrating Friedman's legal substance. Energy management and distribution are regulated by this material. Globally, energy affects human existence and economic progress. Energy applications generally undergo three phases: 1. Coal replaces wood as the major energy source; 2. Petroleum replaces coal; 3. Switch to renewables. The US Energy

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Information Administration (EIA) estimates that 36% petroleum, 13.2% coal, and 31% natural gas provided 80% of energy in 2018. Nuclear and renewable energy accounted for 11% and 8%, respectively [3].

Three significant energy crises—the 1973 oil crisis, the 1979 energy crisis, and the 1990 oil price increase—are transforming the transition. The government has promoted energy conservation and renewable energy. The use of energy may pollute the environment. Excessive fossil fuel use depletes natural resources and increases carbon dioxide emissions, which may be raising world average temperatures [4]. Environmental sustainability is transforming energy policy discourse to be socio-economic. Article 33, paragraph 3, of the 1945 Constitution and Lawrence Friedman's thesis converge on resource control to structure the state and public services. In Indonesia, this article is the constitutional emphasis for finding, controlling, and using natural resources, particularly energy, for public benefit. Global dynamics—especially the energy transition and growing environmental concerns—test this. It is interesting that 'constitutional balance' in this context must align with energy and environmental policy, not merely rhetoric. In the face of the energy crisis and environmental issues, the government, as the state's representative in implementing Article 33, must guarantee that energy policies prioritise efficiency, sustainability, and socio-economic requirements. Friedman's 'legal substance' theory may help legislation reconcile economic requirements and environmental sustainability as a social control mechanism.

The focus on fossil fuels has caused climate change, which cannot be ignored. However, the switch to renewable energy has socio-economic effects, including accessibility and power redistribution. Equity and social justice are inextricably linked to renewable energy policies. If this strategy is poorly conceived, 'green exclusivity' might arise, where just a few individuals or enterprises gain from renewable energy while the others stay in energetic poverty. Palm oil-based biodiesel is one of Indonesia's energy issues and socio-economic obligations, particularly given the trade-off between economic gains and environmental sustainability, which presents complicated ethical and political issues [5]. In this scenario, constitutional balance is even more important since it threatens socio-economic mandates, justice, and environmental sustainability, which are three units in Article 33 of the 1945 Constitution. Biofuel will get us closer to adopting Article 33 of the 1945 Constitution if it can minimise fossil fuel dependency. However, numerous studies have revealed that the palm oil sector has caused environmental harm and social inequality. We must examine if Friedman's 'substance of law' is reflected in this policy. The law must represent societal ideals and fairness as well as efficiency.

Palm oil has been touted as a sustainable alternative to other vegetable oils, but production constraints have had global and local environmental and social repercussions, according to the Yale Centre for Business and the Environment. Deforestation has the greatest effect. In Indonesia and Malaysia, which produce 85% of palm oil, about 3.7 million hectares of natural forest have been removed for plantations. Deforestation causes 20% of global greenhouse gas emissions, promoting global climate change. Palm oil deforestation is mostly caused by firms and people burning land. Indonesia's months-long fires in 2015 harmed air quality in Indonesia and Singapore, displaced animals, and made scientists believe Indonesia is now a greater climate change contributor than the US. In biodiversity centres, palm oil is developed [6]. Szulczyk and Teoh found that oil palm plantations cause deforestation, habitat loss, biodiversity loss, forest fragmentation, food chain disruption, air and water pollution, soil erosion, and hydrology. alterations due to rainfall [7,8]. Legal solutions to the palm oil-based biofuel challenge must be more nuanced than conventional or technocratic. How rules and policies may promote distributive justice and prevent environmental damage must be assessed. For this reason, the government, corporations, local communities, and international organisations must all be involved.

Interestingly, this may combine Friedman's legal content with Article 33's socio-economic purpose. In establishing 'constitutional balance', Article 33 of the 1945 Constitution aims for inclusive and sustainable natural resource management. Friedman advocates legislation as a dynamic tool that adapts to societal developments and community needs. Thus, an ideal policy model promotes economic growth via employment, income, etc. without compromising environmental sustainability or social fairness. Thus, government openness, community engagement, and rigorous monitoring measures are crucial. Thus, we may fulfil Article 33 of the 1945 Constitution's socio-economic purpose while addressing contemporary society's complex issues with legal integrity. This study examines how legal and ethical discourses affect Article 33 of the 1945 Constitution and constitutional balance in energy and environmental policy. The combination of social justice and environmental sustainability has made Article 33 of the 1945 Constitution an ideological battlefield.

According to Kibert's sustainability ethic, one in three individuals worldwide suffers from land deterioration [9]. In accordance with Article 33 of the 1945 Constitution, energy policy must constantly promote fairness and sustainability in the economy. This emphasises the need for energy policy and constitutional obligations to work together to promote sustainability and social fairness. Kumar, Höffken, and Pols (2021) caution against a climate-driven energy shift without considering social justice, particularly in the Global South [10]. The issue is: Does our energy strategy promote justice, corporate interests, or e-colonialism? Here, 'constitutional extractivism' difficulties arise. Next, research by Ruslina [11], Wibowo [12], and Pinangkaan [13] emphasising Article 33 of the 1945 Constitution's economic impact on Indonesia. They argue that Article 33 of the 1945 Constitution is routinely exploited or neglected to advance objectives that clash with social justice or sustainability. This highlights the need to see Article 33 of the 1945 Constitution as a social justice and sustainability ethos rather than merely a legislative duty.

To determine who is empowered by Article 33 of the 1945 Constitution in the context of renewable energy, we must reinterpret its understanding. As an economic, ethical, and ecological paradigm that promotes justice and sustainability. Failure to do so would endanger constitutional integrity, fairness, and sustainability, causing social inequality and environmental deterioration. Given the blurring of energy policy and constitutional duties, we must challenge the legal and ethical rhetoric that allows both. This study shows that applying Article 33 of the 1945 Constitution to renewable energy is not a simple constitutional translation. Instead, an ideological battle takes place, which may be easily seized by capitalistic interests or e-colonialism in the guise of 'green exclusivity'. We must regard legislation as a tool for social justice and environmental sustainability, according to Friedman. Delaying or neglecting this obligation weakens our constitutional integrity and allows 'constitutional extractivism' when the Constitution is used to excuse injustice rather than promote justice and sustainability. Thus, the renewable energy (Article 33) issue raises the question of who our Constitution empowers. Is this consistent with an inclusive and sustainable socio-economic system?

2 Literature review

This literature review aims to examine how energy and environmental policies can be aligned with socio-economic mandates in a constitutional context, with a particular focus on Indonesia. Dosch emphasized the importance of regional engagement and local ownership in ASEAN's trade and environment agenda. The importance of foreign donor funding for pro-environment initiatives was recognized, but the emphasis was more on strengthening regional institutional mechanisms [14]. For Indonesia, this means strengthening regional cooperation and ASEAN institutions in integrating trade policy with environmental protection. This is in

line with Indonesia's constitutional mandate which emphasizes sustainable development and environmental protection.

Greene discusses efforts to make ecocide an international crime. While this idea faces definitional and implementation challenges, the concept of ecocide provides a legal framework that may be useful for Indonesia in preventing environmental damage. This discussion is relevant to Indonesia's constitution, which requires a balance between economic growth and environmental protection, and may require a rethink on how criminal law can be used to protect the environment [15]. Ceglia et al. highlights the issue of energy poverty and the benefits of a renewable energy community. In the Indonesian context, addressing energy poverty through the use of renewable energy can align energy policy with the constitutional mandate for inclusive and sustainable socio-economic development [16]. This approach also supports Indonesia's goals of reducing dependence on fossil fuels and reducing emissions.

Mu explores the challenges of environmental governance in China and the complexity of the governance system. The study is relevant for Indonesia, which faces similar challenges in balancing environmental protection with economic growth. Lessons learned from China can assist Indonesia in improving the effectiveness of its environmental policies, by understanding the role of laws, actor positions, and policy relationships [17]. Nugroho et al. reviews efforts to achieve water, energy, and food security in rural Indonesia. The study highlights the importance of natural resource integration and synergies between resource protection and utilization to achieve water, energy and food security [18]. This is in line with Indonesia's constitutional mandate for sustainable development and environmental protection, as well as the achievement of the Sustainable Development Goals (SDGs).

Sekarintias et al. provides insight into the socio-political challenges of the energy transition in Indonesia. The research shows that conflicts of interest, inconsistent regulations and low capacity at the implementation level are the main obstacles [19]. Recommendations such as the establishment of an independent agency for energy transition and empowering regional participation are important. It shows that to achieve constitutional balance, Indonesia must address these socio-political challenges and ensure social justice in its energy transition. Overall, this literature highlights the importance of a holistic and integrated approach in aligning energy and environmental policies with socio-economic mandates in Indonesia. This involves regional cooperation, environmental law reform, addressing energy poverty, improving environmental policy effectiveness, and addressing socio-political challenges in the energy transition [20]. To ensure that these policies are in line with Indonesia's constitution, there needs to be synergy between environmental interests, economic needs, and social welfare.

3 Methods

This study is normative legal research based on its subjects. Philosophical and analytical research focuses on logical, critical, and philosophical ideas and finishes with a conclusion that tries to provide fresh discoveries to solve the primary issue [21]. It will also be analysed descriptively by outlining legal theory and positive law enforcement practices relevant to the situation [22]. Normative legal study with a philosophical and analytical approach is the proper option to examine energy policy and constitutional demands that are frequently disregarded in legal debate. Analytical descriptive approaches, which analyse statutory rules and law enforcement practices, may reveal the intricacy of Article 33 of the 1945 Constitution in renewable energy. The constitution is alive and may be influenced by political and ideological forces. This implies that legislation may promote sustainability and justice, but also injustice and exploitation. Article 33 of the 1945 Constitution and renewable energy illustrate this uncertainty via 'constitutional extractivism', which illustrates how constitutional demands may be used to justify exclusive injustice or sustainability. Again, this study relies

on the fact that constitutional provisions like Article 33 of the 1945 Constitution are not static. This dynamic sphere allows capitalism and e-colonialism to interact, struggle, and create justice and injustice. In this study, we mustread' constitutional texts and the social, political, and economic forces that form and are moulded.

4 Result and discussion

4.1 The ideological framework of article 33 and the trapping of 'constitutional extractivism'

The potential of each nation varies [23]. It's not unexpected that Indonesia's natural resources have become state assets given the country's potential in this area [24]. The volcanic mountains of Indonesia are rich in mineral resources because they were formed when two tectonic plates collided [25,26]. Indonesia is endowed with a wealth of mineral resources. Nonrenewable resources, high levels of risk, and a disproportionately large negative environmental impact are all features unique to the mining industry [27,28].

Mining goods were generated in antiquity and would take a very long time to form again, making minerals a nonrenewable resource [29]. Indonesian mines produce a wide variety of metals, fossil fuels, organic materials, and precious stones, including tin, gold, nickel, copper, manganese, mercury, iron, sulphur, and many others [30]. The value of mining resources is significant, and minerals can even be used as a political bargaining chip on a global scale.

Indonesia's vast mineral resource potential can be found both on land (in the form of gold mining, for example) and at sea (in the form of petroleum mining, to name just two examples). The potential of Indonesia's mining industry was recognised even before the colonial era, when indigenous populations in Kalimantan and Sumatra uncovered the relics of their own mining practices [31]. With the arrival of the East Indies trade alliance, the Vereenigde Oost Indische Campagnie (VOC), the era of Indonesian colonialism began. In 1619, the VOC expanded its economic activities beyond the spice trade by purchasing mining materials from nearby towns [32].

The legal system of Indonesia is characterised as a civil law system, in which the application of law takes the form of statute regulations [1,33]. Hence, statute regulations serve as the legal underpinning for many facets of state life. The state has the power to regulate natural resources, including mining, according to Article 33 of the 1945 Constitution of the Republic of Indonesia (henceforth referred to as the 1945 Constitution of the Republic of Indonesia) [34].

Although it is a young nation in need of economic growth, Indonesia has not yet achieved this growth on its own. Mines that had been under Dutch control were nationalised at the start of the independence period. Upon gaining its independence, Indonesia was still traumatised by colonialism and was reluctant to accept other influences. Because of the widespread anti-capitalist sentiment, foreign investors find it challenging to do business in Indonesia. It has been shown that [35]. In light of the impossibility of privatising this control right and Indonesia's current lack of mining infrastructure, the country has opted instead to work with private companies based outside [36].

As a result of Foreign Investment Law No. 1 of 1967 (hence referred to as Law 1/1967), the mining industry was able to successfully attract foreign investors. Both colonial powers and central and regional governments viewed mining as a critical commodity, making it a battleground [37]. Since the passage of Law No. 1/1967 and Law No. 11 of 1967 pertaining to Basic Mining Provisions (hereafter referred to as Law 11/1967), the mining industry has become one of the most consequential in Indonesia. Eighty-one percent of the state's income in 1981 came from the mining industry, primarily oil and gas [35].

It is widely believed that Indonesia is "dependent on foreign capital" because the mining industry is the country's top draw for foreign investment" [38]. There were two work contracts (contracts of work) for general mining and a production sharing contract (production sharing contract) for the oil and gas mining industry, which were the models of foreign investment in mining at the time [36,39].

It was later determined that the work contract model was not financially viable for Indonesia. The Mineral and Coal Mining Act of 2009 (hereafter referred to as "Law 4/2009") replaced Law 11/1967. The investment framework is the most noticeable departure between Law 11/1967 and Law 4/2009. Work contracts are governed by Law 1/1967, whereas licences are issued under Law 4/2009. The state's role in work contracts is that of an equal party, while the state's role in licencing is that of a superior(2). State licencing is seen as more reflective of state sovereignty than employment contracts because of the state's preeminent position in the licencing paradigm(2). Law 4/2009 remains on the books until 2023; however, it will have been updated by Law 3 of 2020.

Mining operations have repercussions for the local ecology, economy, and society [40]. Even after Indonesian independence, the mining industry had room to grow. One of the stalwarts in propelling economic development is the metal resource mining sector [41]. More than 20% of national GDP came from mining between 1975 and 1985; from 2000 to 2010, non-oil and gas mining expanded by 6%; and from 2011 through 2019, it expanded by an average of 3.4% [37]. In 2018, the mining industry was expected to deliver Rp. 32.9 trillion to the government in the form of PNB (non-tax state revenue), but it actually contributed IDR 50 trillion, or 155.8 percent of the original objective [42]. The mining industry is vital to the nation's energy supply [37,43]. The mining industry is projected to contribute IDR 173.5 trillion (170% of the objective) to PNB in 2022, according to the most recent data. Indonesia's economy relies heavily on its mineral resources [29,44]. In 2022, mining in Indonesia will rank as the country's fourth-largest contributor to GDP.

The practice of mining for natural resources has both positive and negative consequences. Ecosystems can be negatively impacted by mining due to irresponsible human resource management [45]. Human requirements can be met in part by the local natural environment [46]. As populations grow and technology improves, it becomes more necessary to use natural resources to their full potential [46]. Maximising resource extraction serves economic expansion at the expense of long-term ecological health [47].

The trend towards consumerist and immediate lifestyles is promoted by the modernization process [48,49]. Therefore, the focus on short-term profitability often overshadows considerations of long-term value. In the short term, mining can boost the economy, but in the long run, it can have a detrimental effect. Although mining has had a significant effect on Indonesia's economy, it has also had detrimental effects, particularly on the environment and people's health.

Degradation to the terrain or natural landscape, soil structure, surface and ground water flow patterns, ecosystem degradation leading to changes in flora and/or fauna habitat, and so on are all examples of these detrimental effects [50,51] to the danger it poses to people's health. Large basins surrounded by leftover mining debris (tailings) cause significant landscape damage when it rains and the basin fills with water to form a lake around abandoned mines [47].

Damage to ecosystems, loss of plant vegetation and wildlife, and diminished water quality are the results of the residual mining debris flowing through the soil and into rivers, covering agricultural land [47]. Erosion is common in the mining region's downstream area, making it a high-risk zone for landslides [47]. The mining industry also contributes to pollution with its waste products. Pollution of water sources can be caused by heavy metals that are one of the byproducts of upstream mining activity [52].

Heavy metal pollution of water sources is an issue in many countries, including Indonesia [53]. Due to their toxicity, carcinogenicity, biomagnification, and bioaccumulation, heavy metals are among the most perilous contaminants [54]. Humans may experience health issues due to the heavy metal content of the fish they eat.

One way to lessen mining's harmful effects is through careful oversight, beginning with pre-development planning and continuing through post-mining rehabilitation. There are several organisations involved in the mining industry [30] including processing permits, such that mining permit supervision is insufficient because no single entity is accountable for all of them [30].

Corruption in the mining permit application procedure is another issue [55] that not all mining licences granted are necessarily legitimate. Unauthorised mining activities pose a number of issues. Illicit mining is a concern since it often does not rehabilitate mining regions, and keeping tabs on illicit mining is difficult [56].

Forests are the site of many different kinds of mining operations. It was determined that the changes made to the Forestry Law (Law #41) in 2004 (now Law #19) did not fundamentally alter its original intent [57] In an effort to improve the country's investment climate, UU No. 19/2004 authorises mining in forested regions; this has led to widespread deforestation [57]. AMDAL (environmental impact analysis) is used to monitor mining operations, but it cannot fully mitigate the damage that industries have on the environment on its own [58].

One of the legal challenges in mining investment is the cleanup and restoration of ecosystems following mining operations [59] because efforts to improve environmental conditions often fail to provide desirable results and consume substantial resources. Mining corporations often leave behind holes they've dug to dispose of their waste, despite the fact that these holes are likely to be contaminated with chemicals that are bad for the soil [58].

Overexploitation of natural resources for the sake of economic growth can be seen in the mining industry. Excessive use arises from both statutory and implementation levels of regulation. Large investors (capital orientated) are given preferential treatment under some exploitation-focused legislation and policies [60].

Some worry that over time, the state will suffer as a result of its over-reliance on industries with a focus on natural resources. Indonesia, a country where conservation and development go hand in hand, has options in a number of other industries. The tourism industry has the potential to have far-reaching consequences for the local economy [61] though it will have less of an effect than mining does.

4.2 Dilemma between efficiency and justice: renegotiating priorities in a just socioeconomic agenda

Economic efficiency and social justice are frequently portrayed as though they were on opposite sides of a coin. This reductionist way of thinking, however, leads us to meaningless false choices since it ignores the underlying complexity of the situation. In common parlance, giving efficiency top billing means putting profit before other considerations, such as fair treatment of workers or universal access to healthcare. On the other hand, a hyper-sensitive concern for equity might stifle creativity and development. It's time to abandon outdated assumptions that pit productivity against equity.

We need to renegotiate our priorities by building sustainability and inclusivity into the framework of our social and economic policies. If we accept the existence of energy efficiency theory, we have a body of knowledge that investigates how to maximise energy efficiency across a wide range of economic and industrial settings. For this reason, it is important to learn what variables lead people to switch to cleaner, more cost-effective energy sources.

The "Energy Paradox," which describes the situation in which more efficient energy solutions are available but energy demand continues to increase despite this fact, is an essential part of energy efficiency theory. Economic constraints, shifts in energy pricing, and other factors are outlined in this study as influences on individual and corporate decisions to implement energy-saving measures. This sheds light on the obstacles that must be surmounted and explains why more efficient energy consumption does not always occur spontaneously [62].

In energy theory, this is the time when the financial case for increasing energy efficiency becomes compelling. This study identifies and analyses the factors that inhibit businesses and individuals from adopting energy-efficient technologies, despite the fact that doing so would result in long-term cost savings. Uncertainty about investment returns, financial issues, and a lack of economic incentives all contribute to this situation. The essay also discusses how the government may help remove these roadblocks through policies and funding incentives [63].

Better energy efficiency is a challenge and an opportunity in the context of worldwide efforts to reduce energy consumption, greenhouse gas emissions, and negative environmental impacts, all of which are bolstered by the implementation of renegotiations.

This disruption necessitates re-evaluating the prevailing socioeconomic model that has enabled inequity and resource misallocation, making way for novel ideas that are more faithful to our constitutional mission. Effectiveness and fairness, in this view, are not opposites but rather complementary tenets upon which the goal of economic and social equity can be built.

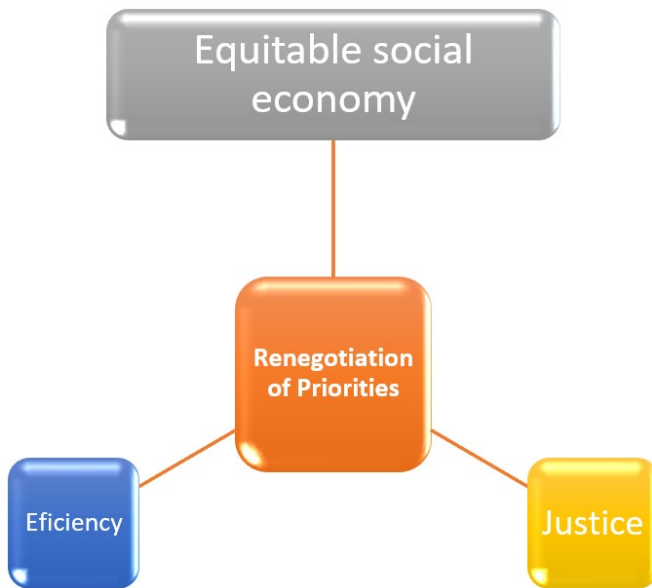


Fig. 1. Priority renegotiation pillar pattern based on efficiency and justice.

The tension between speed and fairness is a perennially contentious issue in the law. In the context of resetting priorities for a fair socioeconomic agenda, this is of particular importance [64]. Ecological justice theory is an approach in political philosophy and ethics that seeks to understand how social and ecological justice can be integrated to address environmental and social justice issues at the same time. It is one of several theories about justice that the author compares with this discussion. All natural ecosystems and the living things inside them are considered in this theory's pursuit of a just society.

Ecological justice theory seeks to find a middle ground between social justice (the equitable distribution of resources and opportunities) and environmental justice (the equitable management and protection of natural resources and the environment). In other words, if the natural environment is harmed, social justice will not be possible, and vice versa.

Naturally, the rights of ecosystems and all living things According to this philosophy, human beings have a responsibility to safeguard and defend the rights of all members of the natural world. This means that people should not view themselves merely as consumers but as stewards of the natural world. Ecological justice is based on a theory that stresses the need to look at the big picture. The well-being of future generations and the health of the planet must be taken into account when making decisions today. Voting in a Democratic Election:

According to this notion, citizens should have a voice in environmental policymaking at all levels of government. Communities on the ground need to have a voice in this as much as any other stakeholder. Collective Responsibility Principle: This guiding principle stresses that everyone has a shared responsibility to safeguard the natural world. This is not the duty of any one person or nation alone, but of the entire international community [65].

Reducing poverty and promoting equity According to this view, achieving ecological justice requires not only the end of poverty but also the reduction of social injustice. People living in poverty are frequently the most susceptible to the harmful effects of environmental change.

Ecological Fairness and the Prospect of New Structures To attain ecological justice, theoretical frameworks acknowledge that fundamental shifts in economic and social systems are required. Consumption shifts, production adjustments, and new economic policies are all possibilities. The philosophy of ecological justice seeks to resolve the conflicting goals of economic development and environmental preservation. It argues that attempts to promote social justice and ecological sustainability should complement one another. The environmental policies of many nations have been impacted by this theory, and it has provided an intellectual foundation for social and environmental justice movements [66]. The following are some potential legal arguments that could be made in this predicament:

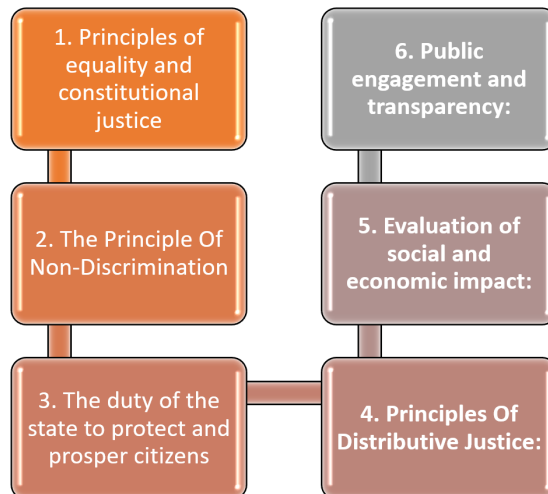


Fig. 2. Dilemmatic factors in renegotiating priorities in the socio-economic agenda.

The Principles of Constitutional Equality and Justice were created to ensure that legal arguments are grounded in the state's commitment to equality and justice. The rights of all members of society, both individually and collectively, are guaranteed by the constitution. Therefore, renegotiating priorities in the socio-economic agenda is necessary to guarantee that the policies implemented are not only financially sound but also just and respectful of

the rights of all residents. Principle of nondiscrimination, in which it is against the law to treat anyone differently because of their race, religion, gender, or sexual orientation. There must be no unjustified bias in the distribution of wealth or resources in any renegotiations of economic and social objectives. This is the foundational legal idea of fairness in society. State's duty to safeguard and improve residents' well-being The legislation also acknowledges the state's duty to ensure the safety and well-being of its residents. Implementing the appropriate economic policies is part of this process. To meet this duty, economic efficiency must be weighed against concerns about social justice.

Equal Representation as a Guiding Principle The term "distributive justice" is used to describe the practice of doling out material rewards and social status according to people's relative contributions to society. This notion can be used in renegotiating economic priorities to guarantee that economic rewards and opportunities are equally dispersed and not just concentrated in certain groups.

Impact Analysis on Society and the Economy Where it is necessary for the government and relevant institutions to assess the social and economic implications of proposed policies before deciding on priorities in the socio-economic agenda. This can be useful in predicting how social justice might be affected and in forming the basis for more fair policy changes. There must also be openness and transparency in the renegotiation process, with the public being given a fair chance to weigh in on any decisions that are made. This paves the way for citizen involvement and oversight to ensure that policies are both effective and equitable.

Striking a balance between efficiency and fairness is crucial in resolving the challenge of how to reorder priorities on the socioeconomic agenda. This calls for deliberation about constitutional values and preexisting legal norms and the implementation of measures that maximise economic gain while preserving the ideals of social fairness. The process of renegotiating the social and economic agenda is intricate and should be handled with care. This problem can be solved by following the general pattern below:

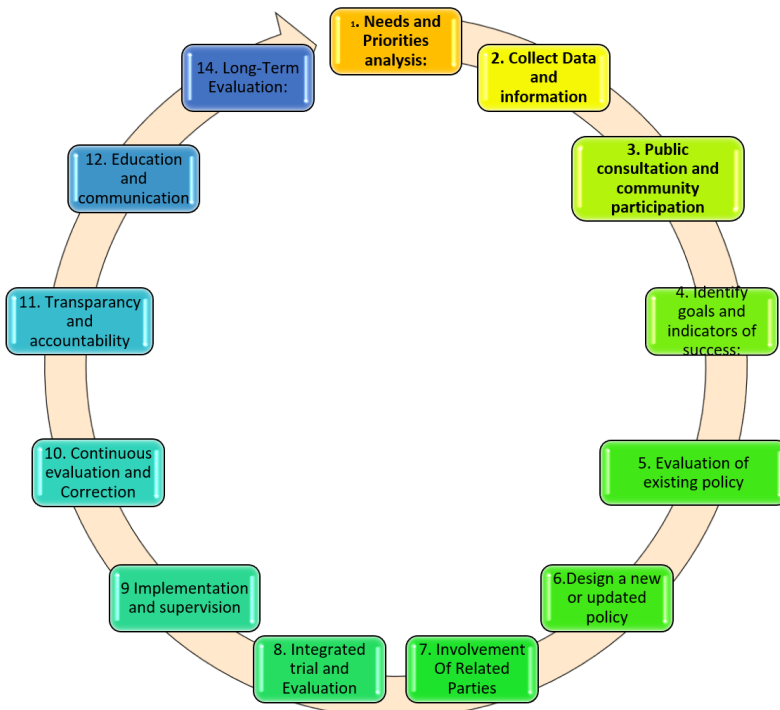


Fig. 3. Solution stages resolving the dilemma of efficiency and justice.

Locate and assess the state of the economy and society. Issues like poverty, inequality, unemployment, and a lack of educational opportunity are all examples. Gathering relevant data and information on present conditions and the influence of existing policies is the first step, and this step needs the execution of an activity. Research, questionnaires, and number crunching are all fair game for this purpose. After that, it's time to hold a public consultation and invite community members to weigh in on the outcome. Consult with the public and host open forums to learn about people's concerns and hopes. This can help inform the development of policies that are more welcoming to all groups. The next step in renegotiating the social and economic agenda is to establish concrete goals and measures of progress. Some possible strategies for doing so are lowering poverty rates, expanding educational opportunities, and creating more jobs. Establish measurable criteria by which success can be judged. Following the completion of the foregoing steps, it is vital to evaluate current socioeconomic policies in order to ascertain their efficacy. Are the hoped-for social and economic outcomes being realised? Do they distribute money and other assets fairly? Some possible strategies for doing so are lowering poverty rates, expanding educational opportunities, and creating more jobs. Establish measurable criteria by which success can be judged. Following the completion of the foregoing steps, it is vital to evaluate current socioeconomic policies in order to ascertain their efficacy. Are the hoped-for social and economic outcomes being realised? Do they distribute money and other assets fairly? Some possible strategies for doing so are lowering poverty rates, expanding educational opportunities, and creating more jobs. Establish measurable criteria by which success can be judged. Following the completion of the foregoing steps, it is vital to evaluate current socioeconomic policies in order to ascertain their efficacy. Are the hoped-for social and economic outcomes being realised? Do they distribute money and other assets fairly? Reviewing current socioeconomic policies to determine their strengths and flaws constitutes an essential part of the evaluation phase of policymaking. Are the hoped-for social and economic outcomes being realised? Do they distribute money and other assets fairly? Reviewing current socioeconomic policies to determine their strengths and flaws constitutes an essential part of the evaluation phase of policymaking. Are the hoped-for social and economic outcomes being realised? Do they distribute money and other assets fairly?

The next step is to build or revise socioeconomic policies that are more in accordance with the aims of fairness and efficiency, using the data and insights gained in the previous stages as a guide. Related parties, such as the government, non-governmental organisations, the corporate sector, and community groups, must be included in the policymaking process. This can reduce tensions and boost support for policy changes.

Comprehensive evaluation and testing can analyse the effects of new or revised policies in a controlled setting. Adjust the policy as needed based on the outcomes of the testing phase. Additionally, both implementation and monitoring are essential. Put into action and closely monitor the new energy and environmental policies that have been enacted. Make sure you're meeting your goals and success indicators by allocating resources properly.

Checking in on the policy's progress towards its goals at regular intervals during implementation is essential. Improve effectiveness and fairness by making any necessary adjustments. Transparency and Duty to Account Always be open and honest with your partners during the renegotiation and implementation processes. Communicate with the general public and take responsibility for your actions and decisions.

In order to achieve desired policy outcomes, widespread public education and open lines of communication are prerequisites. Share the good news about the social benefits that you anticipate. Long-Term Evaluation: Conduct a long-term evaluation of the renegotiations in the socio-economic agenda to gauge their success. Evaluate the progress accomplished towards long-term objectives and identify areas for potential enhancement. The government and other interested parties can use this pattern to better craft and implement policies that

promote both economic efficiency and social fairness. Keep in mind that economic and social renegotiation is a continuous procedure that calls for the participation of all concerned parties.

Conventional approaches to policy mapping tend to gloss over complexity and depth when applied to social and economic issues. Data collection, stakeholder engagement, and policy evaluation are all essential steps, but they rarely suffice on their own to tackle complex, interconnected issues. Particularly when it comes to already vulnerable populations, the acquired data and information may not accurately reflect reality on the ground. This leads to inaccuracies in the application of policies. In addition, quantitative data tends to take centre stage, obscuring the importance of qualitative data that can shed light on the problem's broader setting.

It is also common for public input and community participation to be treated more as an afterthought than a fundamental element of the decision-making process. This leads to fewer inclusive policies and less successful community engagement.

Existing policy evaluations can also place too much emphasis on easily measurable variables while ignoring those that are equally essential but more difficult to quantify, such as social justice. This is true regardless of the specifics of the renewable energy challenge or how Article 33 of the Constitution is interpreted. What role does discourse play in facilitating injustice and environmental damage, if any, when it comes to renewable energy legislation that supposedly promotes inclusivity and sustainability in accordance with socio-economic mandates?

Therefore, these factors should be considered when new or revised policies are formulated. To ensure the policy achieves its goals and meets the defined success indicators, it must be properly implemented and evaluated on an ongoing basis. Integrity and efficiency in policymaking depend critically on transparency and accountability.

The proposed solutions for energy and environmental policies need to strike a balance between social obligations, economic necessities, and environmental accountability. In accordance with Article 33, the goal of this policy should be to give locals more say over how their land, water, and energy are used so that they may better protect their ecosystem and their economy. To address fundamental issues of agency and inclusion, policy options must exist that balance economic efficiency and social fairness.

5 Conclusion

In light of the effect Article 33 of the 1945 Constitution has had on Indonesia's energy and environmental sectors, this conclusion stresses the need for a new evaluation of the paradigm underpinning public policy. "Constitutional extractivism," in which efficiency and economic productivity are valued above social justice and environmental sustainability, is a major obstacle. Policies aimed primarily at economic expansion, as is often the case with mining investments, may have unintended consequences for local people and the environment. It has been argued that the socioeconomic agenda desperately needs a revision and renegotiation of priorities. Indicators of social fairness and environmental sustainability, in addition to quantitative statistics and economic progress, should be given considerable weight in policy creation and assessment. Focusing just on energy efficiency is not sufficient, especially in the context of energy and environmental policy; a more holistic strategy is required, one that takes into account the social and environmental implications of natural resource usage.

Likewise, policymaking should be seen as a dynamic process rather than a static one. This means that implications for local communities, wealth distribution, environmental regeneration, and conservation, among other aspects of justice and sustainability, must be constantly assessed and revised. Not only will community participation in policy development boost the policy's credibility, but it will also make it simpler to spot and fix concerns that might otherwise be missed by a top-down, bureaucratic, or technocratic

approach. More in-depth and nuanced insights about the efficacy and fairness of current policies may be gained via an interdisciplinary approach that incorporates law, economics, and ecology. To rephrase, we need a public policy framework that is more flexible and welcoming, one that can react to the interplay of justice, sustainability, and resource efficiency.

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