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RESEARCH ARTICLE

REGULATORY RECONSTRUCTION FOR ACCELERATION OF SPATIAL PLANNING REGULATIONS IN INDONESIA

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ABSTRACT

The principles of spatial planning such as integration, sustainability, democracy through legal certainty and justice are a necessity given the development of the global situation and conditions. The spatial planning regulation should accommodate such principles, but in the existing statutory regulations in spatial planning management it creates problems, namely overlapping and disharmony among the statutory regulations governing spatial planning. The problem raised in this article is what kind of regulatory reconstruction can accelerate spatial planning regulations so that they can provide certainty and justice for society. The research method used is descriptive normative. The results of this study indicate that the regulatory construction that is formed at least provides a solution in spatial planning that does not cause complexity with overlapping and disharmony regulations, so that the desired regulatory construction encourages acceleration of spatial planning regulations that provide justice for society, and legal certainty in spatial planning.

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INTRODUCTION

The 1945 Constitution of the Republic of Indonesia (UUD 1945) as the constitutional basis has provided guidelines and directions on quality spatial planning to realize public welfare and social justice. The space referred to is the territory of the Unitary State of the Republic of Indonesia, which is an archipelagic state characterized by an archipelago. An archipelagic state with the characteristics of the archipelago as a unitary container that includes land, sea and air space, including space within the earth, as well as a resource. Spatial management needs to be improved by means of its management in a wise, efficient, and effective manner by referring to the rules of spatial planning so that the sustainability of the quality of national territory space can be maintained. Sustainability shows that everyone bears obligations and responsibilities to future generations and to each other in one generation by making efforts to preserve the carrying capacity of the ecosystem and improve the quality of the environment (Sodikin, 2018: 4). The constitutional basis in the 1945 Constitution is an anticipation of the development of global situations and conditions that demand the enforcement of the principles of integration, sustainability, democracy

through legal certainty and justice in the context of good spatial planning. In addition, to strengthen national resilience based on the insight of the archipelago which must be in line with regional autonomy policies that give authority to regional governments in the implementation of spatial planning. This authority needs to be regulated in maintaining harmony and integration between regions and between the center and regions so as not to cause disparities between regions. Therefore, the existence of limited space and the growing public understanding of the importance of spatial planning requires transparent, effective, and participatory spatial planning in order to realize a sustainable space. Implementation in spatial planning there are laws governing spatial planning, the first is Law Number 26 of 2007 concerning Spatial Planning. This Law Number 26 of 2007 is specifically with the aim of implementing spatial planning by regulating the division of authority between the government, provincial regional governments, and district/city regional governments in the implementation of spatial planning. Second, is Law Number 23 of 2014 concerning Regional Government that spatial planning is a concurrent government affair which then becomes the regional authority which is a basic service.

Third, there is Law Number 11 of 2020 concerning Job Creation, and this Law provides spatial planning regulations by giving greater authority to the central government and limiting the authority of provincial and district/city governments in spatial planning. Spatial planning issues will be related to other laws such as Law Number 32 of 2009 concerning Environmental Protection and Management, Law Number 41 of 1999 concerning Forestry, and other laws related to spatial planning. Therefore, the existence of other laws and regulations, which regulate many things that intersect with spatial planning, is of course expected to facilitate, expedite and streamline law enforcement in spatial planning. However, the existence of different arrangements in various aspects of activities, it is also possible to inhibit and even contradict the spirit contained in spatial planning (BPHN, 2014: 88). The emergence of sectoral and momentary interests has actually violated the rules, even though there have been signs in the legislation. Likewise, the state policy on regional autonomy with the widest possible autonomy for the regions is a phenomenon that has the potential for spatial planning violations. Spatial arrangements at the local government level are not in line with Law Number 26 of 2007, even Law Number 26 of 2007 and Law Number 23 of 2014 are not in line. Regional regulations governing spatial planning also overlap, and the overlapping of these regulations is because spatial planning is a government affair with some of its authority being decentralized to local governments.

Legislation under the law, both in the form of government regulations and regional regulations (provincial regional regulations and district regional regulations) has affected the overlapping of regulations governing spatial planning issues. This has led to many violations of spatial planning that cause environmental damage and also the law enforcement of the Spatial Planning Law does not go well. Actually, Law Number 26 of 2007 has mandated that all provinces and districts must have a Regional Spatial Plan (*Rencana Tata Ruang Wilayah*) which is used as a reference in implementing development (Juniarto and Achmad, 2016:29). Efforts to supervise and control spatial planning have actually been carried out by the Government through the relevant ministries, namely through efforts to improve and control as well as prevention of complaints or reports from the public regarding violations of spatial use, through optimizing the role of Civil Servant Investigators (PPNS) on Spatial Planning, and increasing supervision programs and spatial control at the national, provincial, and district levels, however, spatial planning violations still occur due to overlapping laws and regulations. The enactment of Law Number 11 of 2020 concerning Job Creation is a moment in the realignment of regulations on spatial planning. Therefore, the reconstruction of the current spatial planning regulation is a necessity considering that Law Number 11 of 2020 concerning Job Creation provides spatial planning directions to provide legal certainty and justice. According to Maria (2011: 158) the orientation of spatial planning is in the context of realizing a safe, comfortable, productive, and sustainable national territory space based on the insight of the archipelago and national resilience and this orientation must be realized immediately. Thus, the arrangement of regulations that are built must accommodate all problems with all their complexity regarding spatial planning. It is necessary to accelerate the realignment of regulations in the field of spatial planning because the development carried out by the government and local governments has a significant impact on accelerating environmental damage.

Regulatory reform is a common challenge involving various factors that can influence the reform process, including at the sub-national level. Therefore, the issue raised in this article is the reconstruction of regulations to accelerate the acceleration of spatial planning regulations so as to provide legal certainty and justice for the community.

RESEARCH METHODS

The research method used is descriptive normative, meaning to explain or analyze or describe the problem with the data found in the field to get conclusions from the problem. This study aims to provide a detailed, systematic and comprehensive description of the acceleration of the realignment of regulations in the field of spatial planning related to solving the problems of laws and regulations governing spatial planning which cause disharmony and overlap in spatial planning. The data obtained through this normative descriptive research method there are 3 (three) kinds of data or library materials used, namely: (1) Primary Legal Materials, namely legal materials that bind or make people obey the law such as legislation, (2) Secondary Legal Materials, namely the results of opinions or thoughts of experts or experts in the field of spatial regulation such as theories, doctrines in books, legal journals and the internet, (3) Tertiary Legal Materials, are legal materials that support primary legal materials and secondary legal materials by providing understanding and understanding of other legal materials, such as the Legal Dictionary.

DISCUSSION

Complexity of Spatial Planning: The complexity of this spatial arrangement is marked by the rapid development of the area both in urban and rural areas in development. The rapid development has a positive impact on economic development, but because development is not well directed, it results in environmental problems. This can be seen from the environmental damage in Indonesia, which has an impact on natural disasters that occur in various regions in Indonesia, one of which is due to spatial planning violations (Jazuli, 201:262). In the development of global dynamics, spatial planning will also follow the situation and conditions of the global economy. Spatial planning does not stand in a vacuum or passive space, but follows the demand and supply of a very broad community life (BPHN, 2018:122). Spatial planning crisis occurs because development carried out in an area is still often carried out without following the spatial plan, does not consider the sustainability and carrying capacity of the environment, and does not pay attention to the vulnerability of the area to natural disasters. In addition, there are often conflicts in the use of space between sectors with the main cause being that spatial planning legislation has not been used as a policy guide for spatial use for all sectors and the weak application of laws regarding spatial use (Prabowo, 2017:201). Regional autonomy has actually contributed to the complexity of spatial planning arrangements, regional autonomy should provide the main target for determining laws and regulations on spatial planning to develop and maintain natural resources, environmental protection and restoration can be achieved, namely in the midst of the progress of various industries and the needs of many people. Spatial planning is still seen as limited to meeting economic growth through development and tends to be oriented towards efforts to achieve economic growth targets.

In addition, spatial planning is also to meet the unavoidable development needs of a certain area. Such spatial planning orientation does not consider the purpose of the arrangement and use of space in accordance with its designation. Conceptually, the spatial plan should be conceptualized as a comprehensively integrated plan by analyzing all aspects and factors of development and development in an integrated series in the form of policies and basic steps complemented by data and maps of spatial use. Spatial planning issues have also become a concern in the National Long-Term Development Plan (2005-2025), namely:

- The crisis condition of spatial planning in Indonesia. This is because development carried out in an area is still often carried out without following the spatial plan, does not consider the sustainability and carrying capacity of the environment and does not pay attention to the vulnerability of the region to natural disasters. The impact of decreasing the quality and quantity of natural resources and the environment, as well as increasing the risk of casualties due to natural disasters.
- The occurrence of conflicts in the use of space between sectors, for example, conflicts between forestry and mining.
- Limited access of people in disadvantaged areas to social, economic and political services as well as being isolated from the surrounding area.
- The development of border areas, including the outermost small islands, has the potential for natural resources that are quite large and are very strategic for national defense and security.
- The negative impacts arising from large and metropolitan cities, among others, are (1) the occurrence of excessive exploitation of natural resources around large and metropolitan cities to support and increase economic growth; (2) conversion of productive agricultural land into residential, trade and industrial areas continuously; (3) the decline in the quality of the physical environment in urban areas due to environmental destruction and pollution; (4) the decline in the quality of life of people in urban areas due to socio-economic problems; and (5) the development of new cities is not independent and directed so that it becomes an additional burden for the core city.

The complexity of spatial planning shows that there are problems with spatial planning regulations regulated in various laws and regulations. The problems are: (a) Conflict, there are articles or provisions that clearly contradict other regulations, both higher and equivalent laws and regulations; (b) Multiple interpretations, ambiguity on subjects and objects arranged so as to cause ambiguity in the language formulation (difficult to understand) and systematic writing; (c) Inconsistent, there are inconsistent provisions or arrangements in one statutory regulation and its derivatives; and (d) Non-operational, is a regulation that has no effectiveness, but the regulation is still valid or the regulation does not yet have an implementing regulation (Silalahi, 2020:60). Muhlizi (2017: 359) states that the complexity of regulations including spatial planning regulations, so that there are important reasons for structuring regulations in Indonesia are: 1) hyper-regulation; 2) conflicting; 3) overlapping; 4) multiple interpretations; 5) inconsistency; 6) ineffective; 7) creating unnecessary burdens; 8) create a high-cost economy. This complexity shows that the quality of laws and regulations as regulations is still low, which is indicated by the existence of overlapping and

disharmony between laws and regulations, both vertically and horizontally. The number of regulations is excessive and all of them are not efficient and effective in spatial planning. The disharmony of spatial planning regulations occurs because the regional regulations and the existing laws or regulations on it are different. This disharmony is caused by the regional government as an autonomous region having its own authority as an autonomous region.

Rearrangement of Legislation in Spatial Planning: Law 12 of 2011 concerning the Formation of Legislation which is strengthened by Law Number 11 of 2020 concerning Job Creation, it is time to reorganize the legislation in the sector of spatial planning. There are two things that need to be considered in the realignment of regulations in the field of spatial planning, including:

- The need for harmonization of laws and regulations from the statutory level to regional regulations.
- Improving the quality of laws and regulations in accordance with the principles of the formation of laws and regulations that can support the implementation of community dynamics in an orderly manner with the implementation of state administration, especially in the development sector.

The essence of the process carried out to reorganize regulations as a process of spatial planning reform is as follows: (a) improving the quality of regulations through improving performance, cost effectiveness, quality of regulations, as well as various other formal provisions; (b) reform means the revision, abolition, or establishment of a regulatory order and its institutions; (c) reforms also include improving the quality of the formulation and making of policies or regulations as well as the management of regulatory reforms; and (d) deregulation is part of regulatory reform, which means the removal of part of the regulatory apparatus for a sector in order to improve economic performance (KPPU, 2007:4). Referring to two things that need to be considered in the realignment of spatial regulations, namely, firstly harmonization which is an effort to realize the harmony and harmony of the principle or legal system so as to produce laws and regulations that do not overlap (harmonious) in the spatial sector. According to Risky Dian (2014:7), that the process of harmonization or harmonization of laws and regulations that are about to be or are being drafted, so that the laws and regulations produced are in accordance with the principles of law and good laws and regulations.

Law Number 11 of 2020 concerning Job Creation provides instructions to immediately reorganize spatial planning regulations. The need for harmonization is considering that the laws and regulations do not provide synchronization, so harmonization is needed with Law Number 11 of 2020 concerning Job Creation as a guide. Given the many laws governing spatial planning, harmonization is a necessity. Actually, there are four laws that detail spatial planning, including Law Number 11 of 2020 concerning Job Creation as a new law, Law Number 26 of 2007 concerning Spatial Planning as the law governing spatial planning, and Law Number 23 of 2014 concerning Regional Government which regulates the authority of the government (both central government, provincial government and district governments) in spatial planning as well as Law Number 32 of 2009 concerning Environmental Protection and Management

which closely related to spatial planning. Referring to two harmonization theories (Budoyo, 2014:611), namely the theory of tinkering harmonization and Following harmonization. The purpose of harmonization of tinkering harmonization is law harmonization through optimizing the application of existing law with several adjustments, based on efficiency considerations. The purpose of harmonization of law with Following harmonization is harmonization of law in certain fields aimed at adjusting existing law with social changes. Through these two theories, harmonization of several laws governing the spatial planning can be carried out. The harmonization is intended to adjust the laws and regulations that both regulate spatial planning, so that there are similarities in spatial arrangements that do not overlap each other. The legal norms in the existing laws must be appropriate to provide legal certainty in spatial planning in Indonesia. After several laws governing spatial planning have been harmonized, the next step is the harmonization of laws and regulations under laws such as government regulations and regional regulations. It is said that (2021), government regulations are statutory regulations set by the President to carry out the law properly, so that government regulations are a product of the central government set by the President to implement the law can provide legal certainty in spatial planning.

Regional regulations which are products of local government legislation made by local governments (both provincial and local governments) together with the Regional House of Representatives to run the wheels of government in the regions. The current regional autonomy has implications for the increasing number of local legal products being formed. In terms of spatial planning, this is also the case, many regional products are formed in the form of regional regulations which have implications for overlapping spatial planning regulations. Regional regulations made by local governments are mostly made based on the will of the local government concerned. Therefore, harmonization and synchronization of regional regulations in spatial planning is a must considering regional regulations as regulations that have direct implications for spatial planning in the region. Harmonization of laws and regulations is an effort or process to realize the harmony and harmony of legal principles and systems so as to produce harmonious regulations (legal systems) (2021). The harmonization of laws in the spatial planning sector is then used as a reference for legislation under laws, both government regulations and regional regulations. In the implementation of harmonization and synchronization of laws and regulations, especially regional regulations, it is necessary to have clear and standard rules in the implementation of harmonization that regulate specifically and specifically regarding spatial planning. It is necessary to have guidelines for harmonization of laws and regulations at the regional level, so as not to cause differences in interpretation regarding the harmonization of existing legislation in the regions. In addition, it is also necessary to have a common opinion on spatial planning between the central government and regional governments, even though the regions in Indonesia have different regional characteristics. Furthermore, it is necessary to improve the quality of laws and regulations in accordance with the principles of the formation of legislation in the legal system that can support the implementation of community dynamics in an orderly manner with the implementation of state administration in development, especially in spatial planning. Referring to Law Number 12 of 2011 concerning the Formation of Legislations, it can be used as a guideline in

forming laws and regulations in the field of spatial planning. This is because the national legal system is a legal norm that applies in Indonesia with all its elements that support each other in anticipating and overcoming problems that arise in spatial planning. Technical guidelines for improving the quality of laws and regulations through the formation of laws and regulations as regulated in Law Number 12 of 2011 concerning the Establishment of Legislations so that they can be followed to obtain the quality of laws and regulations that manage space better. In Law Number 12 of 2011 concerning the Establishment of Legislations, namely in Article 64, it is emphasized on the technique of drafting laws and regulations. In the article it is stated that: "The preparation of the Draft Legislation is carried out in accordance with the technique of preparing the Legislation" (Moonthi, 2017:65).

This Law Number 12 of 2011 emphasizes the technique of forming quality laws and regulations, in the formation of laws and regulations including in the formation of laws and regulations in the field of spatial planning. This is where the material content of laws and regulations must reflect the principles of protecting humanity, nationality, kinship, archipelago (Nusantara), diversity in one nation (Bhineka Tunggal Ika), justice, equality in law and government, order and legal certainty, balance, harmony, and harmony (Rosika, 2019:28), which is a reflection of the law Number 12 of 2011 concerning the Establishment of Legislation.

Construction of Spatial Planning Regulation: Acceleration of regulatory arrangement in the spatial planning sector is a must, because considering the development and economy that continues to develop, so it requires a new regulatory construction as required in the 1945 Constitution that Indonesia as an archipelagic country with an archipelagic perspective. Legal certainty in development, especially in spatial planning is also a must, considering Law Number 11 of 2020 concerning Job Creation immediately provides legal certainty in spatial planning. Likewise with Law Number 12 of 2011 concerning the Formation of Legislations to unify the function of forming laws and regulations spread across various ministries or institutions and regional regulations from various regional governments in Indonesia. Law Number 11 of 2020 concerning Job Creation, which is characterized by omnibus law, has advantages, because the omnibus law method has the practicality of correcting many problematic regulations, increasing the speed in drafting laws. Drafting a law using the omnibus law method as well as correcting problematic laws that are currently in effect, the omnibus law approach can be a solution to overlapping regulations in Indonesia, both in horizontal and vertical hierarchical relationships (Sodikin, 2020:148). In addition, another characteristic of the omnibus law is that it gives greater authority to the central government in spatial planning.

Therefore, Law Number 11 of 2020 concerning Job Creation gives greater authority to the central government, including in terms of spatial planning, which can be found in Article 17 which is a provision for changes contained in Law Number 26 of 2007 concerning Spatial Planning, namely the provisions of Article 9 amended so that it reads paragraph (1) the implementation of spatial planning is carried out by the central government, and paragraph (2) further provisions regarding the duties and responsibilities of implementing spatial planning as referred to in paragraph (1) are regulated in a government regulation. In the event that Law Number 11 of 2020 concerning Job Creation gives great authority to the central

government in spatial planning, then the provincial government and district government have limited authority. This makes it possible for the central government to immediately reorganize the legislation in the field of spatial planning. Thus, accelerating the realignment of regulations in the field of spatial planning is very possible considering that the central government has great authority. In accordance with Article 99A of Law Number 15 of 2019 concerning Amendments to Law Number 12 of 2011 concerning the Establishment of Legislation which states that, "At the time of the formation of the ministry or institution that carries out government affairs in the field of Formation of Legislation, they formed, the duties and functions of the establishment of laws and regulations are still carried out by the minister who carries out government affairs in the field of law". This provision is a moment to accelerate the restructuring of regulations in the field of spatial planning. Through these two laws (i.e. Law Number 15 of 2019 and Law Number 11 of 2020), the President as the holder of the highest government power can immediately establish an institution specifically ordered in Article 99A of Law Number 15 of 2019. Currently, there are many state institutions that have the authority to form laws and regulations, causing inconsistency and incompatibility between one legal norm and another. Therefore, state institutions or ministries that are formed have the authority to form laws and regulations and also have the obligation to harmonize and synchronize laws. The Organization for Economic Co-Operation And Development (OECD), argues that the management of the formation of laws and regulations in Indonesia shows that there is no body within the government, which is fully responsible for ensuring that laws and regulations support the overall policy objectives of the government. The agency in question is the body that has the authority to ensure that decisions on the formation of laws and regulations are based on evidence and coordinate with other agencies within the government (Anggono, 2020:132).

The President as the head of government in accordance with the authority he has according to the legislation mentioned above to immediately reorganize the legislation on spatial planning. The President is given the freedom to choose in carrying out government affairs in the field of forming laws and regulations by forming his own ministry or forming non-ministerial institutions or also assigning duties and authorities to the Ministry of Agrarian Affairs and Spatial Planning as the party responsible for spatial planning. Because the ministries and non-ministerial institutions referred to as regulatory bodies have not yet been formed, it is better for the Ministry of Agrarian and Spatial Planning to be immediately given the authority to reorganize spatial planning legislation. The government must immediately establish institutions and these institutions specifically have the authority to regulate spatial planning. According to PSHK (2019:96) several functions must be possessed by the institution, namely: (i) implementing regulatory planning in accordance with development planning; (ii) carry out harmonization in the form of assessing the suitability of the substance of the proposed regulation with the content material, as well as synchronization with the provisions of other laws and regulations; and (iii) monitoring and evaluating the prevailing laws and regulations. The need for an institution that focuses its authority on improving the quality of regulations is very evident by looking at regulatory issues and considering that regulation is an important instrument in supporting Indonesia as a state of law (Sholikin, 2018:88).

Based on the opinion of the Center for Law and Policy Studies (Pusat Studi Hukum dan Kebijakan/PSHK) it can be used as a guideline to rearrange overlapping spatial regulations. The institution formed is directly responsible to the President to facilitate his duties and responsibilities. *The first* function of the institution as its task is to carry out regulatory planning in accordance with spatial planning in accordance with development planning. Development planning by taking into account spatial planning which is then compiled in regulations which are the authority possessed by the government as stipulated in Law Number 11 of 2020 concerning Job Creation. This is to be in line with the development planning program in the field of spatial planning launched by the central government, while the central government's authority in implementing national spatial planning includes: (a) national spatial planning; (b) utilization of national territory space; and (c) controlling the use of space in the national territory. Furthermore, the authority of the central government in implementing the spatial planning of the national strategic area includes: (a) the determination of the national strategic area; (b) spatial planning for national strategic areas; (c) utilization of national strategic area space; and (d) controlling the use of space in the national strategic area. In the framework of implementing spatial planning, the Central Government has the authority to formulate and stipulate guidelines for the field of spatial planning. The guidelines that are prepared as required in the law must be guided by the regional government in preparing spatial planning regulations at the regional level so that there is synchronization of spatial planning regulations.

Planning regulations that are in accordance with development planning in the field of spatial planning are in the form of Government Regulations. Drafting the latest regulation in a government regulation to implement Law Number 11 of 2020, it is also necessary to link other laws related to spatial planning, such as Law Number 23 of 2014 concerning Regional Government, Law Number 26 of 2007 concerning Spatial Planning and Law Number 32 of 2009 concerning Environmental Protection and Management as well as other related laws. The issuance of Government Regulation Number 21 of 2021 concerning the Implementation of Spatial Planning, then according to Law Number 12 of 2011 concerning the Establishment of Legislations, it is stated that Government Regulations as "organic" rules of Law according to their hierarchy must not overlap or contradict (2021). Therefore, the Government Regulation Number 21 of 2021 must integrate various cross-sectoral, cross-regional, and cross-stakeholder interests (including local government authorities) which are manifested in the preparation of Spatial Plans.

Second, because there are several laws and regulations that regulate spatial planning, it is necessary to carry out harmonization in the form of an assessment of the suitability of the substance of the proposed regulation with the content material, as well as synchronization with the provisions of other laws and regulations. The complexity of regulations governing spatial planning as regulated in various laws and regulations creates overlapping regulations on spatial planning. There are several laws that regulate spatial planning in addition to those regulated in Law Number 26 of 2007 concerning Spatial Planning, as well as other laws related to spatial planning such as Law Number 32 of 2009 concerning Environmental Protection and Management with environmental damage due to misappropriation of space. Law Number 23 of 2014 concerning Regional Government is

related to the authority within the government's authority in spatial planning. Likewise with Law Number 1 Year 2014 concerning Amendments to Law Number 27 Year 2007 concerning Management of Coastal Areas and Small Islands, and Law Number 32 Year 2009 concerning Marine Affairs, as well as other laws related to governance. Some of these regulations need to be harmonized or synergized considering that spatial planning involves many sectors (multi-sector) as the legal basis for implementing spatial planning nationally. The existence of Government Regulation Number 21 of 2021 concerning the Implementation of Spatial Planning is not enough to be considered as a result of harmonization of spatial planning regulations for the long term. *Third*, as an effort to accelerate the restructuring of spatial planning regulations, namely monitoring and evaluating the applicable laws and regulations. According to the Evaluation Guidelines of the Ministry of Law and Human Rights (2020), that the evaluation of laws and regulations carried out is *ex-post* because it is carried out against laws and regulations that have been promulgated or stipulated. The types of statutory regulations that are evaluated range from laws to regional regulations, even to regional head regulations related to spatial planning. Monitoring and evaluation of spatial planning laws and regulations to find out indicators of the applicability of spatial planning laws and regulations. Several indicators of legislation resulting from monitoring and evaluation are expected to be in accordance with the conditions of development of people's lives in accordance with the Pancasila philosophy. Expected indications of a spatial planning legislation, for example the norms contained are the elaboration of Pancasila values, the accuracy of the types of legislation (accuracy of the hierarchy of laws and regulations), harmonization so that they are in line between laws and regulations (conformity with the laws and regulations), the legal principles of spatial planning in statutory regulations), effective, efficient, clear and straightforward with other statutory regulations. This study tries to overcome the complexity of spatial planning regulations regulated in various laws and regulations so as to speed up spatial planning arrangements. The establishment of such spatial planning regulations is the legal basis for the central government, provincial and district governments, as well as the community in spatial planning. Likewise, the development of spatial planning is an effort to improve the performance of spatial planning organized by the central government, provincial and district governments, as well as the community.

CONCLUSION

As the end of this analysis, look at the reality in the arrangement of regulations that are still not good which causes the complexity of spatial planning such as overlapping, disharmony and the quality of legislation is not good. This shows that the regulations governing spatial planning do not provide good and qualified arrangements in order to regulate spatial planning. Through the construction of regulations as described in the analysis above, at least a solution in the regulation in the field of spatial planning does not cause spatial complexity in the future. Such regulatory construction can also encourage the acceleration of spatial planning regulations so that they can provide justice for the community, and legal certainty in spatial planning. As a suggestion from the end of this study, the authors suggest the need to immediately form non-departmental institutions or ministries that are specifically authorized to form laws and regulations so that there is

harmonization and synchronization of laws and regulations from laws to regional regulations. If non-departmental institutions or ministries have not been formed, specifically in spatial planning, the Ministry of Agrarian Affairs and Spatial Planning, especially the directorate general of laws and regulations, can immediately harmonize or synchronize and evaluate the quality of spatial planning legislation.

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