Empowering Community Legal Awareness in The Utilization of Mining Natural Resources and Environmental Protection

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Abstract
The problem phenomenon is that people in various regions (provinces, districts/cities, sub-districts, villages/sub-districts) tend to still face legal awareness problems, especially in the use of natural resources (SDA) for matters and interests of mining business and investment activities. This is characterized by a low lack of legal knowledge and understanding, especially regarding the regulatory provisions regulated in the Mineral and Coal Mining Law No.3 of 2020 and the PPLH Law No.32 of 2009. As a result of this situation and condition, many community members do not have a legal attitude and clear patterns of legal behavior, are unable to differentiate between acts and actions that are permitted and prohibited in the use of natural resources, and do not know the rights and obligations and responsibilities in managing mining businesses, and not knowing the categories of administrative and criminal violations and others. This training aims to determine the level of legal awareness of the community before carrying out activities in Mosiku Village, Batu Putih District, and North Kolaka Regency and to build a joint commitment to empowering legal awareness in using mining natural resources and environmental protection. The output of this activity is the availability of a model for empowering community legal awareness in the utilization of mining natural resources and environmental protection.

Keywords: empowerment, legal awareness, natural resources, environmental protection

1. Introduction
As a result of the impact of haphazard mining management, both carried out by certain mining companies and increasingly widespread illegal miners, village residents have had to submit protests to mining companies several times, but they rarely respond or respond. Likewise, complaint reports submitted to local law enforcement often need to receive maximum follow-up. The phenomenon is, even though this problem has received attention, supervision, and warnings from related agencies (such as the Environmental Protection and Management Service/ DPPLH, the One Stop Integrated Services and Investment Service (DPMPTSP), and the DPRD), the problem is still not resolved.

Other problematic phenomena are the rise of land disputes, land grabbing, theft of mining products, falsification of sales documents for illegal mining products, disputes and fights between groups, the pros, and cons between those who support opening mines and closing mining areas, increasing conflicts over mining land, and others. Apart from that, it is rumored that authorities such as the Police, the Department of Energy and Mineral Resources (ESDM), and Mining Inspectors continue to legalize illegal mining activities even though they have caused several victims (Editor of Koransultra.com, Topieterkini.com, Jayantaranews.com, Lensakita. id).

Specifically, Mosiku Village is one of 11 Batu Putih District villages and 133 villages/sub-districts in North Kolaka Regency. The area is 18.49 km² (or 4.93% of the total area of Batu Putih District 374.95 km²), with the topography of the area generally being at an altitude of ± 60 m above sea level (asl), which includes land and sea areas because it is located on the coast of Teluk Bone Beach, and has the potential for natural resources (SDA) mining and social modalities. Mosiku Village has 1,362 residents (702 men and 660 women), or 15.5% of Batu Putih District's total population (8,790 people). The
population density level is 74 people/km, and 313 household families (including families classified as Poor Households (RTM), and each family consists of 4 family members. The number of productive age is 64.25% (Mosiku Village Office, 2022). Many residents have the characteristics of a homogeneous socio-cultural background, both ethnic (predominantly Tolaki ethnic) and religion and belief (predominantly Muslim). The activities and livelihood patterns of the population are also diverse. In this case, the majority of the population works in the sector. Informal, namely agriculture (rice field farmers), plantations (plantation farmers), animal husbandry (breeders), fisheries (fishermen, fish farmers), mining (miner workers), and some in the trade sector (traders, self-employed). Some residents work in the formal sector, such as government employees, teaching and educational staff, medical/health personnel, TNI/Polri members, etc. (Mosiku Village Office, 2022).

The problem phenomenon is that several village residents still experience a condition of helplessness and lack of independence in overcoming their problems, especially the problem of protecting and managing the environment (LH) and natural resources (SDA), resulting in a cultural and mental dependency on assistance from both the Government/relevant agencies and Law enforcement agencies (LPH) are still quite dominant and prominent. Human resource (HR) competency in the Mosiku Village community still needs to be improved, especially in law protection and enforcement, as well as resolving problems and conflicts in environmental protection, natural resource utilization, and mine management. Residents in Mosiku Village still have difficulties and cannot apply the norms of customary law or actualize the values of local cultural wisdom, so they tend to be spectators witnessing various legal problems and legal violations (administrative, civil, criminal) that arise as a result of the rampant business and investment activities in the mining sector in his village. They are powerless to accept their status as objects of protection and law enforcement; they still predominantly rely on the Government and law enforcement institutions/officials to overcome various legal problems faced in their surrounding environment (Results of Observations and Interviews, 2022).

In connection with this, empowering community legal awareness is increasingly essential and strategic, especially in mining natural resources. The public needs to increase their knowledge and understanding of good and correct law, especially regarding the Mineral and Coal Mining Law No.3 of 2020 and the PPLH Law No.32 of 2009, including the Criminal Code, Criminal Procedure Code, and others, so that they can demonstrate the expected legal attitudes and behavioral patterns. For these aims and objectives, the Government/Institutions/Related Ministries and Regional Governments/Relevant Agencies, Law Enforcement Agencies (LPH), Professional Institutions, Universities (PT), as well as community leaders and NGOs need to pay attention to the implementation of empowerment programs (awareness, capacity strengthening, empowerment) and outreach activities, education and training, and others.

The empowerment of community legal awareness is by people-centered development theory, also known as alternative development theory, pioneered by Korten, which essentially emphasizes the placement of "humans" as subjects and objects, as well as the main targets and most strategic resources in national and regional development management (Mardikanto, 2013). This empowerment is essential in building and developing human capacity, promoting strength, and eliminating society's dependence on state and government bureaucracy (Mardikanto, 2013).

Community Empowerment Theory is oriented towards increasing awareness, strengthening capacity, empowerment, as well as realizing community empowerment and independence in overcoming problems (Parson in Suharto, 2012; Suharto, 2010; Anwar, 2013; Gunawan, 2010; Adi, 2008; Soetomo. 2014), or increasing individual and collective abilities of community groups so that their level and standard of living becomes better (Figure 28 Article 1 of Law No. 3 of 2020).

Based on this description, empowering community legal awareness is increasingly urgent, essential, and strategic to realize empowerment, power, and independence in mining natural resources. Therefore, through Community Service (Pkm) activities, it is hoped that it can motivate and facilitate village communities in developing and increasing their legal awareness through their involvement and participation in empowerment programs and activities through Pkm.

Based on the background description, the formulation of the main problem in this Community Service (Pkm) activity is how to empower community legal awareness in the utilization of mining natural

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resources (SDA) and environmental protection in Mosiku Village, Batuputih District, North Kolaka Regency?

2. Methods
The methodology for implementing community legal awareness empowerment in utilizing natural resources (SDA) mining and environmental protection (PLH) in Mosiku Village, Batuputih District, North Kolaka Regency, is as follows.

If implementing PkM in empowering community legal awareness in utilizing natural resources (SDA), mining, and environmental protection (PLH) in Mosiku Village, Batuputih District, the implementation phases will be as drawn by the following table.

**Table 1. Implementation phases**

<table>
<thead>
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<th>No.</th>
<th>PkM Implementation Level</th>
<th>Activities</th>
<th>Success Indicators</th>
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| 1   | Preliminary survey       | • Direct observation at the PkM location  
• Location mapping                        | Availability of a map of the location of PkM activities                            |
| 2   | Cross-sectoral Coordination and Cooperation | Coordination and cooperation with related elements:  
• Officials of relevant agencies  
• Village Head, Sub-district Head  
• Law Enforcement Officers | Obtain agreement (consensus) with relevant elements regarding permits for the implementation of PkM activities, FGD, socialization, education and training, simulation,  
|
3. Results and Discussion
The research findings show that the community in Mosiku Village, Batu Putih District, North Kolaka Regency, in general, still needs to improve its legal awareness, especially in using mining natural resources and environmental protection. This is shown by the results of the Pre-PkM research, where, on average, only 8% of the population had good (high) legal awareness and 22% were classified as sufficient (medium) but still needed improvement. Meanwhile, 70% of the population is still classified as less and significantly less (low). However, after the implementation of PKM activities, there was an increase in the number of people with high or good legal awareness by 14%, rising to 22%, and those with moderate or sufficient legal awareness by 22%, rising to 44%. Conversely, there was a decrease in the number of people with low legal awareness by 36%, leaving the remaining 34%.

The implementation of PKM activities has contributed to empowering community legal awareness, namely a 44% increase in legal knowledge, a 50% increase in legal understanding, a 32% increase in appreciation of the law, a 50% increase in commitment to law enforcement, 30% increase in attitudes towards legal compliance, 24% increase in law legal behavior, as well as a 24% increase in acceptance and expectations of the law. Thus, implementing PCM activities has contributed an average of 36.2% to increasing community legal awareness of using natural resources in mining and investment activities. Continuous and sustainable empowerment of local community legal awareness in Mosiku Village, as stated by Hogan (Adi, 2008), includes five (5) main cycle stages, namely
1. Bringing back experiences that empower and do not empower community legal awareness,
2. Discuss the reasons why there is empowerment and disempowerment of community legal awareness,
3. Identifying a problem or project.
In this case, the problem is legal awareness of using natural resources in mining business and investment activities. This is also by what Biestek stated regarding the principles and essence of empowerment, namely encouraging people to find out for themselves what they should do to overcome the problems they face, (4) Identify meaningful power bases, and (5) Develop action plans and implement programs to empower local community legal awareness.

Empowering local community legal awareness through PkM, as well as the need for sustainable and continuous empowerment programs, is by what was stated by Wilson (Nyoman S, 2005) regarding the four cycles of the empowerment process, namely Awakening, Understanding, Harnessing, and Using:

1. Awakening, namely helping individuals, groups, and local village communities conduct studies or research regarding the current situation and conditions of legal awareness, their work, and their position in the dynamics of natural resource utilization in mining business activities.
2. Individuals, groups, and local village communities gain legal Understanding and new perceptions about the laws they have obtained, their job positions, businesses, aspirations, and the general conditions they experience.
3. Harnessing, namely individuals, groups, and local village communities who have experienced increased legal awareness, can use their knowledge and skills to empower other people in the surrounding environment.
4. They used skills and abilities to empower legal awareness as part of daily legal behavior in utilizing natural resources for mining.

The legal awareness empowerment process cycle is in line with the five stages of empowerment proposed by Adi (2008), namely: preparation stage (engagement), assessment stage, alternative program or activity planning stage, action plan formulation stage, program or activity implementation stage, evaluation stage, and termination stage. Likewise, Gunawan S (2010) stated the three stages of the empowerment program in community development as a cycle of change that seeks to achieve progress or increase legal awareness to a better level. The three stages are creating a climate that allows the community's potential to develop, strengthening the potential or power possessed by local communities, and overcoming the problem of low community legal awareness of using natural resources for mining.

The implementation of PKM activities in empowering the legal awareness of local communities in Mosiku Village is by the description of human capacity development proposed by Soetomo (2014), namely developing insight and the level of legal knowledge and understanding, increasing the ability of legal awareness in responding to the dynamics of natural resource utilization for mining in the surrounding environment, increasing skills and access to legal policy information (such as the Mining and Mineral and Coal Law, the Environmental Protection and Management Law (UUPPLH), the Criminal Code, and others), as well as the decision-making process in law protection and enforcement. Empowering the legal awareness of local communities in Mosiku Village through the implementation of PKM activities, as well as the need for sustainable/sustainable empowerment programs, as stated by Soetomo (2014), is a planned change, namely providing stimulation and encouragement (motivation) to local communities to participate and participate in activities: socialization/counseling, education, FGDs and simulations to build and develop legal awareness capacity.

Empowering the legal awareness of local communities in Mosiku Village through implementing PKM activities, as stated by Zubaedi (2013), also strengthens community capacity (community development). This illustrates the critical meaning of two concepts: community, which means the quality of social relations, and development, which means changes toward gradual, planned progress. This meaning is essential for the proper development of society.

Increasing the legal awareness capacity of local communities through implementing PkM activities, as stated by Suharto (2012) and Suhartini et al. (2011), is one of the three goals and core of empowerment, namely empowerment, strengthening self-capacity, and becoming independent. Increasing the capacity of the community is needed, especially for those who are considered less powerful, by taking advantage of various opportunities through independence so that they can defend and fight for their rights as sovereign citizens, and it is hoped that they can achieve a prosperous life.
The involvement of community members in empowering legal awareness, as stated by Suharto and Salam, can have a direct and indirect effect on increasing capacity in protecting and enforcing mining and environmental laws in the surrounding environment and can even have the ability to resolve all legal, mining and environmental problems in the surrounding environment, so that expectations create shared prosperity. A similar thing was stated by Salam (2008) regarding the process of increasing community capacity in empowering through independence to provide the facilities needed to develop their legal potential or talent. This capacity increase can be achieved through various existing activities or opportunities so local communities can be more active and participate in socialization, education, training, and other activities.

The implementation of PKM activities in empowering local community legal awareness, as stated by Soetomo (2009), is an external energy, namely stimulation and encouragement (motivation) for local communities to participate in these empowerment activities. Therefore, with PKM activities, it is hoped that it can build, develop, and increase the community's internal legal awareness capacity (knowledge, understanding, attitudes, and behavior) to develop sustainably better.

The implementation of PKM activities functions as external energy, namely as a means of stimulating the community's internal legal awareness capacity. Therefore, if the Government/relevant agencies and law enforcement agencies or other parties/institutions want to implement sustainable empowerment policies and programs, then as far as possible, they will not cause dependency. According to Soetomo, if the condition of dependency still occurs, then the induction of change has failed because it cannot build internal capacity. The community's legal awareness capacity can be built if external induction can encourage independence and a sustainable, dynamic internal process.

Empowering the legal awareness of local communities in Mosiku Village through the implementation of PKM activities as well as the need for sustainable/sustainable programs, as stated by Anwar (2013), implies an educational process in improving the quality of legal awareness of individuals, groups or local communities so that they can be empowered, have competitiveness and able to live independently in the protection and enforcement of the law in responding to the dynamics of natural resource utilization for mining in the village or surrounding environment.

The findings of the research results are the main aim of empowerment stated by Suharto (2010), namely increasing community independence in increasing their legal awareness, increasing their legal knowledge and understanding, changing their perception of the law, and preventing and overcoming acts of injustice. In this way, it is hoped that there will be social change in the form of increased legal awareness leading to better conditions or results to be achieved, experiencing increased self-confidence and ability to express aspirations, sources of livelihood safe from threats and interference, and being able to participate and be independent in carrying out tasks. Legal life duties.

Empowerment of legal awareness of local communities through the implementation of PKM activities by what was stated by Pranarka and Prijono (2005) regarding the meaning of empowerment as a fair sharing of power so that there is an increase in legal awareness and political awareness and the power of weak community groups and increasing their influence. They focus on the process and results of legal development, mining, and the environment. This aligns with McArdle's opinion (Salam, 2008) regarding the need for communities to be more empowered through their efforts and the accumulation of knowledge, skills, and other resources to achieve their goals without needing help from external relations. 1. Development of a Community Legal Awareness Empowerment Model

Research findings in Mosiku Village show that the achievement of increasing legal awareness through PKM activities is positively correlated with 62% of village communities providing excellent and sufficient support for empowering their legal awareness. Likewise, the fact that there are still 38% of the population who provide less than optimal support is one of the factors causing PKM activities to not be optimal in optimizing the increase in their legal awareness, thereby signaling the need for empowerment to be carried out on an ongoing basis.

Looking at the seven indicators studied, three indicators received high support, namely support for the attention and involvement of citizens in legal awareness programs and activities, support for increasing legal awareness, and support for implementing legal awareness socialization and education activities.
Only one indicator is in the medium category: commitment and motivation to participate and actively participate in socialization programs and activities, education, and legal awareness training. Meanwhile, the other three indicators received low support:

- Willingness to provide material and non-material assistance.
- Support for the cadre of legal awareness empowerment groups.
- Support for institutionalizing community legal awareness.

On this basis, local communities need the empowerment of legal awareness related to favorable laws (laws and written regulations) enforced by the State/Government and unwritten laws, especially local laws that grow and live (living law) in society, such as law. Customs/customs, religious law, and local wisdom values.

In connection with this reality, it is urgently needed to develop a model for empowering community legal awareness so that the community has increased awareness, human resource capacity, power, empowerment, and independence in the legal field, as illustrated below.

**Figure 2.** The model for empowering community legal awareness
Legal, cultural potential and products in the form of local customary law (Living law), religious law, and local wisdom values. This potential and product is a modality for legal sociology and legal politics to enter the path of empowering local legal awareness. Second, community empowerment includes awareness, capacity strengthening, Empowerment, and independence. These aims and objectives need socialization, coaching, advocacy, supervision, counseling, education, and training activities. Third, the Government/relevant Ministries, Regional Government/relevant agencies, law enforcement agencies, and elements of society who have competence (such as community leaders, Universities/PTs, Non-Governmental Organizations/NGOs, professional institutions, private parties, and others) can play a role in empowering community legal awareness.

Fourth, the Empowerment of community legal awareness is directed at two learning objects, namely Positive Law (Modern Law) enforced by the State/Government and Local Law (Customary Law/Customs, Religious Law, Local Wisdom Values) as a Living Law that lives and grows within the life of local legal communities. Fifth, Empowering community legal awareness is focused on:
1. Increasing legal knowledge.
2. Increasing understanding of the law.
3. Increasing legal compliance/obedience.
4. Increasing commitment and motivation for law protection-enforcement.
5. Increasing attitudes of acceptance towards law.
7. Changes in legal behavior patterns.

Sixth, Empowering community legal awareness needs to be addressed in various aspects of life and development fields/sectors, including in the mining and environmental/LH sectors, according to the dynamics and urgency of legal problems faced by local communities in each region. In this way, the implementation of empowering community legal awareness can vary or differ according to the problem-solving needs required so that it does not have to be uniform (homogeneous) in each region.

Seventh, Empowering community legal awareness as much as possible is carried out using various methods or approaches to achieve increased community legal awareness in preventing and overcoming specific problems. Eighth, the ultimate goal and target of community legal empowerment is realizing human resource competence, power, Empowerment, and community legal independence. Ninth, Application of SWOT Analysis (Strengths/ strengths, Weaknesses/ weaknesses, Opportunities/ opportunities, Threats/ threats) in identifying and analyzing strategic internal and external factors to produce alternative strategic steps in solving problems and achieving goals and strategic targets of empowering community legal awareness.

The entire description shows that empowering community legal awareness, especially in the utilization of mining natural resources in Mosiku Village, Batu Putih District, North Kolaka Regency, is a momentum for the Government/relevant agencies and local communities (such as community leaders, young men/women, NGO activists, and others), as well as other external parties to promote public legal awareness of positive law and local law (living law).

3. Conclusion

Prior to the initiation of the Community Service Program (PkM), the level of legal awareness within the pre-PkM community exhibited a substantial variance, with only 8% of the community being classified as having a high level of legal awareness. The majority, 70%, fell into the poor and very poor categories, indicating a low level of legal awareness, while 22% were considered to have a medium level of awareness. However, the deployment of PkM activities marked a significant shift in these statistics. Post-implementation, there was a noticeable enhancement in legal awareness levels, with those classified as having a high level of awareness increasing to 22%, and those in the medium category rising to 44%. Correspondingly, there was a decrease in the low category to 34%, showcasing the positive impact of the PkM activities on the community's legal consciousness.

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In terms of community support for the empowerment of legal awareness specifically regarding the use of natural resources in the mining business sector, an average of 62% of village residents were found to provide excellent and sufficient backing. Conversely, 38% of the population was identified as offering insufficient support, highlighting a diverse range of perceptions and attitudes towards legal awareness in the context of natural resource management.

The PkM activities were instrumental in contributing to various facets of legal understanding and compliance within the community. Specifically, there was a 44% increase in legal knowledge, a 50% rise in both understanding and commitment to the law, and a 32% enhancement in the appreciation of legal standards. Furthermore, attitudes towards legal compliance saw a 30% improvement, with legal behavior patterns and acceptance and expectations of the law each experiencing a 24% increase. These statistics underscore the multifaceted benefits of PkM activities in fostering a more legally informed and compliant community.

Overall, the implementation of PkM activities yielded a significant average contribution of 36.2% towards the augmentation of public legal awareness. This substantial impact reflects the effectiveness of the PkM activities in elevating the community's understanding and appreciation of legal principles, underscoring the importance of such initiatives in promoting a legally conscious society.

References

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Mertokusumo, Sudikno., 2010. *Bunga Rampai Ilmu Hukum,* Jogjakarta: Liberty


Rahardjo, Satjipto, 2000. *Ilmu Hukum,* Bandung: Citra Aditya Bakti


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