

**SOEKARNO'S NATIONALISM IN INDEPENDENT MANAGEMENT
OF NATURAL RESOURCES, REVIEWED FROM A LEGAL
PERSPECTIVE**

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Abstract

West This study aims to analyze the influence of the natural resource nationalization policy implemented by Soekarno on the legal and social systems in Indonesia. This study uses a qualitative method with a descriptive analytical approach. Data were collected through literature studies from various legal documents, journal articles, and in-depth interviews with legal experts and historians. The data analysis techniques used are content analysis to examine legal texts and policies, and comparative analysis to compare the implementation of nationalization policies in Indonesia. The results of the study indicate that the nationalization policy has a significant impact on the sustainability of law and social welfare, although in practice it faces major challenges in its implementation. This study is expected to provide insight into the relevance of the policy in the context of current legal and economic development in Indonesia.

I. Introduction

Nationalism promoted by Indonesia's first President, Soekarno, played an important role in the formation of sovereign and independent natural resource management policies. Soekarno's vision emphasized that Indonesia's natural resources must be controlled by the state and utilized as much as possible for the prosperity of the people, as mandated in Article 33 of the 1945 Constitution. This article emphasizes that the earth, water, and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people. (Hamzah, 2019)

In the legal context, state control over natural resources does not only mean physical ownership, but also includes the authority to regulate, manage, and supervise its use for the welfare of the community. This is in line with the view of Mohammad Hatta who emphasized that the state is responsible for supervising and regulating the use of natural resources based on the safety of the people. (Hayati, 2019)

However, the implementation of nationalism in natural resource governance often faces challenges, especially when the humanitarian aspect is neglected. Some policies in the name of nationalism actually lead to excessive exploitation, human rights violations, and environmental damage. For example, mining activities in several areas have caused a decline in the quality of life of the surrounding community and significant environmental degradation. (Saragih et al, 2024)

Therefore, it is important to review the legal policy of natural resource management based on Soekarno's nationalism. This approach must ensure that natural resource management is not only oriented towards economic interests alone, but also pays attention to social and environmental aspects. Active community participation in natural resource management is crucial to achieving a balance between economic utilization and environmental sustainability. (Ilham, 2024)

Thus, nationalism in the management of natural resources must be realized through policies that not only affirm state sovereignty over natural resources, but also guarantee social justice, environmental protection, and the welfare of the people as a whole. This is in line with the spirit of Article 33 of the 1945 Constitution and Soekarno's ideals to realize an independent and sovereign Indonesia in managing its natural resources. (Ilham, 2024)

2. Research Method

The type of research used in this study is qualitative research with a descriptive analytical approach. This study aims to understand and analyze the influence of the natural resource nationalization policy (SDA) initiated by Soekarno on the sustainability of law and society in Indonesia. The data used in this study comes from legal documents, books, journal articles. Data collection techniques are carried out through literature studies and in-depth interviews with competent sources in the field of law and the history of Indonesian nationalism. In addition, observations of the implementation of the nationalization policy were also carried out to obtain a more complete picture. For data analysis, content analysis techniques are used to examine existing legal texts and policies, as well as comparative analysis techniques to see how the nationalization policy was implemented in the field and its impact on society. This analysis aims to explore the relationship between the policy and the social, legal, and economic contexts at that time and its relevance in the context of legal and natural resource development in Indonesia today.

3. Result and Discussion

Sukarno's Nationalism and the Policy of Nationalization of Natural Resources

During the reign of President Soekarno, nationalism was not only the spirit of struggle to achieve independence, but also transformed into a strategic policy in the management of natural resources (SDA). The nationalization of economic assets previously controlled by foreign colonials was considered an important step to realize economic sovereignty and ensure that Indonesia's natural resources were used for the greatest prosperity of the people. (Damanik et al, 2010)

The nationalization carried out by the Soekarno government was not only limited to the plantation sector, but also included various other economic sectors. This was in line with the government's efforts to reduce dependence on foreign capital and strengthen the national economic position. However, the implementation of this nationalization did not always run smoothly. There were various challenges, including the unclear status of land ownership and nationalized assets, as well as conflicts with indigenous peoples who felt their rights had been taken away without fair compensation. For example, the nationalization of Dutch plantations in Deli in 1958 resulted in the loss of the rights of the Deli Malay indigenous people to their land, which had previously been granted as concession rights by the colonial government. As a result, claims

emerged over the land, causing tension between indigenous peoples and the government. (Saidin, 2015)

In addition, the nationalization policy also faces challenges from within the country. Groups with ties to foreign interests, such as the "Berkeley Mafia", are trying to reverse the nationalization policy on the grounds of attracting foreign investment to improve Indonesia's economic conditions. They argue that the involvement of foreign capital is needed to accelerate economic development and modernization. However, this approach often clashes with the spirit of nationalism which emphasizes economic independence and control over natural resources by the state. (Fikri, 2021)

In this context, Soekarno's nationalism was not only focused on the takeover of economic assets, but also on the formation of a strong and independent national identity. Soekarno rejected narrow nationalism that was chauvinistic and emphasized the importance of national unity based on shared historical experiences and collective determination to unite. The nationalism developed by Soekarno was an inclusive, humanist nationalism, and based on the principle of mutual cooperation, as an effort to build an independent and sovereign Indonesia. (Romualdi, 2024)

However, in practice, nationalization policies often do not pay attention to the rights of local and indigenous communities. This has caused dissatisfaction and protests from communities who feel disadvantaged. For example, the Deli indigenous community lost their rights to land that had been controlled for generations because of nationalization policies that did not consider the legal status of customary land. This situation shows that although the goal of nationalization is to improve the welfare of the people, its implementation must be sensitive to local and indigenous rights so as not to cause social conflict. (Saidin, 2015)

In addition, the relationship between the central government and local governments is also an important factor in the implementation of nationalization policies. Local governments often have special relationships with indigenous communities and understand the local context better. However, nationalization policies set by the central government are not always accompanied by good coordination with local governments, resulting in tensions between the two parties. To overcome this, constructive dialogue is needed between the central government, local governments, and indigenous communities in the planning and implementation of nationalization policies. (Ernada et al, 2024)



In its evaluation, the nationalization policy during the Soekarno era showed that although there was a good intention to return control over natural resources to the state and the people, its implementation must be carried out carefully and pay attention to legal, social, and cultural aspects. It is important to ensure that the nationalization policy does not only benefit a handful of parties, but truly provides benefits for the welfare of the people as a whole. In addition, harmonization between national law and customary law must be maintained so that there is no overlap that can harm local communities. With an inclusive and sensitive approach to cultural and legal diversity in Indonesia, the goal of nationalization to improve the welfare of the people can be better achieved.

Challenges in the Implementation of Nationalism in Natural Resource Management from a Legal Perspective

The implementation of nationalism in the management of Natural Resources (SDA) in Indonesia, which is based on Article 33 of the 1945 Constitution, faces various challenges from a legal perspective. Although the main objective is to ensure that SDA are managed for the greatest prosperity of the people, the reality often does not match expectations.

1. Lack of Access to Information

One of the main obstacles is limited access to information for the community. Information on natural resource management policies, environmental impacts, and applicable regulations is often not transparently available or difficult for the public to access. This hinders active community participation in the decision-making process related to natural resource management. For example, Ilham (2024) highlighted that lack of access to information can reduce the effectiveness of community participation in natural resource management.

2. Capacity and Resource Limitations

In addition, limited capacity and human resources at the community level are also obstacles. Many local communities do not have adequate knowledge or skills to be effectively involved in natural resource management. Valentina (2024) emphasized that without proper training and empowerment, communities will have difficulty participating constructively in natural resource management.

3. Conflict of Interest



Conflicts of interest between the government, private companies, and local communities also often arise. When natural resource management policies prioritize certain economic or political interests, this can lead to injustice and dissatisfaction among the community. Ramadhan et al (2024) showed that conflicts of interest can hinder community participation and damage relationships between various stakeholders.

4. Incongruity Between National and Customary Law

Indonesia has a variety of customary laws that apply in various communities. However, there is often a misalignment between national law and customary law in the management of natural resources. This difference can cause conflict and legal confusion, which in turn hinders efforts to conserve and utilize natural resources sustainably. Zai et al. (2024) highlighted that environmental factors and community views that do not appreciate natural resources can be challenges in local wisdom-based management.

5. Limitations of Law Enforcement

Weak law enforcement is also an inhibiting factor. Although there are laws governing the management of natural resources, their implementation is often inconsistent. The lack of strict sanctions for violations causes actors who damage the environment or exploit natural resources illegally not to receive appropriate consequences. Barizi (2023) shows that unclear regulations can hinder the development of a sustainable natural resource processing industry.

6. Community Engagement and Citizenship Education

Ineffective civic education can reduce public awareness of their rights and obligations related to natural resource management. Without a good understanding, people may not know how to participate or claim their rights in the natural resource management process. Yunita et al. (2024) emphasize that changes in national borders and globalization affect the way people interact with natural resources and the importance of civic education for such adaptation.

7. Dependence on Non-Renewable Natural Resources

Economic dependence on non-renewable natural resources adds complexity to the challenges. Resources such as oil and natural gas have a limited lifespan, and over-exploitation can cause environmental damage and threaten economic sustainability. Septianda (2024) identified that dependence on non-

renewable natural resources can cause challenges such as environmental damage and social conflict.

8. Local Wisdom Based Approach

Integrating local wisdom in natural resource management can be a solution to some of the challenges above. This approach involves communities in decision-making and utilizes traditional knowledge for conservation and sustainable use of natural resources. However, as shown by Zai et al. (2024), environmental factors and community views that do not appreciate natural resources can be obstacles in implementing this approach.

4. Conclusion

In conclusion, Soekarno's nationalism in the management of sovereign natural resources (SDA) emphasizes state control over SDA for the greatest prosperity of the people, in accordance with Article 33 of the 1945 Constitution. This vision drives the nationalization policy, which aims to reduce dependence on foreign powers and strengthen the national economy. However, the implementation of this policy often faces various legal challenges, such as inconsistencies between national and customary laws, lack of access to information, and conflicts of interest between the government, companies, and local communities. Although the goal of Soekarno's nationalism was to realize independence and social justice, the nationalization policy often ignored the rights of indigenous and local communities, leading to tension and dissatisfaction. Therefore, it is important to adopt an inclusive and sensitive approach to the legal, social, and cultural aspects of SDA management. This includes the importance of harmonization between national and customary laws, empowerment of local communities, and consistent law enforcement to ensure the sustainability of fair and sustainable SDA management, which will ultimately support the achievement of the welfare of the Indonesian people.

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