

Abstract

This study aims to examine and find answers to problems or legal issues in Conservation Forest Management in Sendang Biru Hamlet, Tambak Rejo Village, Sumbermanjing Wetan District, Malang Regency with reference to aspects of local wisdom. Study of overlapping arrangements between Law no. 6 of 2014 concerning Villages, Law of the Republic of Indonesia Number 1 of 2014 concerning Amendments to Law Number 27 of 2007 concerning Management of Coastal Areas and Small Islands. Assessment of local aspects where community awareness is consistent and sustainable in carrying out conservation efforts in the CMC Tiga Warna area which refers to the concept of local wisdom in Javanese culture, namely Memayu Hayuning Bhawana. The research was conducted using the Normative Law method, with a statutory approach and a Conceptual Approach. The settlement of norm conflicts that occur is tested based on the Gert-Fredrick Malt Theory in the principle of preference for law with several methods, including: a) Reinterpretation; b) Cancellation; c) Recovery; d) Rejection. It was found that Bhakti Alam is a local entity (in the form of a community) that lives and applies local wisdom with legal entities in the form of: 1) foundations; 2) community monitoring groups; and 3) Forest Farmers Group. It turns out that in practice local wisdom is not only the domain of indigenous and tribal peoples. The above is a paradox in the spirit that people have equal rights and opportunities to play an active role in protecting and managing the environment. The results of this study found that neglect (neglect) as an answer to the problems that existed in the legal conflict that occurred in Sendang Biru Hamlet, Tambakrejo Village, Sumbermanjingwetan District, Malang Regency had practical consequences. Recognizing the rights of non-indigenous local community entities to make regulations in the jurisdictional areas of the conservation forests they manage, this recognition is similar to the principle of subsidiarity in the Village Law. The limitation of the definition of local wisdom broadens its meaning that local wisdom is not only born in customary law communities.

Keywords: Protected Forest, Conflict of Norms, Local Wisdom