



State Administrative Governance in Coastal Environmental Protection

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Abstract. This study aims to examine the role of state administrative governance in coastal environmental protection through licensing and supervisory instruments, which have long served as the government's primary tools for controlling activities with the potential to cause ecological degradation. This research employs a normative juridical method with a descriptive-analytical specification, analyzing the core legal issues based on the applicable regulatory framework. The findings reveal that administrative instruments such as Environmental Impact Assessments (AMDAL), environmental permits, and location permits frequently lose their substantive function due to weak institutional integrity, inadequate oversight, and limited public participation. The analysis also highlights the need to integrate ecology-based administrative instruments, establish continuous monitoring mechanisms, and strengthen administrative law enforcement that is not only reactive but also preventive and corrective. This study asserts that coastal environmental sustainability cannot be achieved without robust, transparent, and intergenerationally just state administrative governance.

Keywords: State Administrative Governance; Coastal Environmental Protection; Licensing Instruments.

1 INTRODUCTION

Coastal areas constitute a strategic space for the sustainability of the social, economic, and ecological life of an archipelagic state such as Indonesia. As a country with the second-longest coastline in the world, Indonesia possesses more than 17,000 islands and a coastline stretching 108,000 kilometers. These coastal areas exhibit highly diverse characteristics, ranging from mangrove ecosystems, coral reefs, and seagrass meadows to estuarine zones that serve as key supports for food security, fisheries resources, tourism, and natural disaster protection. However, coastal regions are also among the most vulnerable spaces to environmental degradation, competing interests, and failures in state administrative governance [1]. This vulnerability arises not only from natural factors such as climate change and sea-level rise, but also from the direct consequences of administrative practices that have not yet ensured effective and sustainable protection of coastal environments [2].

In recent years, pressures on Indonesia's coastal ecosystems have been increasing. Studies in several coastal provinces show a significant decline in natural mangrove cover due to land conversion, reclamation, sea sand mining, and large-scale infrastructure development. Meanwhile, coral reefs in various coastal regions are in damaged to moderately damaged condition, primarily due to pollution, sedimentation, and uncontrolled economic activities [3]. These facts demonstrate that coastal environmental degradation is not merely an ecological issue, but also a reflection of weaknesses in state administrative governance in planning, regulating, supervising, and enforcing environmental law.

The governance of state administration in coastal environmental protection occupies a central position because the administrative apparatus serves as the bridge between normative policy and practical implementation. From the perspective of administrative law and good governance, the state functions not only as a regulator but also as an executor, supervisor, and guarantor of citizens' constitutional right to a good and healthy environment. The Indonesian Constitution explicitly mandates environmental protection as part of human rights and as an objective of national development. Yet, in practice, this constitutional mandate is frequently distorted by fragmented authority, overlapping regulations, and weak coordination among administrative bodies at both the central and regional levels [4].

The core problem in coastal environmental protection lies in the complexity of the administrative structure governing coastal space. Coastal areas fall under the intersecting jurisdictions of multiple sectors, including marine affairs, environmental protection, forestry, spatial planning, energy and mineral resources, and regional government.

Each sector has its own licensing instruments, technical standards, and supervisory mechanisms. This situation often produces policies that overlap or even contradict one another, particularly in the issuance of coastal spatial utilization permits. As a result, coastal environmental protection becomes weak because administrative approaches tend to prioritize the formal legality of licensing over the substantive principles of ecological sustainability.

The development of deregulation and ease-of-business policies during the 2020–2024 period has also had significant implications for administrative governance in coastal regions. The simplification of licensing through a risk-based approach was intended to promote investment and economic growth, but in practice, it has often been accompanied by a decline in the quality of administrative control over environmental impacts. Several large-scale coastal development projects have received administrative approval despite relying on minimal environmental assessments or administrative documents that lack meaningful participation. This demonstrates a structural issue within state administration, in which the principles of precaution and early prevention are not yet fully internalized in administrative decision-making.

Beyond licensing issues, weak administrative supervision is also a crucial factor contributing to coastal environmental degradation. Supervisory activities conducted by administrative agencies are often reactive and incidental rather than systematic and continuous. Limited human resources, budgets, and institutional capacity at the regional level further undermine supervisory effectiveness. In many coastal areas, violations of environmental regulations are addressed only after severe damage occurs or after social pressure from communities and the media builds up. This condition illustrates that the state administration has not fully performed its preventive function in coastal environmental protection [5].

From a socio-administrative perspective, failures in administrative governance of coastal environmental protection also have direct impacts on coastal communities. Traditional fishing communities and indigenous coastal peoples are often the groups most affected by environmental degradation and non-participatory administrative policies. Licensing processes and administrative decision-making usually disregard the principle of meaningful participation, thereby excluding community aspirations and local knowledge from ecological protection policies. This situation not only generates social conflict but also deepens inequalities in access to coastal resources [6].

Based on this description, it is evident that coastal environmental protection cannot be separated from the quality of state administrative governance. The core problem lies not merely in the absence of regulation but in the weakness of administrative design and implementation within the coordinating authority, in enforcing sustainability principles, and in ensuring accountability for every decision that affects the coastal environment [7]. The imbalance between economic interests and environmental protection reflects the failure of the state administration to perform public service functions and safeguard the public interest in a balanced and sustainable manner.

2 METHOD

This research is a normative juridical legal study that positions law as a set of norms governing state administrative governance in coastal environmental protection [8]. The study examines legislation, administrative policies, and the principles of administrative law and environmental law relevant to the issues under investigation [9]. The research specification is descriptive-analytical, meaning it describes the existing legal framework while analyzing legal problems arising from the implementation of state administrative governance in coastal environmental protection. The approaches employed include the statutory and conceptual approaches. The research data are derived from secondary legal materials obtained through library research, including primary legal materials such as laws and regulations, as well as secondary materials such as books and reputable scholarly journal articles. The data are analyzed qualitatively using a deductive reasoning method to assess the alignment between legal norms, state administrative policies, and environmental protection principles [10].

3 RESULT AND DISCUSSION

3.1 Effectiveness of Licensing and Supervisory Instruments in Coastal Environmental Protection

Licensing and supervisory instruments constitute the primary pillars of state administrative governance for ensuring coastal environmental protection. Within the framework of state administrative law, licensing functions as a preventive instrument designed to avert ecological damage before an activity or enterprise is carried out, while supervision serves as a corrective mechanism to ensure compliance with environmental norms during and after the activity. However, the development of deregulation and ease-of-business policies during the 2020–2024 period has

significantly transformed these administrative instruments, particularly through the simplification of risk-based licensing and the transformation of environmental permits into environmental approvals. These changes raise fundamental questions regarding the effectiveness of licensing and supervision in safeguarding coastal sustainability [4].

In practice, the environmental licensing mechanism in coastal regions increasingly exhibits an administrative-formalistic tendency. Environmental approvals are often treated as procedural administrative requirements rather than substantive instruments for assessing the carrying capacity and assimilative capacity of coastal ecosystems. Various studies show that in recent years, many coastal development projects including reclamation, ports, industrial zones, and large-scale tourism have obtained administrative approvals despite their significant potential ecological impacts. This phenomenon demonstrates that licensing instruments have not yet fully functioned as effective ecological filters.

Article 5 of Law Number 27 of 2007 concerning the Management of Coastal Areas and Small Islands stipulates that the management of coastal areas and small islands encompasses planning, utilization, supervision, and control of human activities in the use of coastal resources, while sustainably taking into account natural dynamics, to improve community welfare and maintain the integrity of the Unitary State of the Republic of Indonesia.

The state, through its administrative authority, bears an active responsibility to ensure that every business activity does not exceed the environmental carrying capacity and assimilative capacity. In coastal regions, this obligation is even more demanding because coastal ecosystems are vulnerable, interconnected, and complex to restore once damage occurs [11].

The nickel mining case in the coastal and small island areas of Raja Ampat illustrates concretely how environmental licensing instruments have undergone a functional shift. Instead of serving as tools of precaution, licensing has transformed into a mechanism for legalizing ecological risks. Mining permits and environmental approvals were issued based on administrative compliance, without sufficient examination of the ecological characteristics of coastal and small island environments, as mandated by the precautionary principle.

In environmental law, the precautionary principle is a fundamental norm that requires the state to refrain from issuing permits when there is potential for serious or irreparable harm [12]. In the Raja Ampat case, the application of this principle was evidently weak. The coastal region of Raja Ampat possesses exceptionally high marine biodiversity and serves essential ecological functions as a coral reef habitat, spawning grounds for aquatic organisms, and a foundation for local economies based on fisheries and tourism. Even so, mining permits were granted on small islands with inherently limited ecological carrying capacity.

From the perspective of state administrative law, this situation reflects a defect of purpose (*doelmatigheidsgebrek*) in the issuance of the permit. Although the license may be formally valid, its substance contradicts the objective of coastal environmental protection. Administrative decisions that disregard the ecological functions of coastal regions are inconsistent with the principles of good governance, particularly the principles of precaution, public interest, and sustainability.

Weaknesses in the administrative supervisory system further compound the ineffectiveness of licensing instruments. Supervision of mining activities in the coastal areas of Raja Ampat was not implemented consistently and rigorously from the early stages of operations. In practice, supervisory actions tended to be reactive and complaint-based. Environmental inspectors undertook evaluations only after reports emerged regarding coastal degradation, marine sedimentation, and coral reef disturbances. This pattern indicates that the state administration has not positioned supervision as an integral component of licensing authority. As a result, environmental damage had already occurred before administrative instruments were optimally implemented [13].

The effectiveness of licensing instruments is significantly influenced by the quality of environmental assessments that underpin administrative decision-making. In many cases, environmental impact assessment documents and other ecological assessments are prepared using minimalist, non-participatory approaches. Normatively, the Environmental Impact Assessment (EIA) is intended to ensure that any activity with potential ecological impacts is comprehensively assessed before implementation. However, various evaluations of EIA practice in Indonesia show that extensive documents do not automatically translate into effective field implementation. Impacts may be identified on paper, yet mitigation actions, monitoring, and the integration of assessment results into operational decisions remain weak. Article 26 of Law Number 6 of 2023 concerning Job Creation and the Environmental Approval Cluster requires the preparation of EIA documents to involve communities directly affected by the proposed activity [5]. In reality, participation by coastal communities and indigenous groups is often symbolic, resulting in inadequate integration of local ecological knowledge into the licensing process. This condition weakens the preventive function of licensing because context-specific environmental risks are not comprehensively identified from the outset.

Beyond licensing, the effectiveness of coastal environmental protection heavily depends on administrative supervisory mechanisms. Normatively, supervision is regulated in Articles 71 to 75 of Law Number 32 of 2009

concerning Environmental Protection and Management. Ministers, governors, and regents/mayors hold the authority to supervise the compliance of business actors with environmental requirements and the permits they hold [14].

Administrative supervision should be active, continuous, and based on environmental risk rather than a mere formality. In administrative enforcement theory, supervision functions as a corrective mechanism to ensure that licensing decisions are implemented as intended. However, in practice, supervision in coastal regions, including Raja Ampat, tends to be passive and reactive.

Supervisory limitations are worsened by fragmented authority among environmental, marine, and mining agencies. As a result, there is no integrated supervisory system capable of detecting early signs of coastal ecological degradation. Many violations are discovered only after severe damage occurs, such as increased marine sedimentation and coral reef destruction. This situation reflects a failure of the state administration to carry out supervision as a form of public-interest protection.

3.2 Strategies for Strengthening State Administrative Governance in Coastal Environmental Protection

Coastal environmental protection represents one of the central challenges for state administrative governance in Indonesia. Coastal regions possess significant economic, social, and ecological value, yet remain highly vulnerable to various forms of degradation driven by uncontrolled human activities. Within this context, state administrative governance plays a crucial role as an instrument of prevention, control, and accountability. Strengthening administrative governance must focus on five key pillars: substantive licensing, institutional coordination, administrative supervision, sanction enforcement, and public participation. These pillars must operate in an integrated manner to ensure that administrative governance effectively prevents coastal environmental damage and supports ecosystem sustainability.

a. Strengthening Substantive Licensing

Licensing functions as a critical instrument of state administrative governance, serving as a preventive mechanism to reduce environmental harm. In coastal regions, licensing encompasses documents such as environmental impact assessments (AMDAL), ecological permits, location permits, and spatial utilization permits. Current practices often emphasize formal procedural compliance, while substantive ecological considerations receive insufficient attention. As a result, activities with high environmental risks may still obtain administrative legitimacy, thereby weakening coastal ecosystem quality.

Efforts to strengthen licensing should ensure that permits function not merely as formal approvals, but as instruments that uphold ecological sustainability. First, the licensing evaluation process must be expanded to include comprehensive assessments of environmental and social risks and to involve coastal communities throughout the decision-making process. This approach ensures that licensing reflects public interest and environmental protection rather than mere administrative formality.

Second, the independence of licensing evaluations must be reinforced. AMDAL documents and environmental permits should be externally reviewed and validated by an integrated coastal management body with technical competence and supervisory mandates over coastal ecosystems. Such validation closes loopholes in licensing practices that rely solely on internal assessment by the issuing agency, thereby reducing the likelihood of weak environmental reviews underlying permit approvals [15].

b. Integrated Institutional Coordination

Fragmented authority across national, regional, and sectoral institutions constitutes a significant barrier to effective administrative governance, particularly in coastal management. Environmental degradation frequently arises from overlapping jurisdictions, regulatory inconsistencies, and weak inter-agency coordination. Therefore, strengthening administrative governance requires establishing and reinforcing an integrated coastal management body with clearly defined coordination functions [2]. This integrated mechanism involves key ministries and agencies with sectoral authority in coastal areas, including the Ministry of Marine Affairs and Fisheries, the Ministry of Environment and Forestry, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, the Ministry of Transportation, the Ministry of Energy and Mineral Resources, and provincial and district/city governments. The Coordinating Ministry for Maritime Affairs and Investment plays a central role in harmonizing policies across sectors to ensure alignment with national objectives [16].

The integrated management body is responsible for unifying planning, licensing, and supervision across sectors under a structured coordination framework. Effective coordination requires real-time data exchange among institutions, periodic inter-agency forums that produce joint decisions, and transparent mechanisms for cross-sector policy formulation. Through this system, each policy or permit can be evaluated within the broader context of coastal governance, thereby reducing jurisdictional overlap and regulatory inconsistencies.

Operational strategies also require integration between coastal zoning plans, regional development plans, and environmental management plans. The integrated management body must review, harmonize, and adjust administrative decisions when potential conflicts in spatial use or ecological risks are detected [17]. This mechanism ensures that governance operates not in isolated sectoral silos but in a systematic, holistic, and sustainability-oriented manner.

c. Continuous Administrative Supervision

Administrative supervision is a foundational pillar for ensuring compliance with environmental regulations and licensing conditions. Current supervisory practices tend to be incidental and reactive, often detecting ecological damage only after significant impacts have occurred. Adequate supervision requires a continuous, systematic, and data-driven approach.

Technological tools constitute a key element in modern administrative supervision. Satellite imagery, drones, water-quality sensors, and geographic information systems enable early detection of violations and real-time monitoring. Integration between national and regional supervisory systems is also essential, supported by coordination mechanisms that facilitate rapid and accurate information exchange. Routine evaluations and independent audits are further needed to assess supervision effectiveness and ensure the timely implementation of corrective measures.

d. Firm Enforcement of Sanctions

Sanctions are the enforcement backbone of administrative governance. These include permit revocation, suspension of activities, administrative fines, and mandatory environmental restoration. Current sanction regimes remain weak, allowing permit violations to persist and signaling that administrative enforcement lacks effectiveness.

Strategies for strengthening sanction enforcement must emphasize three aspects. First, sanctions must be applied consistently without political or economic interference. Second, sanction procedures should be clear, measurable, and transparent to reduce opportunities for abuse of authority. Third, administrative sanctions must be accompanied by mandatory environmental restoration obligations for violators, ensuring that ecological damage is addressed and the principle of administrative accountability is upheld.

In addition to administrative sanctions, criminal liability for individuals and corporations must be strengthened, including more explicit provisions on corporate criminal responsibility. These measures ensure that administrative governance has the capacity to enforce laws effectively and deter violations, thereby enhancing the overall impact of licensing and supervision.

e. Public Participation and Accountability

Public participation in coastal communities is a critical tool for strengthening administrative governance. This strategy underscores the need to integrate local knowledge and community perspectives into administrative decisions that affect the environment.

Public involvement includes pre-licensing consultation forums, responsive grievance mechanisms, and community-based monitoring initiatives. Such participation not only enhances the legitimacy of environmental policies but also reinforces accountability among public officials. Through well-established mechanisms, communities can provide critical feedback or oppose coastal exploitation plans that threaten ecological sustainability, enabling state administrative governance to balance development objectives with environmental protection.

4 CONCLUSION

Indonesia's coastal regions possess high ecological, social, and economic value, yet remain vulnerable to degradation due to suboptimal administrative governance. Licensing practices tend to be formalistic, administrative supervision remains reactive, and public participation is limited, while institutional fragmentation and regulatory overlap undermine the effectiveness of environmental protection. Strengthening state administrative governance requires the integrated implementation of five key pillars: substantive licensing, integrated institutional coordination, continuous supervision, firm sanction enforcement, and public participation. These strategies ensure that administrative governance functions preventively and corrective, balancing development interests with coastal ecosystem sustainability while protecting the public's right to a healthy, well-preserved environment.

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