

Dynamics of Renewable Energy Policy in Indonesia: An Effort to Build Access, Equity and Resilience of National Energy

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Abstract. Because the state is obligated to manage the vital sectors of its citizens, including the energy sector, it is only natural for it to perform various forms of intervention in energy management using the authority it possesses. These forms of intervention can include policies regarding renewable energy sources. This study was carried out to shed light on the workings of the government's policy on the use of renewable energy sources in order to advance the general welfare of the country's population. The government's actions are a reaction to the fluctuations in the amount of energy available and the amount of energy demanded; the government emphasizes the achievement of energy security. These policies do not reflect the government's alignment with the wider community's interests, either in terms of the community's social or economic interests. The capability of developing national energy, which is still dependent on foreign parties, needs to be added to the government's attention when making these policies. Other things still need to be added to the government's attention, including policies that do not reflect the government's alignment with the interests of the wider community. Because of this escape, there is a greater sense of urgency for adjustments to laws around renewable energy in Indonesia through the creation of the renewable energy law.

Keywords: Policy, Renewable Energy, National Energy Policy, Natural Resources

1 Introduction

One of the fundamental requirements for human survival is access to energy. According to the National Energy Policy, the availability of this energy influences how humans process agricultural materials and products, how they cook food, how they light up rooms, and how they provide educational facilities, health care facilities, commercial facilities, communication facilities, and recreational facilities. In order to achieve energy independence and national energy security [1, it is necessary to implement an energy management policy founded on justice, sustainability, and environmental knowledge].

According to Article 1, Number 26 of the Energy Law Number 30 of 2007, the National Energy Council (DEN) is a national body that is both autonomous and permanent. One of the responsibilities that the DEN is tasked with is the development of the National Energy Policy (KEN) in Indonesia. [2] The agency that is in charge of the nation's energy strategy According to Article 12 Number 2, the DEN is tasked with the following responsibilities: Designing and formulating national energy policies; developing a public national energy plan (RUEN);

determining the steps that must be taken to overcome energy crises and emergency conditions, and supervising the implementation of cross-sectoral energy sector policies [3].

The goal of the National Energy Policy (Kane), which was passed with approval by the Indonesian House of Representatives on January 28, 2014, was established by Government Regulation (PP) No.79 of 2014 on October 17, 2014, which states that the National Energy Policy (Kane) must be implemented "The ability to maintain one's autonomy and energy resistance makes use of the infrastructure provided by sustainable national development support. This objective serves as the primary point of reference for the DEN as it works to implement national energy policy and ensure continued autonomy as well as energy security. [4] According to the constitution, the wealth of energy resources in Indonesia is under the control of the state. In particular, Article 33 paragraph (3) of the 1945 Constitution states that "land, water, and the natural resources contained therein are controlled by the state and used for greater prosperity." This provision states that "land, water, and the natural resources contained therein are used for greater prosperity." People." In a very literal sense, passage (3) Article 33 of the Constitution of the Republic of Indonesia from 1945 includes three crucial components: the substance (natural resources), the goal (to ensure the maximum possible prosperity for the people), and the status (controlled by the state). Exploiting and controlling essential natural resources can be used for the life of the state and nation, which is governed by the state, according to the constitution. This can be used for the benefit of the state.

2 Method

This research uses a normative juridical type so that the research results cannot be separated from the author's discipline, law, and the results achieved from the implementation of research are scientific work in the field of law. In this type of legal research, the law is often conceptualized as what is written in legislation (*law in books*), or law is conceptualized as a rule or norm, a benchmark for human behavior that is considered appropriate.

3 Result and Discussion

There are several obstacles to overcome when it comes to gaining access to and distributing energy in Indonesia using renewable sources of power. The fact that renewable energy is more expensive than other forms of energy is the most significant obstacle it faces. The LCOE, also known as the average cost of electricity, is still quite expensive compared to the power generated from fossil fuels [5]. The readiness of human resources also needs to be addressed to obtain workforce capabilities in operation and maintenance of renewable energy technologies. Lastly, addressing human resources. It is still believed to be less competitive than the cost of producing electricity from conventional plants since the cost of producing electricity from renewable energy plants is quite high. [6] It is still necessary to import several components for renewable energy power plants; this affects production costs and presents a challenge when it comes to maintenance [4].

Inconsistent regulatory frameworks are another obstacle to the growth of the renewable energy sector, particularly in Indonesia. As a result, it is essential to make changes to policies, such as those about managing project risks, funding, and reducing incentives. Investors will pay more attention to renewable energy sources if the dynamics of policy change can be managed

consistently [7]. Among the many obstacles, one of the proposals for actions that might be considered is clarifying policies connected to renewable energy production in the United States. In order to create a low-carbon economy in Indonesia, establishing a clear legislative framework can help support domestic production and encourage both the public and private sectors to utilise renewable energy sources [8]. The action can also provide a solution to these problems by educating the populace of Indonesia about the possibilities and benefits of renewable energy in terms of lowering the cost of monthly electricity bills.

In the maintenance and care process, the available human resources capability still needs to be developed. In certain instances, the operation and maintenance of renewable energy power plants constructed by the central government and then handed over to local governments did not go as planned. As a result, the power plants finally ground to a halt. Because investors view the existing domestic policy as unsuitable, they have less interest in investing in the renewable energy sector. This can be attributed to several factors, such as the absence of incentives for developers and the fluidity with which policy is subject to change.

Regarding investors, having policy clarity is necessary for securing bank funding and safeguarding the company over the long term. The nature of some renewable energy sources means they are unstable and cannot be transported; as a result, they must be created at a local location to be used. This is beneficial for the electrification of areas that are difficult to access by the network, such as rural areas.

The energy transition is an endeavour to lessen the risk of global warming, which could pose a hazard to all forms of life in the future. This is based on the change in the worldwide energy sector from the production and consumption of fossil energy to renewable energy that is more sustainable. The energy transition can also be interpreted as a path toward transforming global energy to zero carbon [9]. The energy transition can also be interpreted as a path toward transforming global energy to zero carbon. It is important to remember that the shift to renewable energy sources currently being undertaken by many nations has been before something like this has been done [10]. The first instance of transitional activity can be traced back to the eighteenth century and the invention of the steam engine. During this period, there was a shift in the quantity and pattern of energy usage. In the beginning, biomass (firewood) was the primary energy source, but coal became the primary fuel [11]. After that, there was yet another shift that took place in the 1950s: the imposition of oil and nuclear power. Beginning in the 1950s and continuing to the present, renewable energy sources have begun to eclipse fossil fuels. Therefore, we are transitioning toward completely utilising renewable energy [12].

The term "policy" is given as an interpretation of the word "beleid" in the Dutch Indonesian General Dictionary. In the Dutch literary canon, the existence of policy regulations is alluded to by several phrases, such as pseudowetgeving, spiegelrecht, and beleidsregel. The definition of the term "policy" that can be found in the Big Indonesian Dictionary is as follows: The term "policy" appears in Indonesian law for the first time in Law Number 25 of 2004, which was enacted to establish the National Development Planning System. More specifically, the term appears in Article 1, number 15 of that law, which states, "Policy is a direction/action taken by the Central/Regional Government to achieve goals" [13].

Then, according to Monahan and Hengst, whom Syafuruddin cited, the policy is etymologically derived from Greek, specifically the word "Polis," which means city (city) [14]. This opinion states that policy relates to how all branches and departments of the government direct and control their actions. In this scenario, the policy pertains to the concept of organisational regulation. It is a formal pattern that is equally accepted by governments or institutions in order for them to try to pursue their goals [15]. In addition, the policy is a pattern that is formally recognised by both of these groups.

According to PJP Tak, whom SF Marbun cited, the definition of policy regulations is that policy regulations are general regulations issued by government agencies regarding the implementation of government authority over citizens or against other government agencies, and the making of these laws does not have a firm basis in the Constitution and other laws. In other words, the Constitution and other laws do not provide a foundation for creating policy regulations. Formal in nature, in either a direct or indirect sense [16]. This indicates that policy regulations are not based on the authority to make laws. As a result, policy regulations do not include statutory regulations binding on the general public. Instead, policy regulations are placed on the power of the government of a state administrative organ and are related to the implementation of the government [17].

The following is how the term "Energy" is interpreted when translated using the Big Indonesian Dictionary: Power (strength) that can be used to carry out various activity processes; for example, it can be part of a material or not bound to a material (such as sunlight); power that is capable of doing work (e.g., for electrical and mechanical energy); power that is capable of doing work (e.g., for electrical and mechanical energy). [18]. Law Number 30 of 2007 Concerning Energy includes a definition of Energy, which may be found in chapter I, General requirements of Article 1 number 1. (1). The capacity to perform useful labour might manifest itself as heat, light, mechanics, chemistry, or electromagnetics. Energy is the ability to work. [2]

Fuel, electricity, mechanical energy, and heat are all forms of energy that can be utilised in the execution of a variety of process operations. Energy is a resource that can be employed. According to the second paragraph of Article 1 of Law Number 30 of 2007 Concerning Energy, energy always originates from an energy source. According to this definition, an energy source is anything capable of producing energy, either directly or through a conversion or transformation process. The term "energy sources" refers to natural resources such as oil and natural gas, coal, water, geothermal, peat, biomass, and other materials that can be converted into energy directly or indirectly. These resources can be classified as either direct or indirect energy sources. [19].

The nation's energy resources are state assets that should be safeguarded and put to use in ways that maximise the Indonesian people's potential for economic growth. The above line of thinking, when taken in a normative context, is consistent with the political foundations of law and economic democracy in Indonesia. According to the Constitution, Article 33, paragraphs (1), (2), and (3) of the 1945 Constitution of the Republic of Indonesia, the economy is structured as a joint effort based on the principle of kinship. Additionally, the state controls production branches that are important for the state and control the livelihood of many people [4]. The ground, the water, and all of the natural resources contained therein are under the state's sovereignty, and they are utilised to ensure that the people are as prosperous as possible [20].

The national economic system is based on Article 33 of the Constitution from 1945, which serves as the foundation. The provision that "The economy is structured as a cooperative effort based on the idea of kinship" may be found in paragraph one of Article 33 of the Constitution of 1945. The verse conveys a very profound meaning: the advanced economic system should not be predicated on the notion of competition and should instead adhere to a more individualised philosophy. Similarly, the information that the government plays a very significant role in economic activity is presented in a very direct and concise manner in Article 33, paragraphs (2) and (3) of the Constitution of 1945. Economics is not just something practised by the public sector, the private sector, or individuals, particularly for the production branches that control the means of subsistence for a large number of people than the earth, the water, and the natural resources contained inside. It is also necessary for the state to exercise control over it in order to provide the greatest possible prosperity for the people [21].

Additionally, there has been a development exclusivity up to this point. The participation and emancipation of development as a guiding principle are not strictly enforced. In every stage of development, the people must be brought along for the ride. The economic advancement of the populace must be an integral part of the process of developing national development. Admiration for anything Western contributes to a lack of vigilance, indirectly displacing poor and vulnerable people based on arbitrary criteria. The maintenance of democracy and the sovereignty of the people is the driving force behind the creation of this law. In order to accomplish national goals such as "protecting the entire Indonesian nation and the entire homeland of Indonesia, promoting the public welfare, and educating the nation's life," national development must be carried out.

To put it another way, development is focused on the economy and the people. The economy of Indonesia is managed and handled in any way; it should be based on a collaborative effort and lead to social welfare, namely mutual prosperity [22]. The economy can be managed and managed in any way.

When starting with the idea of people's prosperity, it is possible to see that the management of energy resources is the primary factor in ensuring the continued existence of the people of Indonesia by ensuring that their day-to-day requirements are met. Thinking is natural and follows human nature or human nature as a rational economic being (*homo economics*) (or a rational maximiser), always striving to satisfy his interests (his satisfactions-what we can term his "self-interest"). Thinking is a rational maximiser [23].

Because of the growing demand for energy to support national development, the Indonesian government published a General Policy in the Energy Sector in 1981. This policy aimed to improve the efficiency with which Indonesia managed its energy resources. Nevertheless, the national energy policy that had been established at the time did not result in any adjustments that would lead to a state where the federal energy sector could be sustainable [24]. The use of renewable energy in Indonesia still needs to improve due to difficulties in implementation and coordination and the absence of a regulatory umbrella to support the development of renewable energy in Indonesia. Conventional energy sources continue to be the primary source of energy in Indonesia. Prior to examining the New Renewable Energy Bill (RUU EBT), one should get familiar with the history and context of the nation's energy policy up to this point.

Based on Law Number 30 of 2007 concerning Energy, the government of Indonesia, in collaboration with the DPR-RI, has mandated the preparation of a clear and measurable National Energy Policy (KEN) as a guideline in the management of national energy with the principles of justice, sustainability, and insight. This is being done to solve the problems that have been plaguing the energy sector in Indonesia. [25] An environment that will lead to the creation of energy independence and national energy security. In addition, to facilitate the implementation of KEN, Law Number 30 of 2007 stipulates that a National Energy General Plan (RUEN) and a Regional Energy General Plan (RUED) must be drafted and maintained until the year 2050. In Presidential Regulation (Prepres) Number 22 of 2017, RUEN was made into a policy and an elaboration of the national government's cross-sectoral implementation plan for the National Energy Policy. This was done to realise energy independence and security to support sustainable national development.

The drafting of the RUED is grounded in four distinct legal precepts that serve as its foundation. First, Article 18, Paragraph 1 of Law Number 30 of 2007 Concerning Energy, states, "Regional Governments create RUED concerning RUEN as alluded to in Article 17 paragraph (1)." Second, Article 16, Paragraph 1 of Presidential Regulation Number 1 of 2014 Addressing Guidelines for the Preparation of RUEN states, "Provincial Government shall develop a draught of Provincial RUED concerning RUEN." In addition, the first paragraph of Article 17 states that

"Provincial RUED shall be stipulated no later than one year after RUEN is stipulated." The third item is Government Regulation 79 of 2014, which is about the National Energy Policy. Fourth, Presidential Regulation Number 22 of 2017 about RUEN, Article 3, Paragraph (2) RUEN, as referred to in Article 2, acts as a guideline for the provincial government to follow while preparing Provincial RUED. [7].

The energy distribution in Indonesia is governed by Law Number 30 of 2007, which is concerned with Energy. More specifically, the legislation specifies that the provision of new and renewable energy must be enhanced by the government and local governments in accordance with their respective authorities. This applies specifically to renewable energy. The law's offshoot, Government Regulation 79 of 2014 governing the National Energy Policy, can be found here (KEN). The NRE aim is specified in the KEN, with its deadlines in 2025 and 2050, respectively. In order to accomplish this goal, the proportion of nonrenewable energy sources included in the national energy mix must increase to at least 23% in 2025 and at least 31% in 2050, provided that the financial requirements are satisfied [5].

In addition, there is a Presidential Regulation (Perpres) in place in the field of electricity that addresses the utilisation of renewable energy sources; this regulation is known as Presidential Regulation Number 4/2016, and it is concerned with the Acceleration of Electricity Infrastructure. Setting the purchase price of electricity from each new and renewable energy source Creating a separate business entity in the context of providing electricity for electricity generation. This regulation allows for the central and regional governments to provide support in the form of fiscal incentives, ease of licencing and non-licensing, and setting the purchase price of electricity from each new and renewable energy source. They were then offered as subsidies after being sold to PT PLN (Persero). In addition, Indonesia has a regulation titled the Utilisation of Renewable Energy Sources for the Provision of Electricity issued by the Minister of Energy and Mineral Resources in 2017.

In its development, up until this point, only 18 provinces have stipulated the Provincial RUED Regional Regulation. There are still two provinces in Maluku and Papua that must approve papers and academic texts and create regional rules. According to paragraph one of article 17 of Presidential Regulation Number 1 of 2014, the Provincial RUED must be determined one year after the RUEN is established. This indicates that the completion of the RUED has slipped sufficiently behind the objective, which was supposed to be met in March 2018. The subsequent step, which must be completed within up to one year following the establishment of the RUED-P, is determining the district or city RUED.

It is expected of the provincial RUED to be able to define energy difficulties that exist in the region today and future challenges, as well as programme plans and actions that are responsive to the problems that exist in the area. The RUED-P must be meticulously prepared in order to meet these duties. By Article 5 of Presidential Regulation Number 22 of 2017, the DEN and the central government are tasked with supervising and assisting local governments as they compile RUED-P data based on their respective energy use.

In order to acquire a comprehensive view of the energy situation in the region, it is essential to have both the active engagement of relevant stakeholders and the community's involvement. At the national level, Commission VII and DEN help local governments find answers to the challenges they confront to speed up the development of new and renewable energy (EBT) in the regions. This assistance is provided in the context of accelerating the growth of EBT. According to Sugeng Mujiyanto, the Head of the Bureau of Energy Policy Facilitation and the Trial, the delay in finishing the RUED was caused by the lengthy writing stage and the engagement of various parties. In addition to that, it is believed that the pandemic caused by the COVID-19 virus slowed down the process of defining the RUED for the provincial area.

The government is concerned about completing the RUED because it contains aims and targets that need to be accomplished by the regions in order to ensure long-term national energy security. It is anticipated that RUED will be finished on schedule so that RUEN and KEN can see the targets that the areas have reached and the targets that have been set for them. RUED is also essential since it serves as a legal basis for developing energy in each region, a guide for investors to invest, and a road map, and it helps reach energy mix targets. All of these functions make RUED very important.

During its evolution, the national energy policy may be confronted with several challenges and roadblocks that result in the restructuring of energy policy. There are many difficulties and impediments, including the following: When compared to the energy obtained from fossil fuels, the cost of producing energy via renewable sources is significantly higher. Inadequate finance for initiatives involving new and renewable energy sources; insufficient human resources, both in terms of number and quality; needing more knowledge of new and renewable energy sources. Because most people are still accustomed to using traditional forms of energy (fossil fuels), there needs to be more public understanding regarding new and renewable forms of energy [26]. Several regulations include the Geothermal Law, the Energy Law, and others. However, they need to be more robust to constitute an overarching legislative framework for developing new and renewable energy sources. There is still room for improvement in investor interest, and banking confidence in this industry is at an all-time low [27].

When considered in conjunction with the theory of utilitarianism, which holds that an action is moral if it results in happiness and vice versa is considered immoral if it results in unhappiness, the urgency of the reconstruction of renewable energy policies becomes clear. Not just a source of pleasure for those who committed the act but also happiness for others who witnessed it. Utilitarianism is not the same as ethical theory, which holds that an action's rightness or wrongness is determined by the motivation of the person who committed the act; instead, utilitarianism emphasises an action's usefulness [28]. In the context of utilitarianism, this is not an impossibility, and sometimes beneficial outcomes can result from weak explanations. Utilitarianism focuses on the activities rather than the individuals who carry them out [29]. In a nutshell, the most important lesson that can be learned from utilitarianism is the principle of utility. Reconstruction has many advantages, one of which is the prevention of the exhaustion of sources of energy that are not renewable. Instead of relying on sources of energy that do not replenish themselves, society and the government should consider the power that can be utilised thanks to the revitalisation of renewable sources of energy indefinitely. This will hopefully result in long-term energy sustainability for Indonesia and complete sovereignty on the path to energy self-sufficiency for the country's requirements, something that this country has aspired to for a very long time.

4 Conclusion

Building an energy policy to gain access to and ensure equitable distribution of energy in Indonesia through renewable energy presents several challenges, one of which is the relatively higher cost of electricity from renewable energy plants and the process of maintaining and maintaining it. The government has taken several steps to alleviate this pressing matter, which is one of the factors that has encouraged the Government and business entity Cooperation Programme. The growing demand for energy to fuel national development in Indonesia has brought about significant shifts in the country's Renewable Energy Policy dynamics. The government issued a directive in the year 1981. On the other hand, the established national energy policy did not result in any changes. The implementation of national energy policies must be supported by producing a general national energy plan and an available regional energy plan, as stipulated by Energy Law Number 30 of 2007, passed in 2007. Regulation 22, issued by the President in 2017, is now the basis for the nation's energy policy across the board, including in the regions. Law number 30 of 2007; presidential regulation number 1 of 2014; government regulation number 79 of 2014; and presidential regulation number 22 of 2017 are the four legislative foundations that must be met to create a general regional energy plan.

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