

**DELIBERATIVE POLICY AS THE
ALTERNATIVE RECOMMENDATION TO
FORMULATE MEMORANDUM OF
UNDERSTANDING IN BRAWIJAYA
UNIVERSITY EDUCATIONAL HOSPITAL**

UNDERGRADUATE THESIS

**Presented to University of Brawijaya
To Fulfill the Requirement of Bachelor Degree**

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2014**

MOTTO

**The best human being is who can be
useful for the others.**

-Prophet of Muhammad SAW-

**Stand up for something even if it
means standing alone.**

-Zahratul Aeni, 2014-

**If plan "A" did not work, the
alphabet has 25 more letters! Stay
cool...**

Inspired by (Weheartit,2014)

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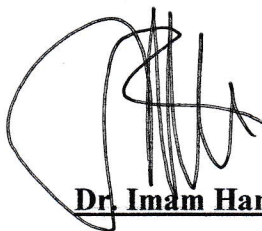
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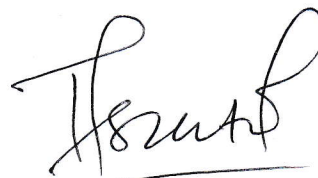
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RINGKASAN

Zahratul Aeni, 2014, **Kebijakan Deliberatif sebagai Upaya Alternatif dalam Pembentukan Nota Kesepahaman pada Pembangunan Rumah Sakit Universitas Brawijaya**. Di bawah bimbingan Dr. Sarwono, M.Si dan Drs. Minto Hadi M,Si, 136 hal. + xii.

Wacana pengelolaan dan perlindungan lingkungan hidup berkembang menjadi isu utama yang melanda dunia sejak lahirnya konsep pembangunan berkelanjutan. Konsep ini dihadirkan sebagai upaya nyata dalam usaha pemenuhan kebutuhan generasi masa kini tanpa mengabaikan pemenuhan kebutuhan bagi generasi mendatang. Di dalamnya diuraikan lima prinsip dalam upaya menciptakan pembangunan berkelanjutan, di antaranya yakni, pertama bahwa dalam upaya pemenuhan unsur pembangunan berkelanjutan, keberadaan masyarakat menjadi perhatian utama. Masyarakat harus hidup sehat, produktif dan hidup selaras dengan alam. Prinsip yang kedua yakni keberadaan pemerintah yang memiliki hak dalam mengelola sumber daya alam. Prinsip ketiga, dibutuhkannya partisipasi dari semua pihak dalam merespon kondisi perubahan lingkungan hidup. Prinsip yang keempat yakni analisis mengenai lingkungan hidup harus dijadikan instrumen nasional dalam pengajuan izin melakukan kegiatan dan/atau usaha yang berdampak luas bagi masyarakat. Prinsip ke lima yakni pentingnya peran masyarakat lokal dalam pengelolaan lingkungan melalui pengetahuan tradisional mereka.

Penelitian ini menggunakan jenis penelitian studi kasus dengan metode penelitian kualitatif. Sumber data yang digunakan yaitu data primer diperoleh dari hasil wawancara dan observasi, sementara data sekunder yang digunakan dalam penelitian ini berupa AMDAL Rumah Sakit Universitas Brawijaya. Metode analisis yang digunakan dalam penelitian ini adalah analisis data Miles dan Huberman.

Penelitian ini mencoba menyuguhkan eksistensi keberadaan AMDAL sebagai kajian terhadap aspek lingkungan maupun aspek sosial. Sebagaimana yang tercantum dalam Undang-Undang No. 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup, bahwa salah satu syarat dalam menerbitkan izin lingkungan hidup yakni harus tercapainya izin dari masyarakat terkena dampak. Terhentinya atau terminalnya kebijakan pembangunan rumah sakit karena terhalang izin dari pihak masyarakat sekitar, pada dasarnya membutuhkan sebuah rekomendasi alternatif dalam upaya keberlanjutan kebijakan pembangunan melalui upaya pembentukan kesepakatan (*MoU*) kembali. Oleh karenanya kebijakan deliberatif dihadirkan sebagai rekomendasi alternatif dalam upaya pemenuhan aspek sosial masyarakat terutama dalam mencapai kesepakatan dari berbagai pihak yang berkepentingan, terutama masyarakat terkena dampak.

Kata Kunci : Analisis Mengenai Dampak Lingkungan Hidup, Kebijakan

Deliberatif, Nota Kesepahaman (*Memorandum of Understanding*).

SUMMARY

Zahratul Aeni, 2014, **Deliberative Policy as The Alternative Recommendation to Formulate Memorandum of Understanding in Brawijaya University of Educational Hospital**. Advisor: Dr. Sarwono, M.Si and Drs. Minto Hadi, M.Si, 136 pages + xii.

Discourse management and environmental protection developed into a major issue that plagued the world since the birth of the concept of sustainable development. This concept is presented as a real effort in an attempt to meet the needs of present generations without ignoring the need for fulfillment of future generations. It describes the five principles in order to create sustainable development, of which the first element of that in an effort to meet sustainable development, where the public is a major concern. Communities have to live a healthy, productive and live in harmony with nature. The second principle that where the government has the right to manage natural resources. The third principle, it needs the participation of all parties in response to changes in environmental conditions. The fourth principle is that an analysis of the environment should be a national instrument in the permit application activities and/or businesses that have broad impact for the community. The fifth principle of the importance of the role of local communities in environmental management through knowledge of their traditionally.

This research uses case studies with qualitative research methods. Source of data used are primary data obtained from interviews and observation, while the secondary data used in this study of EIA document (Environmental Impact Assessment) Brawijaya University Educational Hospital. The method of analysis used in this study is the analysis of data Miles and Huberman.

This study tries to present the existence of the existence of EIA as a critical study of the environmental and social aspects. As stated in Law No. 32 of 2009 on the Protection and Management of the Environment, that one of the requirements in issuing the environmental permit must achieve consent or agreement of affected communities. Cessation or the terminal in hospital development policies hindered the permission of the local community, essentially requiring an alternative recommendation in development policy sustainability efforts, to rearrange formulation Memorandum of Understanding. Therefore deliberative policy recommendations are presented as alternatives in an effort to meet the social aspects of society in reaching the agreement of all parties concerned, especially the affected communities.

Keywords : Environmental Impact Assessment (EIA), Deliberative Policy, Memorandum of Understanding.

Preface

Great thank to Allah SWT for all of the blessings and guidance in finishing this undergraduate thesis entitled “DELIBERATIVE POLICY AS THE BEST ALTERNATIVE TO FORMULATE MEMORANDUM OF UNDERSTANDING IN BRAWIJAYA UNIVERSITY EDUCATIONAL HOSPITAL”. The writing of this undergraduate thesis is aimed to fulfill the requirements for the degree of *Sarjana Administrasi Publik* (SAP).

The writer dedicates big appreciation and great thanks to Dr. Sarwono, M.Si as the supervisor and Drs. Minto Hadi M.Si as the co-Supervisor who have given advice, suggestions and supervision during the process of finishing this undergraduate thesis. The last but not the least, the writer also want to say thanks in this opportunity to many people that always giving support to writer to finish this undergraduate thesis, they are:

1. Mr. Prof. Dr. Bambang Supriyono, M.S as Dean of Administrative Science Faculty Brawijaya University.
2. Mr. Dr. Choirul Salah, M.Si as the Head of Public Administration Department.
3. Mr. Luqman Hakim, M.Sc as the Head of Study Program of Government Administration.
4. Mrs. Trisnawati, S.Sos, M. AP as the Secretary of Study Program of Government Administration.
5. My parents, for my beloved father (Bisir Muchasin) and mother (Rosidah) who give uncountable love, pray, sacrificing and motivation in order to support me with every steps I've taken in my life. And also for my three lovely siblings (Miftah Fauziah, Yumna Ashilla, and Muhammad Afif Abdillah) for their big support.
6. My best friends in Government Administration and all of BOC and BOA in Administration English Club.

Hopefully, this study can enrich the research in the discourse of governance concept and become an inspiration for the next researchers in conducting related studies.

Malang, March 4th 2014

The Writer

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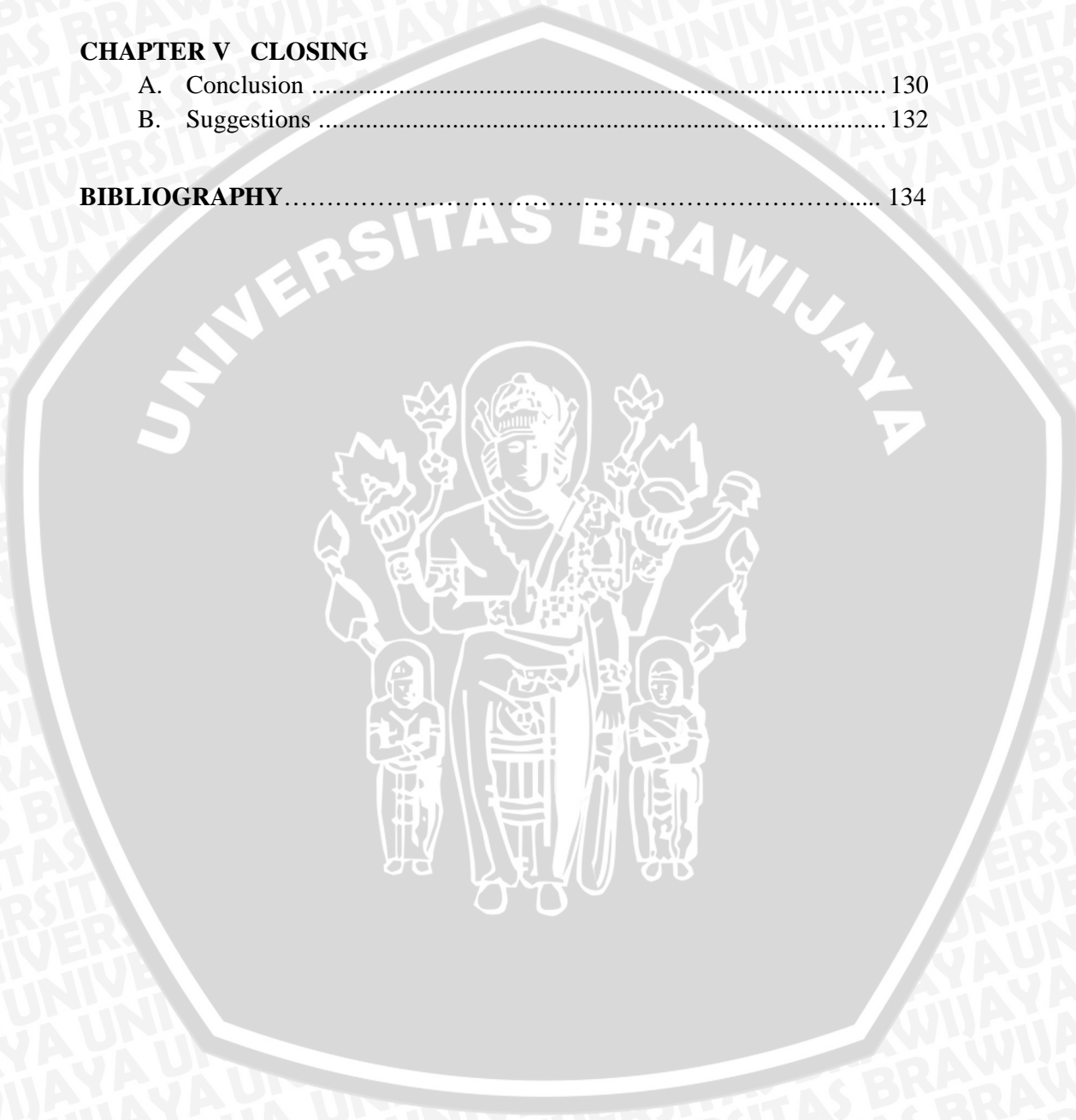
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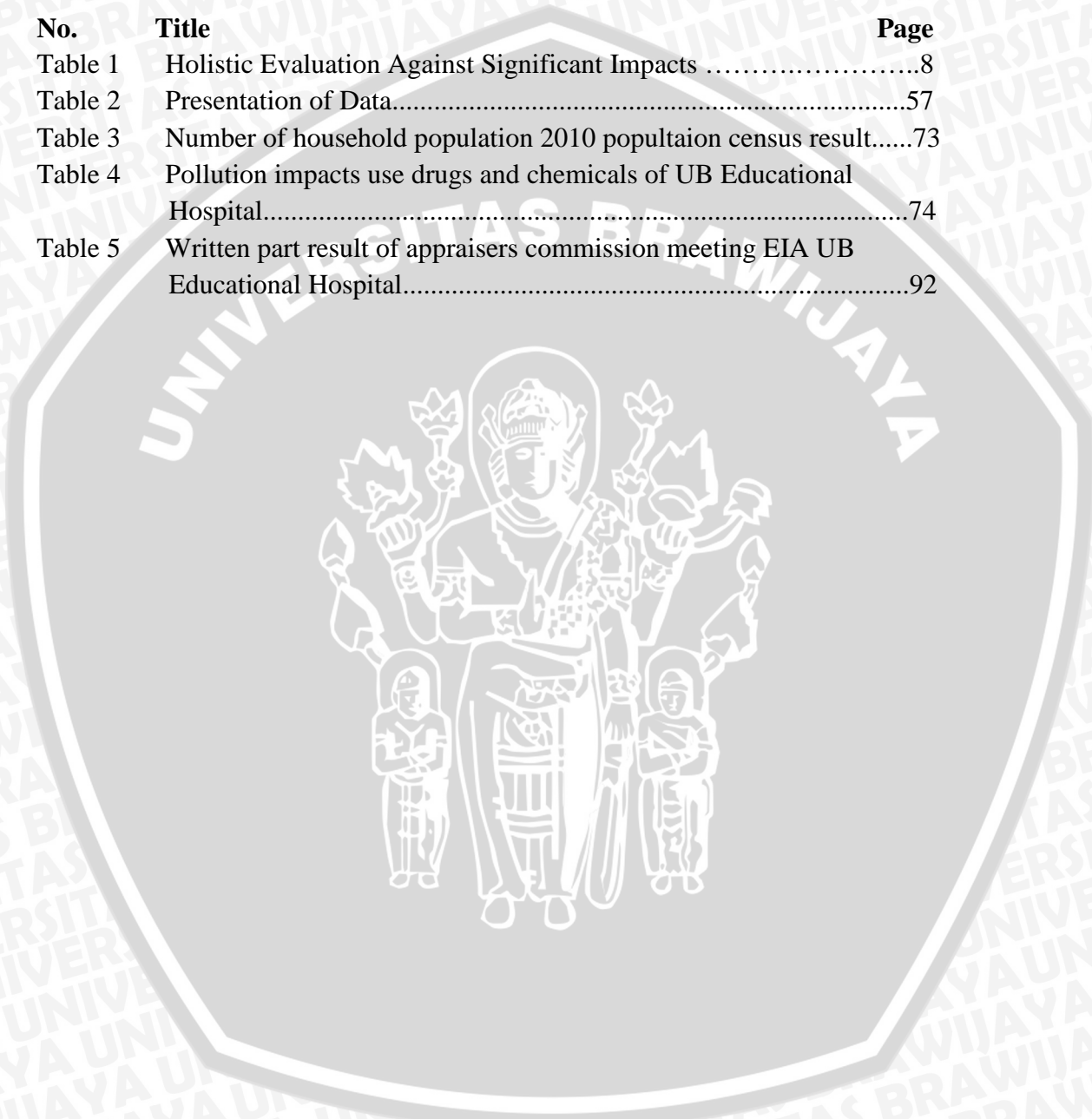
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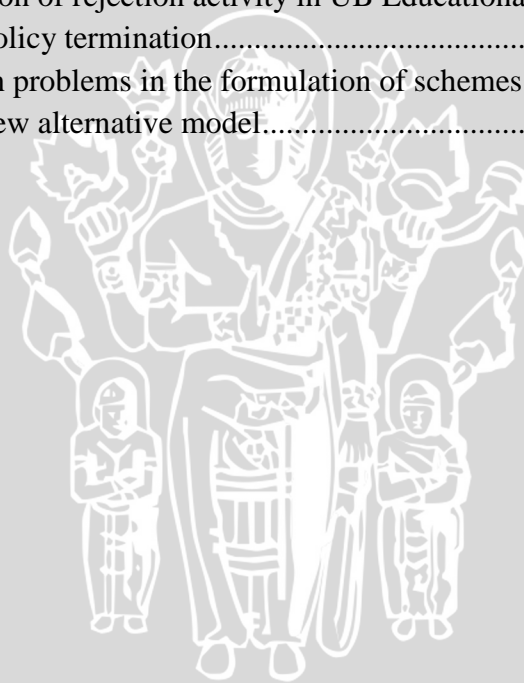
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CHAPTER I

INTRODUCTION

A. Background

After years since the industrial revolution in the middle of 18th century, new in the middle of 20th century, the world experienced a shock that stimulates awareness of the gravity of the environmental problems facing the world. Finally, the proposal of the Swedish government, the United Nations was organized International Conference on Human Environment (United Nations Conference on the Human Environment) in Stockholm, Sweden in 1972, which became a historic conference as a milestone in efforts to rescue critical first step in a global environment.

With the passing of the implementation of the Stockholm Conference, environmental problems did not abate, even worse. Nature is no longer fully able to compromise with human needs in the hold of their needs. Assessment is carried out ten years later in 1982 in Kenya showed that increasing environmental degradation, of which include acid rain, ozone layer depletion, global warming with climate change, forest destruction, and hazardous waste disposal industry results to be the main issues raised (Androniko in Supriya 2008: 93). Assessment of the complexity of this environment eventually led Bruntland report in 1987 on the theme Sustainable Development. In the report, sustainable development is defined as an effort that encourages the achievement needs of the current generation without compromising

the ability of future generations to meet their needs. This concept emphasizes the importance of economic growth without compromising high environmental standards. This is the underlying concept of sustainable development, which until now continues to evolve to follow the dynamics of change.

Five years after the publication of the Brundtland Report, in the view and the principles set out in the 1972 Stockholm Conference, among others, emphasized that most of the environmental problems in developing countries are caused by poverty, which in developed countries it is caused by industrialization and technological advancement. Rio de Janeiro conference later agreed that the concept of sustainable development is the goal of every human being. However, integrating and balancing attention in the economic, social and environmental need a new perspective. A new perspective is then poured in a document entitled Principles of sustainable development UNCED in 1992 (Bruce in Setiawan: 2007), which contains among others: First, that man is the center of attention on sustainable development by living a healthy, productive and in tune with nature. Second, the state has the sovereign right to explore the resources they fit their environment and development policy.

Third, the best handling of environmental issues is the participation of the whole community that responds to the environment of various levels. At the national level, each individual shall have access to information on the environment, including information on hazardous materials and activities in the community as well as the opportunity to participate in the decision-making process. Country should facilitate

and encourages the community to be responsive and participatory through the creation of information that can be widely known. Fourth, environmental impact assessment should be carried out as a national instrument for the proposed activities, which may have a direct impact on the environment that require decisions at the national level. Fifth, indigenous peoples have an important role in the management of the environment due to the understanding and development of their traditional knowledge. Country should be able to recognize and encourages fully the identity, culture and their desire and strengthen their effective participation in achieving sustainable development.

Indonesia with diverse of cultures and different backgrounds of environments, into a part of the "earth people". With the Earth Summit, the Indonesian governance immediately develop a plan to meet the general requirements of the principles of environmental treaties and the general purpose of the Earth Summit in implementing sustainable development. Indonesia in the Agenda 21 document-National, which is a project funded by the United Nations, began to identify the important issues of development and environment survey conducted through the 27 provinces in Indonesia which is then formulated into a report. National Agenda 21 provides a series of views and new inspiration that can be incorporated into the planning process at all levels of development in Indonesia, so that all levels of government agencies in the private and the public can use this document as a reference preparation of program planning short and long term. Agenda 21 also provides a set of guidelines,

recommendations, and strategies for comprehensively VII Five-Year Plan of economic development and social and environmental protection. Agenda 21, a document advisory for Indonesia to create such as development, with the ultimate goal of community service in terms of poverty alleviation.

BPS results in 2010, as many poor people in Indonesia 31.02 million, equivalent to eight (8) million poor households (BPS on July 1st, 2010). Various attempts have been made in alleviating poverty, such as the Village Instruction Program Disadvantaged, then continues Program Areas to Address Economic Crisis, which was followed Urban Poverty Program, as well as several other programs that focus on the development of economic sectors based industrialization and technological advancement. Economic development is done on a large scale in order to reduce unemployment and raise welfare rates. As a result, Indonesia is a fertile field growing industrial sector based on economy. Recorded economic growth based on the results of the study Indonesian Economic Review and Outlook Faculty, reaching 6.23% and is one of the highest in Asia after China (<http://macroeconomicdashboard2013.com>).

Indonesia's economic growth was not accompanied by improvement of the environmental sector as a component of sustainable development. To support the implementation of the quality of human life as one of the efforts towards the achievement of sustainable development, as the government's development in making policies, implementing protection policies and environmental management as a systematic effort to implement development based on environmental balance. The

need for policies in the management and protection of the environment contained in Law No. 23 of 1997, which then undergoes an amendment to Act No. 32 of 2009 on Environmental Protection and Management (*UUPPLH*).

Referring to the Law No. 32 of 2004 on Local Government (*UU No. 32 Tahun 2004 tentang Pemerintahan Daerah*), the business environment is one of the affairs of the authority of the concurrent implementation is left to the local government, the authority of the district/city. Government in district/city marked a decisive policy direction and management of environmental protection in the region. One of the safeguards and environmental management are very important in minimizing the risk of development of all economic sectors and industrial sectors is through the enforcement provisions regarding environmental permits.

Environmental permits are the main conditions for issuing permits and activities/businesses in all sectors. Licensing himself termed a license, permit (England); *vergunning* (Netherlands), which is defined as the authority and monopoly by the government. Environmental permit is a government tool that is used as a preventive judicial administrative instrument for controlling behavior in the context of environmental protection and management (Santoso in Helmi, 2011:140).

An important component in the environmental permit is based Environmental Protection and Management preparation of Environment Impact Assessment (*AMDAL*) which is a critical study of the impact of a business or planned activity on

the environment necessary for the decision-making process. EIA is basically a document required in conducting development activities and/or businesses that take into account environmental and social aspects in the development process. What are the positive and negative impacts of business development and/or activities should be described in the EIA. Assessment of the impact on the series development process will become the basis for many actors to determine whether or not the implementation of the approved business development or certain activities. One party is entitled to know the results of an assessment of the business and activities of the community is about. Acceptance (legitimacy) affected communities is important component of the EIA as outlined in the Environmental Management Plan (EMP). EMP in simply is a description of the process of reaching an agreement between the proponent with the community as one of the decision makers in order to give birth to a representative policy.

Preservation of the environment on which the continuation of the development in the interests of the whole community, is an important component that a major consideration in any policy which are formulated. Convening of the business and/or activities will change the hue of the environment, especially the phenomenon of population growth in Indonesia, particularly in the city of Malang are experiencing rapid development. Based on the findings of the Central Bureau of Statistics during the period 2008 - 2011, the growth of population 1.01 % of Malang (BPS East Java, 2011). In addition, Malang as one of the main destination city of educational in

Indonesia, also contributed to the density. Recorded at least have been stood fifty (50) colleges and the same institutions in Malang which are accepting many new students each year who come from within and outside Malang. The one which is became the largest receiver of freshman in East Java Province is Brawijaya University, that took the admissions in 2011 with as many as 43,841 of the entire educational program available (*UB dalam angka.pdf*, 2011).

Population growth, wherever it is, must demand a change of surrounding environment on the quality of public services. The increasing number of residents of an area, it will cause a consequence also the growing demands of all kinds of facilities supporting the fulfillment of people's lives, as well as health facilities. The construction of the hospital, as one means of supporting the health of the reasons inevitable to facilitate the public to access health facilities. The goal is also the underlying development of Brawijaya University Educational Hospital in the middle of the demands for improved public health. In addition it specifically as a means of developing the medical field in the activities of education, research and development of research in the field of health and medical science to support the UB School of Medicine.

Construction site in the middle of residential areas where the activities is running, in Brawijaya University Educational Hospital (hereinafter referred to as UB Educational Hospital) is expected to have an impact of pollution caused by the use of drugs, chemicals, and environmental health conditions due to changes in the

environment of hospital activities. In addition to the environmental impact, there is also the social impact of the development of UB Educational Hospital, ranging from pre-construction, construction and post-construction phase. Social impacts of concern arise, among others, traffic congestion, flooding/inundation from the hospital, noise, and jealousy.

Table 1 Holistic Evaluation Against Significant Impacts

Activities	Significant Impacts	Criteria of Impacts	
		Positive	Negative
A. Pre-Construction Phase			
1. Survey, investigating and licensing	1. Public unrest		✓
	2. Public perception		✓
B. Construction Phase			
1. Labor recruitment	1. Employment opportunities	✓	
2. Mobility material, equipment and labor	1. Traffic jam		✓
3. Construction of Hospital and facilities	2. Flooding/inundation		✓
C. Operation Phase			
1. Labor recruitment	1. Employment opportunities	✓	
	2. Social jealousy		✓
	3. Public perception and attitude	✓	
2. Activities Unit Installation	1. Air pollution		✓
	2. Environmental hygiene		✓

	3. Public health		✓
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Resource: Document of EIA Brawijaya University Educational Malang in 2011

Estimating the impacts of development brings a wide range of responses from affected communities. From the results of a survey carried out by the consultant, there are people of Griya Shanta who approved the construction of UB Educational Hospital of in the environment, and some of them are disapproved, and the rest did not respond to the development plan (document EIA of UB Educational Hospital, 2010). Prior to the issuance of the EIA document, the proponent is obliged to make the announcement consultant represented in the form of bulletin boards at the construction site and the provision of information through the mass media, and also socialized to people affected until an agreement is reached.

Different fact occurred in the development process of UB Educational Hospital. Implementation of development activities remain in force notwithstanding the rejection of most of the people affected. Construction had been halted for some time until finally returned forwarded after renegotiations with affected residents. Consultants as the mediator between the proponent for the community should be able to neutralize the position in bringing the various interests of both sides. Understanding and approval of the community is important, because indigenous peoples have an important role in the management of the environment due to the understanding and development of their traditional knowledge. Therefore the state, in this case the city government, should be able to recognize and encourage fully the

public's identity, culture and wishes and strengthen their participation effectively in achieving sustainable development. EIA study documents the existence of a significant impact in the construction business or activity should be used as a policy representative in order to conduct sustainable development.

Based on the problems that occur, the EIA as a product of experts (expertise oriented, according to Dubnick and Barder) in achieving sustainable development, is often considered to be less able to represent the wishes and needs of the community. Public aspirations towards a policy implemented by the government is the main pillar formation governance (good governance, according to the UNDP study). Therefore it takes a process of dialogue or deliberation (Habermas) to the effort of bringing the various interests, including the interests of local government through its policies, the interests of the proponent and the public interest. The existence of people who are pro or cons in UB Educational Hospital policy's development, there arises a question as to the existence of the EIA itself. EIA as a product which designed by the expert (expert oriented) are faced with the question, how much of its existence to represent desires and needs of affected communities, as well as a legal product that represents the desire of local governments to the process of sustainable development through environmental protection and management in the City of Malang.

B. Problems of Study

Based on the above description, then there are some important issues that need to be studied in depth and real actions to find a recommendation to solve the existing problems, such as:

1. What is the existing condition which is happening in process of reaching legitimate EIA from the people affected of UB Educational Hospital construction?
2. What is the urgency from the steps being undertaken in realizing the agreement (Memorandum of Understanding) between the proponent for the community affected by the construction of UB Educational Hospital?
3. How does the best alternative formation of Memorandum of Understanding) can be reached as a representative policy based on sustainable development goals on EIA toward the deliberative process?

C. Objectives of Study

Scientific research is a systematic and objective activity to examine one or several issues in an attempt to reach an understanding of the basic principle-the principle and the public with respect to the basis or core of the issue embodiment (Suparlan, 1994:14). The study was carried out based on a variety of information (which is manifested as theories) that have been generated in previous studies. Having regard to the opinions expressed Suparlan simply the author tries to formulate research objectives and the problem's relation to the above is as follows:

1. To describe and analyze the urgency of existing condition which is happening in reaching process of agreement on UB Educational Hospital construction between society and the proponent.
2. To describe the process of reaching a memorandum of understanding in the development of UB Educational Hospital through dialogue or deliberative process by identified the roles from some stakeholders in there.
3. To provide the best alternative recommendation into Memorandum of Understanding as a representative policy in an effort to systematically publishing EIA UB Educational Hospital Malang.

D. Research Contribution

The benefits of this research will be expected to have utility include:

1. Academic Contribution
 - a) Can be used as a new conceptual contribution in the development of public administration, in particular the development of methods of publishing EIA trough formation of UB Educational Hospital MoU as an important instrument in order to analyze the important impact on affected communities.
 - b) As discourse and referrals for further research on the application of the MoU in the EIA publication policy in the city of Malang.

2. Practical Contribution

- a) As input and consideration for local governments especially Malang Environment Agency in implementing the EIA publication policy representative for issuing environmental permits Malang in tackling the impact of the changes which impact on the development of environmental damage even.
- b) As a discussion topic for academics, practitioners and public interest in the administration of public policy in particular.

E. Systematic of Study

Systematics of writing in this study has been adapted to the regulations set by the Faculty of Administrative Science are as follows, there are including:

CAHPTER I: INTRODUCTION

This chapter will discuss the background research on the author behind the argument for the existence of a policy outlining the EIA in the city of Malang, as a preventive tool local government jurisdiction in issuing environmental permits through the efforts of representative dialogue based deliberative approach to public administration, the description of community involvement as a determinant of the decision to permit UB Educational Hospital, a description of the impact of environmental and social impacts arising from the construction activities and the demands of society as stipulated in the

MoU. Also in this chapter will also contain the formulation of the problem to be studied, the research objectives, research contributions and systematic research.

CHAPTER II: LITERATURE REVIEW

This chapter outlines the basic theory used in this study. There is a theory that is used as the primary basis of public policy analysis: theory and the theory of sustainable development related to the environment. Elaboration of the theory regarding the implementation and effectiveness of public policy also describes inhibiting factors as well as the effectiveness of EIA as a condition of the issuance of environmental permits a representative in the management and protection efforts to live in the city of Malang. Both of those main theories becoming the basis for this study.

CHAPTER III: RESEARCH METHODOLOGY

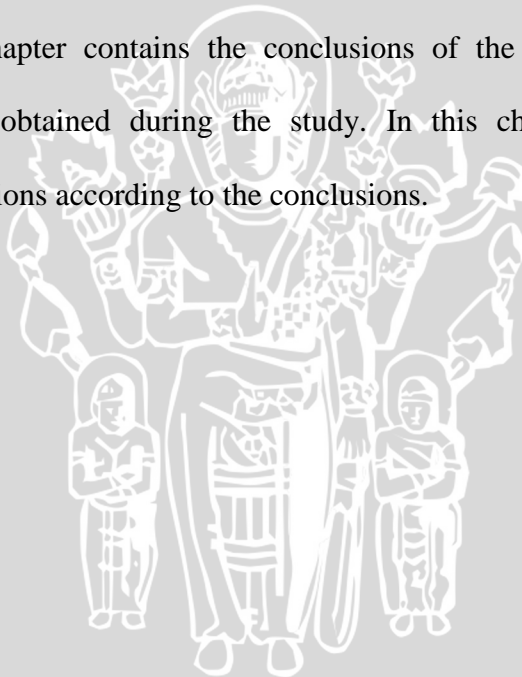
This chapter will discuss the research methods to be used in this study include the type of research, the focus of research, site selection and site research, engineering data types and sources of data collection, research and design instrument data analysis.

CHAPTER IV: ANALYSIS

This chapter describes the results of the study including data presentation and analysis of data obtained during the study which is the answers of the questions in an alternative formulation of the problem with the solution.

CHAPTER V: CONCLUSION

This chapter contains the conclusions of the discussion and the results obtained during the study. In this chapter also outlined suggestions according to the conclusions.



CHAPTER II

LITERATURE REVIEW

A. Good Governance

Governance is defined as the mechanisms, practices and procedures for the administration and residents set of resources to solve public problems. In the concept of governance, the government has only been one actor and not always the most decisive actor. The implication, the role of government as a builder and provider of services and infrastructure will be shifted into the body driving the creation of an environment that is able to facilitate others in the community and the private sector to actively participate in these efforts. Governance requires redefinition of the role of the state, and it also means a redefinition of the role of citizens. There are greater demands on citizens, among others, to monitor the accountability of government itself.

International agencies began popularizing the term governance is the World Bank through its publications published in 1992 entitled Government and Development (Sumarto, 2009:2). Definition of governance according to the World Bank is "the manner in power is exercised in the management of a country's social and economic resources and development." UNDP then make the definition of governance which includes government, private sector, and civil society, also the interaction between all three elements the. In its policy document, UNDP further mentioned characteristics of good governance, which include all, transparency and

accountable, effective and fair, guarantee the rule of law, ensure that the priorities of political, social and economic society based on consensus, and considering the interest they are the weakest in the decision making process regarding the allocation of development resources.

In short, good governance can only be created if the two forces of mutual support: responsible citizens, active and have a consciousness, along with a government that is open, responsive, willing to listen and willing to engage (inclusive). This is the basis of society is desirable.

B. Public Policy

Public policy is a major study that will never be separated from the public administration. Policy is a means to achieve a goal that ultimately involves the achievement of public goals. This may imply that public policy is a set of government actions designed to achieve specific outcomes expected by the parties concerned. Public policy determines the form of the life of every nation and country. All countries are basically faced with problems that are relatively the same, the different is how the response to these problems. Response is called public policy. Because public policy is the domain of state or government, or the state power, the public policy is factual form of any government efforts to regulate life together are referred to as "state" or "nation".

1. The Definition of Public Policy

Every textbook of public policy written by the experts, almost always do not forget to start the discussion with first define public policy. Defining public

policy by the experts there is no absolute used as a guide for public policy is relatively evolved with the times. "Terminological public policy experts sometimes the terms are used in turns and if then defined, infrequently, the authors formulate a consistent basis." (Wahab, 2008:3). Here are a variety of definitions of public policy.

Dye in Wahab (2012: 14) which states that public policy is "whatever government choose to do or not to do" (public policy choice is all action taken by the government either choose to do something or choose not to do something). British experts, W.I. Jenkins in Nugroho (2009:15) formulates public policy as follows, "A set of interrelated decisions taken by a political actor or group of actors concerning the selection of goals and the means of achieving them within a specified situation where the decisions should, in principle, be within the power of these actors to achieve." Kraft and Scott in Gerston (2010: 6) gives the following definition of public policy, "public policy is a course of government action (or inaction) taken in respond to social problems".

Stages of the public policy process in general can be divided into three stages, namely: (1) policy formulation, (2) implementation of the policy, (3) evaluation of the policy. Stages of public policy in detail can be explained as follows:

- a. Identification of policy issues (identification of policy's problem), this is done through the identification of what the public demand for government action.

- b. Preparation of the agenda (agenda setting), this stage is focused on the activities of public officials and the media for what decisions will be decided on a particular public issue.
- c. Policy formulation, this stage is the stage of policy formulation through initiation proposing and developing policy proposals through policy planning organizations, interest groups, government bureaucracy, the president and the legislature.
- d. Endorsement policy (legitimizing of policies), this is done through political action by political parties, pressure groups, the president and congress.
- e. Policy implementation, in this stage is done through the bureaucracy, public budgets and activities are organized executive agent.
- f. Policy evaluation phase was conducted by the government agencies, consultants from outside the government, the press and the public.

2. Analysis of Public Policy

The following is an analysis of the notion of public policy experts. According to Dye in Wahab (2008:4) is policy analysis "what government do, why they do it, and what difference it makes" which means that the analysis of public policy is an attempt to find out what is actually done by the government, why they do it, and what causes different outcome achievement. According to Dunn (1999:44) translated by the Authority, that policy analysis is an intellectual

and practical activity aimed at creating, critically assessment and communicate the knowledge of and in the policy process.

Policy analysis will help policy makers (decision makers) to provide information that can be used to view and solve the problems that are and will be faced in order to improve the quality of public policies they make. Policy analysis by Wahab (2008:4) systematically divided into two parts, namely the analysis of policy and analysis for policy making. This study will concentrate on the analysis of the right policies (analysis of policy) in particular implementation.

Given how broad and diverse social problems facing society today, who would not want to have to respond the government, it makes no sense if the analysis of public policy should be fairly homogeneous. That is why the response from the experts, is developing specific approaches in public policy analysis. An analyst may only be interested in the analysis of a part of the policy process, thus was born a few specific policy approaches in the analysis, namely:

a. Process Approach

In this approach, various social problems trying to be recognized as a matter of policy that should be followed up by policy makers. Furthermore, the policy was selected for selected through an analysis of the determinants in each stage for later implemented by government officials in various levels in certain institution, then evaluated and eventually modified based on the evaluation of the success or lack thereof.

b. Participatory Approach

This approach involves the inclusion of the interests and values of the wider variety of stakeholders involved in the decision-making processes. According to Laswell in (Wahab, 2010:55), a broad population of citizens who will be affected (negatively or positively) of the policy will be involved in the process of formulation and implementation of policies via a series of discursive dialogue. This discursive dialogue process will involve a series of public hearings with citizens either directly or indirectly, related to the public policy. The main objective of participatory analysis is to gather impartial information, so that policy makers can think of comprehensive recommendations and make wiser decisions.

c. Expert Approach

On this approach an expert analyst on specific areas in the policy analyze a set of phenomena which are considered as a theory of truth in identifying policy. In this approach, an expert judging phenomena objectively and purely personal set of analyzes based on basic research methods in the social sciences.

3. Implementation of Public Policy

Webster dictionary in Wahab (1995:50) implementation is defined as "to provide the means for carrying out (providing the means to carry something), to give practical effects to (have an impact on something)". Implementation means

providing a means to implement a policy and can have an impact/effect on certain things. Jones in Widodo (2012:86) defines implementation as:

"Get the job done and doing it". Understanding is a very simple notion. However, the simplicity of such a formula does not mean policy implementation is a process that can be done easily. According to Jones implementation requires several conditions, among others, the person or the executor, money, and organizational skills, which in this case is called resources. Therefore, for further restriction, Jones formulates implementation as "a process to getting additional resources so as to figure out what is to be done". In this case the implementation is a process of receiving additional resources in order to calculate what should be done. What Jones said about the implementation of not less than one stage of the policy requires at least two kinds of sequential actions. First, formulate actions to be taken. Second, implement the actions that have been formulated earlier.

Mazmanian and Sabatier in Widodo (2012:87), explains the meaning of implementation by saying that, "to understand what actually happens after a program is enacted or formulated is a subject of policy implementation. Those events and activities that occur after the issuing of authoritative public policy are directive, included both the effort to administer and the substantive impacts on people and events". The main essence of the policy implementation is to understand what is supposed to happen after a program is declared valid or formulated. Understanding of earlier efforts include to administrating and posing a real impact on people or events.

Jones divides policy implementation activities into three stages, namely the stage of interpretation, organization and application. Interpretation of the translation stage is a stage that is still an abstract policy into operational policies

of a technical nature. Public policy or strategic policy will be translated into managerial policy and managerial policies will be translated into technical and operational policies. Public policy or strategic policy embodied in the form of regulations that made jointly by the legislative body (parliament) and executive agencies (local government). Manifested in the form of managerial policy based on decisions the head of operational and technical policies embodied in the form of the head of department policy, the agency head or the head office as an element of local government technical implementation.

Implementation of a policy is strongly influenced by the quality of the policy itself, the effects are obtained, the benefit of policy makers, the initiator and the right time to implement policies also determine the involvement of actors in the implementation process. The actors are divided inventor (the pioneer), reformer and implementer.

4. The Evaluation of Public Policy

Evaluation of public policy is public policy outcomes assessment over after the policy is implemented. Through the evaluation will be known whether the appropriate policy objectives, standards and procedures set out in the policy, as well as to determine the impact/influence over the policy. According Nugorho (2009:463) evaluation of public policy has four functions, namely eksplaasi, compliance, auditing, and accounting. Policy evaluation is done by conducting a comprehensive assessment of the:

- a) The achievement of policy targets (output);
- b) Achievement of policy objectives (outcome);
- c) The gap between the achievement of goals and objectives;
- d) Comparative to the same policies that succeed elsewhere;
- e) Identification of the factors supporting the success and failures that lead to gaps and provide recommendations to address gaps.

(Nugroho, 2009:463)

Characteristics and evaluation of the policy according to Nugroho (2009:463) is as follows:

- a) The goal is to find things to improve the performance of strategic policy;
- b) The evaluator is able to take distance from policy makers, policy implementers and policy targets;
- c) The procedure can be accounted for by the methodology;
- d) not Implemented in an atmosphere of hostility or hatred.

5. The Effectiveness of Policy Implementation

According to Nugroho (2009:137), there are four requirements that must be met in terms of the effectiveness of policy implementation. First, is whether the policy itself are correct. The accuracy of the extent to which policies assessed the existing policy has been running can solve the problem to be solved. Second, is the right is implementation. There are three institutions that may be executing,

namely the government, cooperation between the government, the public and/or private, as well as the implementation of policies that privatized (privatization or contracting out). The third is the right targets. Precision targets relating to: (a) whether the target according to what was planned; (b) whether the target is in a condition ready to intervene or not, (c) whether the intervention is the implementation of new policies or renew before policy implementation.

Then the fourth requirement is the right environment. There are two most crucial environment, the policy environment is the interaction between the institutions and policy makers implementing agency policies and other relevant institutions. Environmental policy is the external environment is the perception of public policy and policy implementation. In addition, the belongs to the future policy environment is an agency interpretation with respect to the interpretation of strategic institutions in society such as the media, pressure groups, interest groups, and individuals. Individual here means certain individuals that play an important role in interpreting and implementing policy. The fourth right by Nugroho still need supported by three types of support form that is political, strategic support and also technical support.

C. Formulation of Public Policy

1. The Definition of Policy Formulation

The formulation is a formulation of the policy proposal stage through initiation and formulation of policy proposals through policy planning organizations, interest groups, government bureaucracy, the president and the

legislature. Dye in Widodo (2007: 17). While the Dill in Islamy (2004: 23) defines as an administrative policy-making decisions are usually hard to interpret as a single choice among alternatives. Most such decisions are really consist of a series of choice and commitments that heve been made in sequence. Unlike the case with the assumption that follow Bintoro Cokroamidjojo thinking in Islamy (Anderson 2004: 24) states that the formation of wisdom or policy formulation is often referred to include many policy making decisions, so if an alternative election decisions made continuously and never stops known as electronegative as policy formulation.

Based on the definition above references the view of Anderson and Bintoro which gives a more specific definition, where policy formulation is always associated with a diverse selection of alternative decisions are prolonged without ever stopping. Because it is policy formulation can not be viewed as a linear circuit on the policy process itself but is part of a complex public policy process with many factors influencing the policy formulation among others as an expression of the Nigro in Islamy (2004: 25).

2. Factors Influencing the Policy Formulation

Based Nigro in Islamy (2004: 25) some of the factors that influence policy formulation are:

a. The influence of external pressure

Often administrators must make decisions just because of the pressure from outside. Although decision-making is done by the administrator must be a rational alternative, but the processes and procedures of the policy-making can not be separated from the real world. So that the pressures from the outside take effect on the decision-making process.

b. The influence of old habits

A policy that has lasted long enough tend to be followed by the administrators, although it has been criticized for urgent change. This is especially concerning tentag policies that have been considered satisfactory.

c. The influence of personal traits

Some kinds of decisions made by the decision makers are influenced by personal decisions. This is evident, for example in the hiring process or the acceptance of new, often private nature of the factor or the decision maker has a big role.

d. The influence of outside groups

The social environment greatly affects the decision maker's decision-making. This is understandable because an administrator also receives inputs outside his own thoughts into consideration before a decision is set.

e. The influence of the past state

Work experience and training in advance influential in decision making.

Thus, in a decision-making administrators see the problems of the past policies as a reference pernh done before making a decision.

D. Public Administration of Deliberative

Hahn Been Lee in Inauguration Speech of Susilo Zauhar (2007:3), identify strategies in solving public problems in the developing country governments, the state development strategy and developmental state. Development state that more repressive and instructive as well as weak in visionary planning. The development of state more emphasis on the creation and implementation of policies that can be accepted by the society (credible) and is required to change everything that is considered as a constitutive element of the public interest. One of the tools that can be used is a deliberative public administration. In Inauguration Speech of Susilo Zauhar about deliberative democracy described as follows:

Root deliberative thinking is derived from Habermas, as a synthesis between liberal democracy and democratic thinking replicas. Model of deliberative democracy is not built on individual freedom or a majority, but rather an action of the participants through the understanding of action, argue and agreement in opinion formation and structure of the will. The purpose of deliberative democracy, legitimacy is based on rationality in the process of deciding a qualified policy. An institution established to recognize the various interests groups in the wake of collective deliberation process, which includes rationality, freedom, and equality of individuals. Thus, the results achieved are rationality and legitimacy. In this case the result can be established by a process of opinion and will formation.

Popular sovereignty is the main source of legitimacy in order to create political and legal decisions that have an integrative force for the community itself. The issue of legitimacy arises when the mechanism for creating the communicative power of experiencing congestion. Whereas communicative power can be succeed only through the power of consensus that flexibility achieved through discursive means. Legitimacy lies not in the fact that the majority consent has been obtained, but rather on the fact that the ways by taking it fair and equitable.

Because the procedural nature of deliberative democracy, then Habermas offers a characterization of the ideal deliberative procedure, which earned him the normative validity: (1) deliberation process should take the form of exchange of information and the most acceptable arguments; (2) deliberation is inclusive and open to the public, in principle, no one has absolute power over another; (3) deliberation free from external or internal coercion that could reduce the equity participants; (4) purpose driven by rational deliberation, and an agreement in principle can be followed on various occasions; (5) deliberation extends the range of problems that can be regulated in the interests of equality groups that affect the alignment and the right to participate in the political process; (6) the last, deliberation must also include interpretations of various needs, the articulation of collective identity and behavior change and choice-pre-political choice. The context of the cross spectrum deliberation should extend moral, ethical and pragmatic discourse to keep available a space for bargaining and compromise in the interests of a fair and anti-generalization, which takes place in an institutional setting non-deliberative. Starting

from the characteristic, then the deliberative democracy nobody oppressed in diversity, both majority and minority. It is always continue and open.

Deliberative analysis model in Indonesia is actually the same as the concept we know as *musyawarah dan mufakat*. Where the past is not a decision made by the government, it is made by citizens through deliberation to reach consensus. Consensus is called as public policy. The advantage of this deliberation that each party is responsible for the success of the consensus. The disadvantage, deliberative process takes a long time (Riant Nugroho, 2011).

The role of government in this deliberative policy more as legislators than public willingness, while the role of policy analysis is to facilitate public dialogue process so that people find a policy decision upon himself to be used as public policy. At the time of the legitimacy of the decision of the government to deliberation, the policy analysis dlibatkan back for verification and accountability policies. Deliberative model is most effective in conditions of conflict. UNDP study in 2003 found that only public policy resulting from the agreement parties to the conflict which is a relatively effective policy to resolve conflicts (Riant Nugroho, 2011).

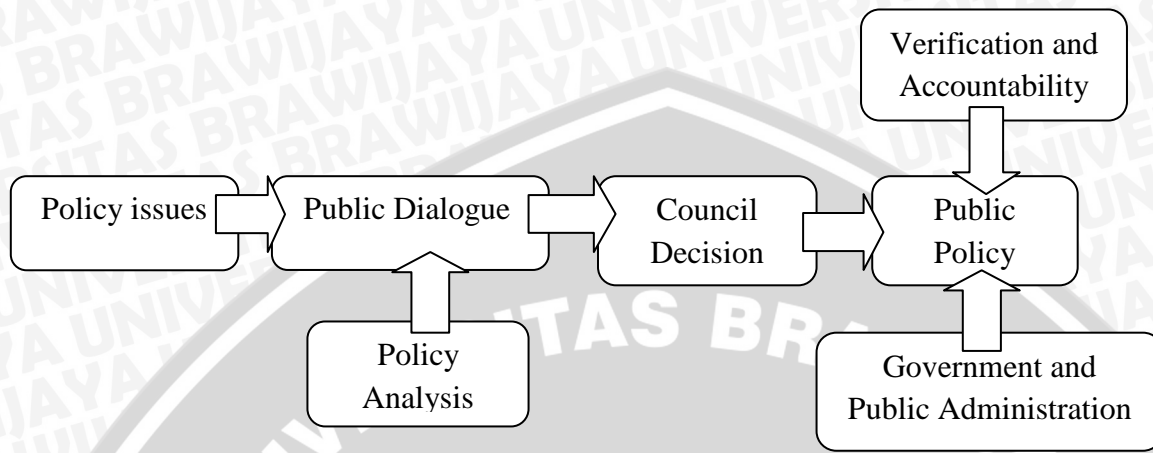


Figure 1 Scheme of deliberative process
Source: Riant Nugroho (2011:364)

E. Policy Termination

Policy termination has been defined by Garry Brewer and Peter deLoon as “the deliberate conclusion or specific government functions, programs, policies or organization.” Elaborating upon this definition, another termination researcher explains that “termination is premeditated behavior, with the intent of ending a particular public organization or policy.” Terminating public programs attempts to respond to the three tasks that face policy termination researchers as identified by deLoon: 1) to compile cases on termination; 2) to acquire an understanding of the factors leading to termination and build theories; and 3) to develop strategies and tactics that lead to successful termination. There are several conclusions about the implementation of policy termination.

First, termination rarely has economic justification. Termination usually costs more than policy continuation, at the least in the short run. Termination is usually a

result of political rather than analytical decision making. Second, termination is highly political and hard to achieve. Affected interest groups can gain access to government decision-making processes through legislative hearings, the enactment of legislative bills, the executive branch, the bureaucratic apparatus of government, the courts and even through the media. Susan E. Kirckpatrick, James P. Lester and Mark R. Peterson in Berman (1993: 1499) have made a significant contribution of the study with an article that proposes a process model of termination that has called "A Process Model for the Termination of Public Goods."

According to the public involvement literature references in their article, any organization or policy that is not seen by the public as addressing some important public problems living on borrowed time. Longevity has been identified as an important factor in the ability of organization to survive and to avoid termination. Mature organizations are most immune to termination.

F. Sustainable Development

1. The concept of sustainable development

Sustainable development (Salim in Jaya, 2004:2) aims to improve the welfare of the community, to meet human needs and aspirations. Sustainable development is essentially intended to seek the intergenerational distribution of development in the present and in the future. According to the Ministry of Environment (1990) development (which is basically more oriented economic) sustainability can be measured by three criteria: (1) there is no wasteful use of natural resources or the depletion of natural resources, (2) there is no pollution

and other environmental impacts; (3) activities should be able to increase the useable resources or replaceable resources.

From the economic side (Fauzi, 2004) there are at least three main reasons why economic development should be sustainable. The first concerns a moral issue. Generation is now enjoying the goods and services produced from natural resources and the environment that is morally necessary to consider the availability of natural resources for future generations. The moral obligation includes not extracted natural resources that can damage the environment, which can eliminate the opportunity for future generations to enjoy the same service. Second, regarding the very high ecological reasons, therefore, economic activity should not be directed to the use of natural resources and the environment alone that could ultimately threaten the ecological functions. The third factor, which is the reason for the need to pay attention to aspects of sustainability are economic reasons. Reason of the economy is still a debate as it is unknown whether the economic activity during this already or do not meet sustainability criteria. Sustainable economic dimension is considered so complex that often the sustainability of the economy is limited to the measurement of intergenerational welfare (intergeneration welfare maximization).

Sutamihardja in Askar (2004:3), the concept of sustainable development, which allows the policy collision can occur between the need to dig natural resources to combat poverty and the need to prevent environmental degradation should be avoided as far as possible be able to walk in balance. Sustainable

development also requires the fulfillment of basic needs of the community and the public ample opportunity to pursue your goals will be a better life without compromising future generations.

2. Sustainable Development Strategies

From several existing concepts can be formulated the basic principles of each element of sustainable development. In this case there are four components of strategies that need to be considered, namely equity, participation, diversity, integration and long-term perspective (Askar, 2004:5).

a. Development that ensures equity and social justice

Development-oriented equity and social justice must be based things such as the unequal distribution of land and resources and production factors, the prevalence of women's roles and opportunities, economic inequality is achieved by balancing the distribution of welfare. But equality is not something that can be directly reached. Equalization is a relative concept and not directly measurable. The indicator of sustainable development ethics is thorough, income disparity rich and poor countries has widened, although distribution in many countries has increased. Other ethical aspects that need to be done in sustainable development are the prospect that future generations can't be compromised by the activities of the present generation. This means the development of the present generation need to consider future generations to fulfill their needs.

b. Development that respects diversity

Maintenance of biodiversity is a prerequisite to ensure that natural resources are always available in a sustainable manner for the present and future. Biodiversity is also the basis for the balance of the ecosystem. Maintenance of cultural diversity will encourage equitable treatment to every person and make the knowledge of the traditions of various societies more understandable.

c. Development in an integrative approach

Prioritizing sustainable development is about how to create such as linkages between people and nature. Affecting human nature in a manner beneficial or destructive can be reached by utilizing the complex relationship between the understanding of natural systems and social systems. By using this understanding the implementation of a more integrative development is the implementation of the concept of development which can be made possible. This is a major challenge in the institution.

d. Development of a long-term perspective

Society tends to judge the present over the future, the implications of sustainable development is a challenge that underlies this assessment. Sustainable development requires a different assessment carried out assuming normal in discounting procedure. Perception is a long-term perspective of sustainable development. Until now dominate the thinking framework of short-term economic decision makers, therefore, need to be considered.

3. Dimensions of Sustainable Development

The three pillars of sustainable development since the 1972 Stockholm Declaration towards Rio de Janeiro emphasized the need for coordination and integration natural resources, human resources and man-made resources in any national development, with a population approach, development, and the environment through the integration of social, economic and environmental. Hegley in Sumarwoto (2006) tried to explain the three pillars as well as how to integrate the implementation of all three in the process of sustainable development.

a. The human dimension as the subject and object of sustainable development

1) Man as an individual

Human development process should be put as the subject and object of development. Human development is the subject, because it is a development executive. Man became the object of development because the development objectives for the benefit of human nature itself. Development carried out by and for humans. Hence the welfare aspect fair and equitable in each region should be pursued. In the implementation of human development have rights and obligations. Rights and obligations are set such that the position of man as subject and object of development can be realized.

2) Humans as a society and nation

In the concept of sustainable development, meaning that every effort is contained resource utilization, development of technology, change in institutional arrangements, increased investment should be directed in harmony and integrated to meet the needs of present and future generations to come. Humans, in principle, have the ability to make development sustainable, to guarantee the fulfillment of human needs for today without compromising the right of future generations to meet their need for natural resources.

b. Spatial dimensions of sustainable development

Sustainable development implies that products designed for today's needs should not harm people and nature anywhere (the spatial dimension); and should not limit the well-being of people and nature later (the temporal dimension). Therefore the Brundtland definition includes both environmental and social aspects of sustainability.

1) Poverty alleviation

Poverty is a fundamental problem that must be addressed. Poverty is one of the causes of environmental degradation and negative impacts of development, otherwise deterioration of environmental carrying capacity can be the cause of emerging and growing poverty.

2) Patterns of consumption and production

The basic needs of the consumption itself and lifestyles through unsustainable patterns of production is one of the main causes of damage to the environment to sustainability. As long as there is no policy that explicitly encourage patterns of consumption and production patterns are unsustainable. In the urban population has grown, the consumptive lifestyle has no longer consume on the basis of use value and value in use, but more based on symbols, prestige and image.

3) Population dynamics

In development planning, the main effort is to understand the linkages between population and environmental variables and their relationship to sustainable development. This is an effort to address the deterioration of natural resources, namely by pressing the birth rate so as to create a balance between population and environment in the region and/or between regions.

4) Management and health improvement

Both of these become important because of the level of public health is closely linked to the social, economic and environmental. This relationship is reciprocal, sometimes the quality of the environment affects health, and health foundations on which the development will affect the development process itself. Meeting the needs of food, clothing as well as a decent board is crucial to health.

c. The dimensions of integration and coordination

Environmentally sustainable development requires integration and coordination between the integrative utilization of natural resources, human resources and man-made resources in a time series must be coordinated so that development can take place right in order. Environmental considerations and environmental concerns related to economic development should be internalized in every policy that the social cost incurred in accordance with the results of outcomes expected by many parties. Efforts to strengthen sustainable development in a country, it takes a set of rules and regulations in the integrating role of several parties involved in it. In reinforce the implementation of the sustainable development plan is required policies governing economic life, social and environmental development in the environmental frame.

G. Development of Environmentally Concept

1. The basic concept of environmentally sound development

Development is environmentally conscious and planned effort that integrates the environment, including natural resources, to the development process to ensure the ability, well-being, and quality of life of the present generation and future generations. Nature of the linkage of natural resources and environmental order requires methods and mechanisms of development that takes into account the linkages. This has some consequences which the development is carried out in a sector should pay attention to its impact on the

development of other sectors. In addition, linkages individual human being as social creatures with their social environment must be considered as well. Thus, development is not only seen as an individual human being stand-alone, but also pay attention to the impact of development on the position of humans as social beings (Yakin, 2004:25).

Furthermore, according Yakin (2004:26) environmentally sound development requires the following conditions:

- a. The development is loaded with value, in the sense that it must be oriented to achieve ecological, social and economic;
- b. Development requires the careful planning and supervision at whole levels;
- c. The development of qualitative growth which is requires every individual and society;
- d. Development need some criteria and support from all parties;
- e. Development requires an atmosphere that is open, honest and all that is involved to obtain actual information.

2. Environmental Impact Assessment (EIA) or AMDAL

One orientation is emphasized environmental law principles of prevention (Preventing oriented). Orientation can thus be seen both in UUPPLH 2009 with a variety of organic regulations. An important connection of the principle of environmentally sound development is a system analysis of the extent of the impact or effects arising on an activity that will be planned. Thus the principle is

based on the EIA system. Environmental Impact Assessment in a foreign term called the "Environmental Impact Analysis", "Environmental Impact Statement", "Environmental Impact Assessment". Soemarwoto in Siahaan (2004:238) uses the term with the Environmental Impact Statement, and related to it but in another pressure. Danusaputro in Siahaan (2004:238) termed the "Declaration of environmental impact" as a translation of the Environmental Impact Statement.

EIA should put all the facts on the table. Various positive and negative impacts of development activities on the environment need to be known by public and decision makers in order to follow the development of selected measures in a responsible manner. Concretely benefit is that EIA can help entrepreneurs choose the technology and the means of production that can suppress/minimize negative environmental impacts. Thus, the expected from EIAs mainly about data completeness of information, so that what is known to be a result of developmental activity. Things that determine the size of the picture is the negative impact on the quality of the goals to be achieved. While the weight of an assessment of the size of the impact is influenced by the quality of the environment will be achieved.

Soemarwoto in Siahaan (2004 : 241) says that the EIA is a pre - audit, the EIA must be done before a project is implemented. Technically EIA can only be done by satisfying two conditions, namely: (1) the existence of an activity plan and (2) the base line. Knowing the planned activities is very important, because if the action plan is not known, the possible impacts of such activities can't be

predicted. The base line is the state of the environment without the project (activity), while the impact of the EIA system is associated with two types of constraints. First, the difference between the pre-existing environmental conditions and development that are expected to exist after the development takes place, the difference between these two limits the environmental conditions that would exist in the absence of development and are expected to exist in the presence of such development. The same restrictions imposed on the environmental impact of the development.

3. Public role in environmental management

Lothar Gundling in Siahaan (2004:216), suggests a basis for public participation in environmental protection act, namely in terms of: (1) provide information to the government, (2) increase the public's willingness to accept the decision, (3) establish legal protection, (4) to democratize decision-making. Further regarding public participation in decision-making, Gundling categorize it in the following forms:

- a. By administrative procedures, for example in the case of EIA; procedures and planning permissions, and rulemaking. In rulemaking, for example, the public has a right to participation through public hearings or dialogue process in the preparation of laws and administrative regulations. To meet the public's right to an EIA, then arrange the following principles:

- 1) Before the EIA prepared, shall be announced to the public about the planned activities;

- 2) The announcement made by the responsible government agency;
- 3) Publication of the action plan does not include what outcome/impact of the activity, the type and volume of waste generated and its handling system, and a range of possible impacts;
- 4) Within a period of thirty (30) days after the action plan was announced, members of the community are entitled to advice, a response to the action plan. These suggestions should be submitted in writing for documentation purposes;
- 5) Public opinion shall be considered and assessed in the EIA;
- 6) Public opinion should be reflected in the preparation of the EIA;
- 7) All EIA documents, advice, opinion, community feedback, review commission, and environmental feasibility of the decision, must be shared (open) to the public.

b. Provision of information to the public. The public has a right to receive adequate information on the decision-making process, especially the parties relating to the impact of decision-making, for example in the provision of licensing or EIA. Provision of information arranged in a variety of systems, including:

- 1) The certainty of receiving the information, where such entities are required to make an announcement on planned activities through

the mass media, electronic media, as well as create a bulletin board in the corresponding location;

- 2) The existence of cross-border information (*Transfrontier*). This relates to transboundary pollution from urban areas/districts and even provinces must be given continuous information about the environment and the impact of these activities;
- 3) The existence of timely information, the information given at the time the decision was taken not binding and there is still a chance to propose alternative decisions;
- 4) Provision of complete information (comprehensive information). It is determined by order role of the community, so that people are given full information and set out in the legislation;
- 5) There is information that is understandable (comprehensible information), the descriptions should be understood by the community informed.

4. Role of the state (government) in environmental management

UPPLH manage inventory issues of environmental management starting from chapter 6 to 12. Inventory associated with power and purpose in order management effectiveness. Chapter 33 paragraph (3) of the 1945 Constitution of Republic Indonesia, specifies that the state-controlled natural resources in the interest of welfare of the people as much as possible. In Article 6 UUPPLH

detailing mastered word which basically set (policy making), manage, or develop.

Thus power can be realized through policy and regulation in the field of community development, as mentioned above, implementing a licensing system for controlling environmental functions, implement a system of environmental quality standards, and create a system of spatial planning or environmental impact statement for the prevention, respectively, regulate disputes over issues environment, enforcing the implementation of environmental laws, and so on. As one of the affairs of the local government, through the Minister of Environment Regulation No. 11 of 2006, the local government is obliged to organize a number of functions, including:

- a. Assessment and preparation of national technical policy in the field of control of environmental impacts in the region;
- b. Determination of technical policy in the field of environmental impact control set at the discretion of the president general and Ministry of Environment and the legislation in force;
- c. To coordinate activities in the implementation of the city government's job in particular the Environment Agency;
- d. Monitoring, mentoring and guidance to government agencies and the public in the field of environmental impact management;
- e. Implementation of surveillance, law enforcement and the development of EIA;

- f. Development of information systems and information services to the public;
- g. Develop a means of controlling environmental impacts;
- h. Supervision in order to control environmental impacts.

Implementation and management functions of environmental protection must be accompanied conscious effort of the community, especially the local community, in preserving the environment in which they build social lives. Community participation in the full participation should be encouraged by the government through the expansion of public space for people to get directly involved and even take responsibility for any policies formulated and implemented by the government. Through a policy of mandatory, EIA, as one of the outcome document experts (expertise oriented), the fulfillment of the various elements of good governance can be realized. The embodiment of the efforts made through deliberative aspirations in the process after the implementation process through the dissemination of information through various media available. Thus, the presence of EIA as product experts to suit the needs and desires of the community, especially to encourage participation through the creation of a climate of dialogue (deliberative) as a form of accountability for the role and functions of the various parties in efforts to achieve sustainable development.

H. The Perspective of Author

Based on the Stockholm conference, confirmed that one of the problems faced by developing countries is the problem of poverty. Many developing countries that seek to alleviate poverty through economic development efforts. Economic development on a large scale is expected to be a solution to improve the level of social welfare. Indonesia as a developing country, is also experiencing a similar phenomenon. The development in economical side which is took the grown of the industry number to be one of the measures taken in creating jobs to reduce poverty. Unfortunately, economic development is not accompanied by the development of the environmental sector.

Negligence against the environmental sector development efforts have violated the essence of sustainable development. Sustainable development essentially intended to seek the intergenerational distribution of development in the present and the future. The concept of sustainable development is the goal of every human being is supposed to hold on to some of the principles (document UNCED Earth Summit in Rio de Janeiro), such as:

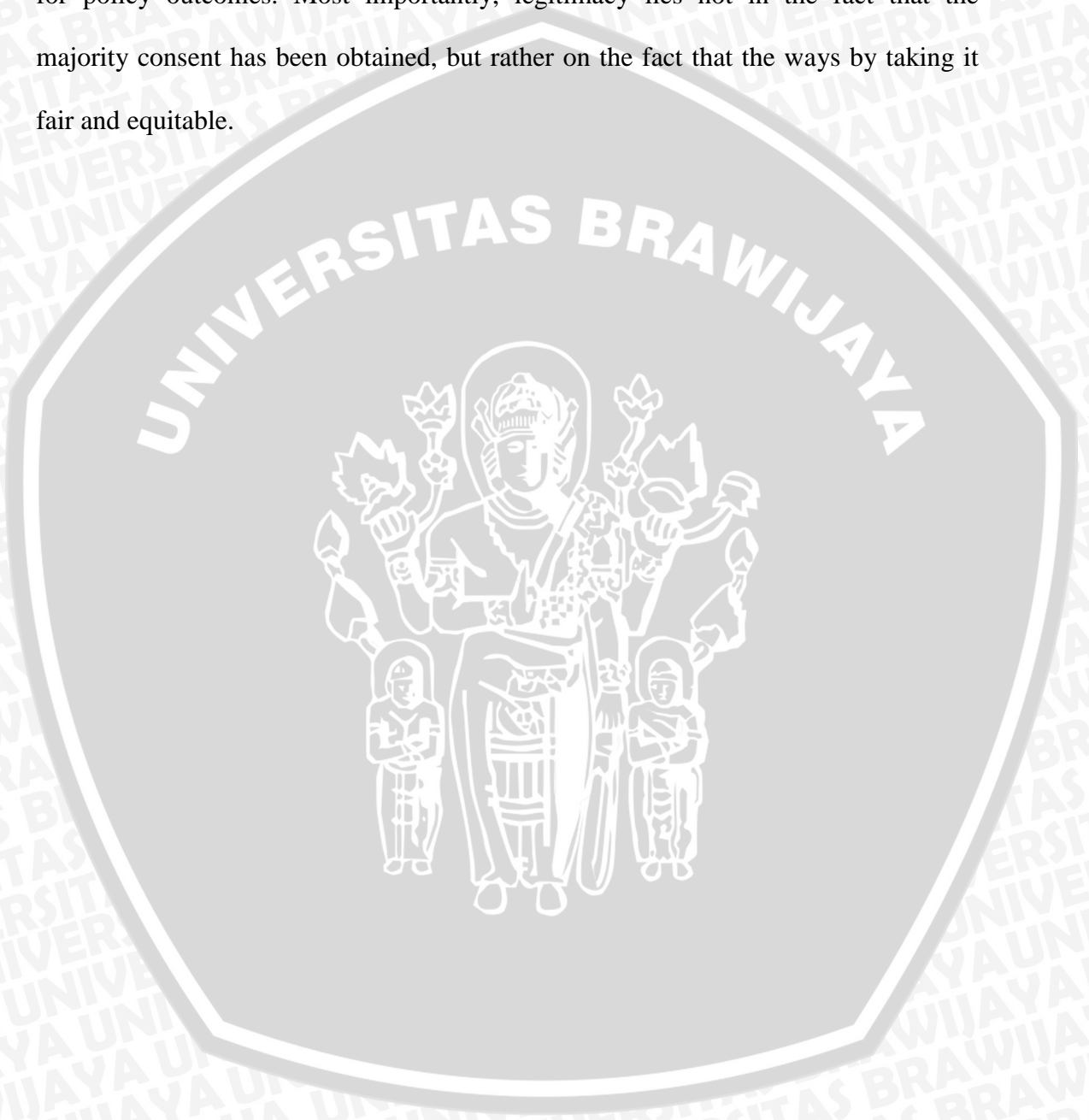
- a. People are the center of attention of sustainable development;
- b. The State has the sovereign right to explore the resources they fit their environment and development policy;
- c. The best management of environmental issues is the participation of the whole society. At various levels of government, each individual must have

access to information on the environment as well as the opportunity to participate in the decision-making process;

- d. Environmental impact assessment should be carried out as a national instrument for the proposed activities, which may have a direct impact on the environment;
- e. Local people play an important role in the management of the environment due to the understanding and development of their traditional knowledge.

Based on the principles above, it is clear that sustainable development required in conducting an environmental impact assessment embodied in an official document in Indonesia called document EIA. EIA is a result of the experts (expert oriented) in which there is an overview of the development of a business plan and/or activity along with all the positive and negative impacts. One of the conditions required the issuance of an EIA is affected public acceptance aspects of the business development plan and/or certain activities. But, the responsibility to involve affected communities, sometimes are neglected by the proponent. It is responsible for our poor EIA representing what the will and needs of affected communities. It is also common in the construction process of UB Educational Hospital. UB Educational Hospital construction continued despite objections from affected communities. This situation should be resolved by holding dialogue process with the people deeply affected, both the pros and the cons of the development process. Dialogue process through deliberative approach to public administration (Habermas) that puts the public aspirations are oriented to reaching consensus based on the information and

arguments that can be accepted, is the best mechanism to achieve public legitimacy for policy outcomes. Most importantly, legitimacy lies not in the fact that the majority consent has been obtained, but rather on the fact that the ways by taking it fair and equitable.



CHAPTER III

RESEARCH METHOD

A. Design of Research

This study used a qualitative approach. With this approach, are expected to provide understanding and in-depth explanations and details regarding the implementation of Malang City Regulation No. 15 of 2001 on EIA associated with the development process of UB Educational Hospital. In this qualitative approach the authors use case study strategy. Case study approach as an approach to study, explain, interpret a case in a natural context, without the intervention of outsiders (Baedhowi, 2001:48). Strategy through a case study, researchers sought to determine the existence of local regulations regarding its environmental policies, especially in the case of the issuance of the EIA as execution the development ongoing (sustainable development), as well as the role of the stakeholders involved in the process of publishing this EIA. Expected with this strategy, researchers may be easier to understand the problem in more depth research and thorough. Strategy selected case studies are instrumental case study, the researchers conducted a case study because the researchers wanted to examine a particular case to gain insight on an issue or as a supporter or an instrument to assist researchers in assessing the implementation of regulations in the area of business development and process/activity especially in terms of public participation as a determinant of policy itself.

B. Research Focuses

1. Describe the implementation of the EIA publication as an essential condition in setting up a business and/or activity:
 - a. The implementation of the issuance of EIA itself in terms of UB Educatioal Hospital construction planning;
 - b. The implementation by the stakaholers of UB Educatioal Hospital during the several processes.
2. Describe the urgency from the formation of a memorandum of agreement between the various parties involved in the establishment UB Educatioal Hospital according to regulation on Environmental Impact Assessment based on existing condition right now.
3. Analyze the best alternative recommendations in the formation of a memorandum of understanding (MoU) through a deliberative process to public administration based on the government interest, the people affected interest and also the proponent interest in order to create legitimate EIA of UB Educatioal Hospital.

C. Location and Site of Research

Study site is a place where researchers will conduct research, to determine the location of the study to consider whether the site in accordance with the problems that will be studied. Geography and practical limitations such as time, cost and effort also needs to be taken into consideration in determining the location of the study (Nazir, 2005:60).

Based on the various aspects of the study sites were established in Malang, while the board's determination of the location of the study are:

1. Malang is an area that allows researchers to examine, because Malang is the second largest city in East Java after Surabaya, which are rapidly doing development in three areas: industrial, property (residential, apartments), education and tourism, it is necessary for a sound policy environment to support the important pillars in the development sustainable.
2. Environment Agency (*Badan Lingkungan Hidup*) as the executive element of regional autonomy which the duties and functions directly related to the management and protection of the environment. As with the mandate contained in Malang UUPH including regulation No. 15 of 2001 on EIA, Environment Agency has an important role in the formulation, issuance and implementation of the business development process and/or activity in keeping sustainable development corridor.

While the site is the location of the actual research where researcher conduct studies to obtain valid data, accurate and really needed research. The research site in this study is the field of Governance and Documents, Environment Agency Malang is located at Jalan Simpang Mojopahit No. 1 Malang (65119), Tel. (0341) 366 385.

D. Types of Data

Data sources are sources concerning the provision of information in support of the research. In this study, the authors use the following data:

1. Primary Data

Primary data is data obtained directly from the source that is directly related to the object of study as well as the existing problems. Primary data obtained through interviews with the parties directly involved are:

- a. Head of Governance and Administration Section Document Environment Agency Malang;
- b. The Chairman of RW 12 Griya Shanta;
- c. UB Educational Hospital as the proponent.

2. Secondary Data

Secondary data is data that is acquired or indirectly collected by researchers from existing sources, to reinforce or support the primary data. Secondary data used in this study include EIA Document UB Educational Hospital and some of related regulation. This data can support and strengthen the primary data that have been obtained.

E. Data Collection Technique

Data collection is a systematic and standardized procedures to obtain the necessary data. Data or information can be retrieved directly from the source by the researcher or taken from documents that have been collected and compiled by the other party. Data collection techniques in this study using three ways, namely:

1. Interview is a conversation with a purpose. Conversation conducted by the two parties, namely the interviewer and the interviewee to ask questions that provide answers to a given question (Moleong, 2002).
2. Documentation is the collection of data from documents, archives or the internet in accordance with the problem under study.
3. Observation is the observation and recording of activities directly to the object of study in order to obtain actual data from the data source.

F. Instrument of Research

In qualitative research, the researcher is the main instrument, but after further research into clear focus, then it is likely to develop a simple research instrument, which is expected to complete the data and compared with the data that has been discovered through observation and interviews. Researchers will plunge himself into the field, both on the grand tour question, focused and selection stage, perform data collection, analysis, and make conclusions. So the instrument in this study are:

1. Researchers themselves, as the primary means of collecting data, carrying out observations, interviews on the data source and the object under study, as well as the data obtained from the documentation;
2. The list of questions submitted to the informer that the interview conducted by the researcher can remain focused and maintain relevance to the research problem;
3. Supporting devices such as notebooks and stationery to write to record what is heard, seen and experienced considered in the data collection in the field. And

possibly other supporting tools like a tape recorder in order to facilitate memory.

G. Data Analysis

Data analysis is an activity to organize, sort, categorize, give code or signs and categorized so it obtained a finding based on focus or issue to be answered. Data analysis is a very important part in the study, because of the analysis of this data will be obtained findings, both substantive and formal findings.

According to Nasution (1988), the analysis has been started since formulate and explain the problem, before plunging into the field, and continue until the writing of research results. However, in qualitative research, data analysis focused during the process in conjunction with field data collection (Sugiyono, 2010:245). Meanwhile, according to Bogdan and Biklen (1982), qualitative data analysis is the effort made by way of working with data, organizing data, sorted them into units that can be managed, analyze, look for and find patterns, discovering what is important and what can be told to others (Moleong, 2002:248).

Activity data analysis itself consists of four stages, including:

1. The Data Collection

The data collection activities conducted by a researcher to obtain valid data. Data collection was conducted through interviews with the parties related to this research, observation and documentation to the field.

2. Data Reduction

Data reduction is an activity that aims to sharpen, classify, dispose of the data deemed unnecessary, and organize data in a way such that it can be done or verification process of drawing conclusions.

3. Presentation of Data

Presentation of data that contains a set of structured information which gives the possibility of drawing conclusions or verification. By looking at the presentation of the data, we can understand what is happening and what to do.

4. Draw conclusions or Verification

Drawing conclusions or verification process is done loosely, but open and formulated in detail and rooted. Inference in qualitative research may be able to answer the problem formulation is formulated from the beginning, but maybe not. Because of problems and formulation issues in qualitative research is still tentative and will be developed after the research is in the field. For more details can be seen in the following figure:

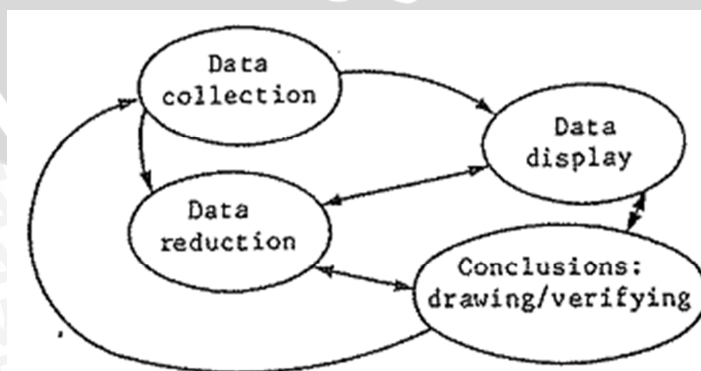


Figure 2 Components of Data Analysis (Interactive Model)

Source: Miles and Hubberman (1994:12)

From the description above, the presentation of the data and the writing of later researchers will refer to the points above, so expect the thesis to be made more directly in the process of writing. According to the research that already done by the researcher after along observation from primary and secondary datas, that can be conclude as table below:

Table 2 Presentation of Data

No.	The Datas	Source of Datas	Data Collection Technique	The Elaboration of Datas
1.	The description of Environment Agency Malang's duties, faunctions and working procedurs.	The Mayor of Malang Regulation No. 67 of 2008	Searching in internet source	Giving the descption baout the main duties of Environment Agency Malang especially which have related to the construction process of UB Eucational Hopital.
2.	Organizational structure of Environment Agency Malang	Certain document	Environment Agency Malang	Giving the real organizational structure to show up which section that have deep information about EIA Document of UB Educational Hospital.
3.	Population census result about the number of Malang city household growth in 201	Malang City in Figures	Malang City in Figures pdf (2011)	This datas used for comparison the need of UB Educational Hospital present as one of the health care facilities with the growth of resident in Malang itself.
4.	Environmental Impact Assessment (EIA)	EIA Document	From Environmental	From this documents, the researcher gathered several

	Document of UB Educational Hospital		Agency Malang	important information, such as: a. The main goal of UB Educational Hospital development itself; b. Study about the positive and negative impact from UB Educational Hospital construction; c. Information about some stages that should be done in the construction and also the operational processes in UB Educational Hospital; d. Study about the perception of many interest group related to the construction of UB Educational Hospital; e. MoU that have been formulated. f. The solventions that have been offered by the proponent to the people affected to minimize the negative impact.
5.	People affected perception about the UB Educational Hospital construction	The chairperson of RW 12 Griya Shanta Housing	Interview	Getting information deeply about the society perception about the construction and more to know the main reason why some of people agree and rest of them are disagree. Beside that, this interview process expected to find out about the efforts from the people affected to participate and what exactly the want from this construction activity.
6.	The proponent perception about the UB Educational Hospital construction	The proponent	Interview	Gathering all of information about the activity licensing requirements according to the regulation and also the efforts



				from the proponent to get permission or agrrement from te people affected to held the construction. Beside that to know more about the propnent expectation from the society according the cnstruction and the opreational phase of UB Educational Hospital.
7.	The government perception about the UB Educational Hospital construction	The Chairman of Environment Agency Malang and the Haead of Governance and Administration Section Documents Environment Agency Malang	Interview	Getting the information about the EIA document iteself and what is the lack process in term of construction phase. Collect the data from the document section which related to the construction phase and make a maping about the what is the government want from this activity and also what they already done to make-up all of interests in this construction. Beside that to know the perception about the solvency that have been offered in EIA itself.
8.	The Licensing Administration	The Office Lowokwaru District	Searching document	To know about the administration stage in construction activity that have been fulfilled by the proponent.

Source: Processed by author

CHAPTER IV

RESULTS AND DISCUSSION

A. Overview

1. Overview Malang

Malang is the second largest city in East Java after Surabaya, the city is also known as the city of education because of the many educational facilities available ranging from kindergarten level through college. This is certainly an impact on the amount of population growth in the city of Malang. According to the population census in 2010, Malang residents who recorded 820.243 people spread across five different districts, which are divided into 57 wards.

Based on the classification of the village's ability to build the region recorded the whole village into the category of Self Sembada village. This means that almost all the existing village government has been able to hold their own. Malang has an area of 110.06 km² which is divided into five districts, namely District of Kedungkandang, Sukun, Klojen, Blimbing and Lowokwaru. Malang climatic conditions during 2010 recorded average temperatures ranging between 23.2 ° C to 24.4 ° C and minimum temperature of 19.8 ° C.

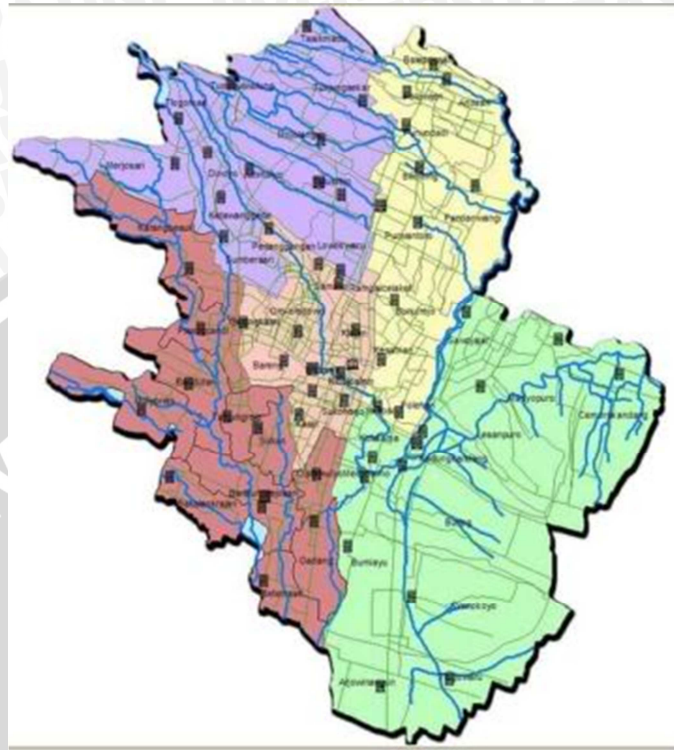


Figure 3 Map of Malang City
Source: Bapekko Malang, 2010

As is generally known Malang is one of the tourist destinations in East Java because of the potential possessed nature. It lies in the middle of Malang regency astronomically located between 112.06° - 112.07° east longitude and $7:06^{\circ}$ - $8:02^{\circ}$ south latitude with the following boundaries:

- a. North : The District Singosari and the District Karangploso, Malang;
- b. East : The District Pakis and the District Tumpang, Malang;
- c. South : The District Tajinan and the District Pakisaji, Malang;
- d. West : The District Wagir and the District Dau, Malang.

2. Preview Site Research

a. Environment Agency Malang

With the issuance of Law No. 22 Year 1999 on Regional Autonomy, as amended by Act No. 32 of 2004 on Regional Government, the more demanding areas to improve public services and the development of their respective regions are more independent, effective and efficient. This is certainly a challenge in itself for local govern their respective regions.

To achieve this Malang Government felt the need to further improve the performance of government in accordance with the demands of society in various fields in order to create a government organization that supports sustainable development program that promotes life balance three main pillars, namely economic, social and environmental. With the implementation of the decentralization policy in 2001 in which most of the authority delegated to the regional center, Malang Government felt the need for a review of the management of which has been or will be the authority. On the basis of the Government of Malang living environments management efforts, including in the issuance of building permits that have an impact to the surrounding community through the establishment of EIA as the main requirement.

Under regulations Malang Regional No. 6 of 2008 on Organization and Work of Regional Office, as well as the Mayor of Malang Regulation No. 67 Year 2008 concerning Description Main Duties, Functions and Working Procedures of the Environment Agency to set specific policies in managing the

environment and natural resources, then that being defined some basic tasks and functions of the Environment Agency Malang as described below.

- 1) Vision : The realization of the management, conservation and environmental damage control in Malang.
- 2) Missions :
 - a) Improving the performance of the role of government in environmental management efforts;
 - b) Improve control of natural resource use as well as recovery efforts reserves of natural resources;
 - c) Increasing awareness and public participation in environmental protection;
 - d) Increasing environmental pollution control efforts life.
- 3) Duties : As a Technical Institute which assists the mayor in carrying out environmental affairs life and duty of assistance in accordance with the regulations legislation.
- 4) Functions :
 - a) Technical policy formulation in the environmental field;
 - b) Preparation and implementation of the Strategic Plan (*Renstra*) and Work Plan (*Renja*) in the environmental field;

- c) Coordinating the preparation and evaluation of programs in the field of environmental impact control and conservation of natural resources;
- d) Coordinating and monitoring the implementation and monitoring in the field of environmental control and conservation natural resources;
- e) Field implementation of fee collection;
- f) Provision of technical considerations in the field of environmental permitting and natural resource management;
- g) Granting and revocation of licenses in the field of environmental and natural resource management;
- h) Implementation of environmental impact assessment;
- i) Empowerment of institutional capacity in the environment;
- j) Development of public awareness in the field of control the environment;
- k) Development of environmental information systems;
- l) Implementation of criminal investigations of environmental violations accordance with the provisions of laws and regulations;

- m) Public administration include programming, management, administration, finance, personnel, home ladders, fixtures, public relations, library, and archives;
- n) Implementation of Minimum Service Standards;
- o) Preparation and implementation of the Public Service Standards;
- p) Implementation of Community Satisfaction Index measurement facility (SME) and/or implementation of customer polls periodic which aims to improve quality of service;
- q) Management of public complaints in the environmental field and management of natural resources;
- r) Submission of outcomes data and other information related to the development of public services through the web site periodically Local Government;
- s) Implementation unit and functional positions;
- t) Empowerment and development of functional positions;
- u) Evaluating and reporting the implementation of the duties and functions;

- v) Execution of other duties assigned by the Mayor in accordance assignment and function.

5) Organizational Structure:

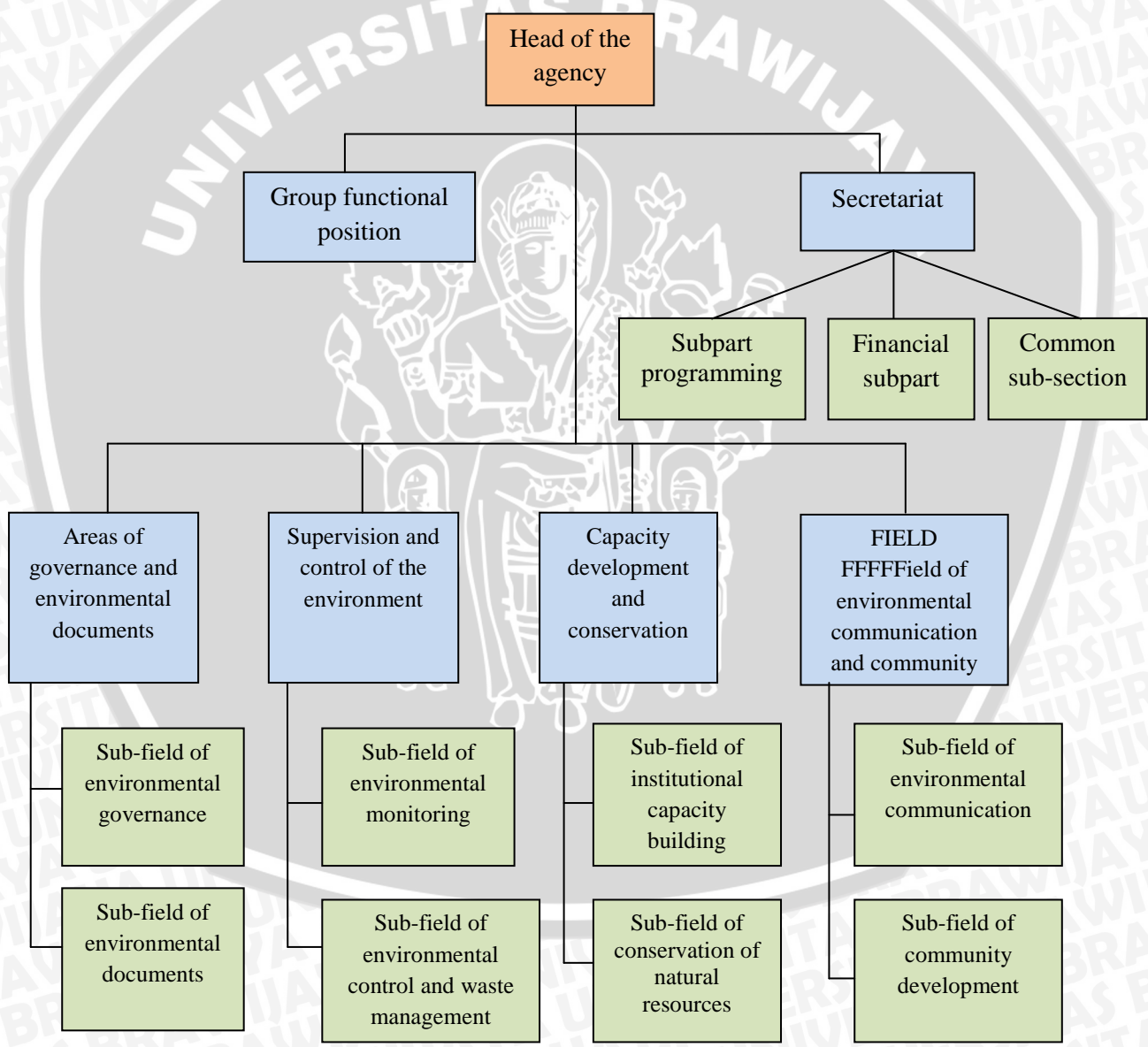


Figure 4 Organizational Structure Environment Agency Malang
Source: www.BLH-Malang.com

b. Brawijaya University Educational Hospital

Development activities Brawijaya University Educational Hospital (hereinafter state as UB Educational Hospital) is in border locations between the District Mojolangu and Jatimulyo, Lowokwaru. Land location site plans UB Educational Hospital in the territory of the Village administration Jatimulyo, Lowokwaru, with a total land area of 20,000 m². Land to be used for the planned project site and building area of 10,000 m², where the floor area of the building planned area of 7,300 m² and the rest is used for building and supporting utilities such as wastewater treatment, while the rest of the land area of about 10,000 m² is used as open space will be used for park, roads and public areas for jogging track. Location UB Educational Hospital is limited by (EIA documents UB Educational Hospital, 2011: 1):

- 1) West : Housing Puri and Griya Shanta Shanta Grand Executive;
- 2) North : Two-way access road Griya Shanta;
- 3) East : Road Soekarno Hatta;
- 4) West : Housing Griya Shanta Grand Executive.

In the course of this development, which includes three stages in between stages of pre-construction, construction stage and operation stage. In

the pre-construction phase which includes surveys, investigations, licensing, and publication and dissemination, will have an impact on the environmental component of the socio-economic and cultural concerns that the negative impact a community with the activities of the survey, investigation and licensing changes that will affect the perception and negative public attitudes related to the activities to be carried out.

Based on the results of an evaluation of the environmental components affected during construction activities are as follows (EIA documents UB Educational Hospital, 2011):

- 1) Potential negative impact on the small and important component of the geophysical environment, namely an increase in flooding/inundation hospital building activities and facilities that need to be managed.
- 2) Potential positive impact on the small and important components of the social environment, economic and cultural namely employment when labor recruitment activities that need to be developed.
- 3) Potential negative impact on the small and important components of the social environment, economic and cultural impact that traffic congestion of mobility activities, materials, equipment and labor that needs to be managed.

Based on the evaluation of the components of the affected environment during operations is as follows:

- 1) Potential significant negative impact on the geophysical environment components such as air pollution, soil pollution, water pollution and radioactive contamination that needs to be managed.
- 2) Potential significant positive impact on the environment component of social, economic and cultural namely employment, business opportunities, economic activity, support the community as well as the perceptions and attitudes of society that need to be developed.
- 3) Potential significant negative impact on the environment component of social, economic and cultural which are traffic congestion, social jealousy, environmental hygiene and public perceptions and attitudes that need to be managed.
- 4) Potential significant negative impact on the environment component of public health that is public health implications that need to be managed.
- 5) Potential significant positive impact on the environment component of public health is public health implications that need to be managed.

Based on the results of interviews with the UB Educational Hospital is recognized that there are various impacts of development Brawijaya University Hospital. Positive and negative impacts of this development has been described in the document EIA, Environmental Management Plan and Environmental Monitoring Plan of UB Educational Hospital. This is in accordance with what

is stated by the spokesperson from UB Educational Hospital on November 21st, 2013, which states in between as follows:

"Development of UB Educational Hospital has been ascertained can cause a variety of impacts, both positive and negative. At issue now is about the detrimental effects that would worry the citizens and it is already described in the EIA document along with several alternative solutions offered by experts in the field. For example, we take the problem of liquid medical waste to be managed in a wastewater treatment system with ADP (Advanced Oxidation Processess), assessed residents and environmentalists not an effective option for the present time. It has been described in the EIA chapter 2 pages 32-36. Or other problems such as lack of clarity in the description of the system and the location of the water supply around 210,000 liters/day which utilize ground water, the course we improve our capacity as an Environmental Management Plan document. However, on the other hand we also have to remember that the construction of this hospital has a good purpose in order to support health and education facilities in Malang. And is a common practice when there is impact or consequences that will be present in each of the measures taken, now it just how management efforts . "

Based on the results above, it can be concluded that of the initiator itself acknowledges and is fully aware of the impact of the construction of buildings Brawijaya University Hospital. In the EIA study and some supplementary documents have described the positive and negative impacts of the construction of the hospital building with the settlement offered some solutions to overcome the negative impacts arising during the construction activity of running. However, a major obstacle which in fact is how the business of the initiator in informing all existing impact on the development process and hospital operations to the affected residents. Because EIA is a study planned for the environment which is needed for decision-making, which

means that the policy implementation process did not stop when the EIA was completed.

Following up the results of the preparation of the EIA study recommendations, the construction of the UB Educational Hospital for the purposes of environmental management and monitoring later in the scope of UB Educational Hospital, it is necessary to set up a unit or agency implementing environmental management activities. This is necessary so that environmental management can be done in an integrated and sustainable by a unit/section management, which served to make the environmental management in the UB Educational Hospital. Implementation unit or part of environmental management is an integral part of the management of the Hospital managers of Brawijaya University with organizations such schemes below.

This organization is leading by the rector of Brawijaya University. All about management in UB Educational Hospital has been take care by the board of UB Educational Hospital with the certain structure that have the responsibilities in environmental management. This section being supported by three sections, such as installation section waste management, environmental pollution control section, and environmental management and monitoring. All of sections followed by small unit as an agent in technically.

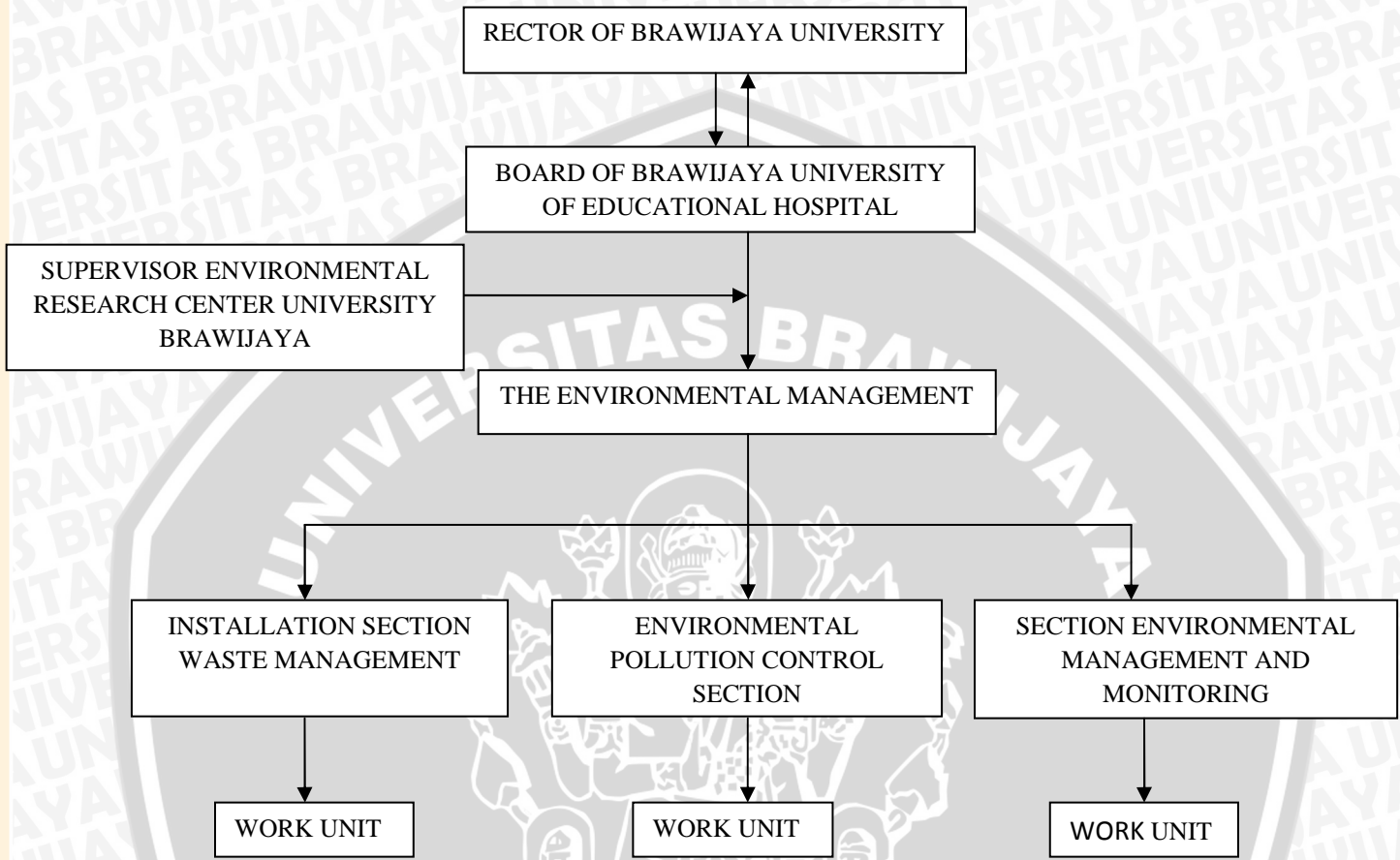


Figure 5 Scheme Implementation Unit Organization and Environment Management of the UB Educational Hospital

Sources: EIA documents of UB Educational Hospital 2011

B. Presentation of Data

1. Identification of Community Needs to Healthcare Facilities

Welfare of a society can be measured through one level of health. Public health will improve labor productivity, which in turn can support the general

development of both physical and spiritual. In order to achieve a good degree of public health, one of them is the availability of adequate health facilities in terms of both quality and quantity. Hospital as one of the health care facility holds an important role in the development of public health. The number of residents each day more and more demanding prime health services needed.

Table 3 Number of Households Population 2010 Population Census

Results

District	Households	Population		
		Male	Female	Total
Kedungkandang	43.666	86.849	87.628	174,477
Sukun	45.660	90.217	91.296	181.513
Klojen	28.213	50.451	55.456	105.907
Blimbing	43.588	85.420	86.913	172.333
Lowokwaru	59.304	91.616	94.397	186.013

Source: Malang City in Figures, 2011

Recorded based on the results of population census in 2010, as many as 820.243 residents of Malang people, made up of the male population as much as 404.533 lives and as many as 415.690 female population. Based on the results of

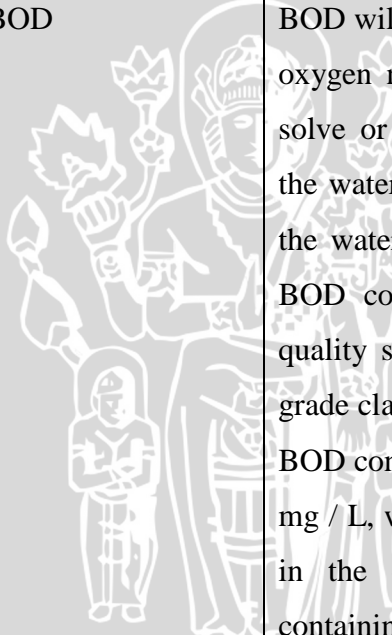
the population census, in the period 2000 - 2010 the average annual population growth rate is 0.80% (Malang City in Figures, 2011).

In accordance with the Decree of the Minister of Health of the Republic of Indonesia Number 983 of 1992, the main tasks of the hospital is implementing health efforts efficient and effective manner with the focus on supporting the healing and recovery are implemented in a harmonious and integrated with efforts to improve and implement prevention and referral efforts. Therefore, the construction of UB Educational Hospital is one of the concept of education and development of new business units within the scope of Brawijaya University, which aims to provide benefits in the development of health services for the efforts to improve community health status. But on the other hand, the construction of the UB Educational Hospital predicted impacts of pollution caused by the use of drugs, chemicals and environmental health conditions due to changes in the activity of hospital activities.

Table 4 Pollution Impacts Use of Drugs and Chemicals of Brawijaya University Hospital Activity

No.	Element	Description Indicator Elements	Effects
1.	Physics	Temperature	Temperature measurement is necessary because the water temperature will affect the solubility of oxygen in water.

			<p>This situation will directly affect the lives of organisms in the water besides temperature can also affect the activity of toxic substances in the water. The higher the temperature, the more toxic substances off so much harm.</p>
		Dissolved solids	<p>Total solids composed of dissolved solids and suspended solids in water or sewage. Total solids can affect water quality include flavor and can induce adverse physiological reactions in consumers.</p>
		Turbidity	<p>Clear water is needed to produce products of human consumption and industrial needs. Water turbidity due to suspended substances (organic and inorganic compounds), colored organic compounds, plankton and organisms mikroskopik.</p>
2.	Chemical	<p>Values of pH, acidity, and sanitation</p>	<p>Observations in the study area shows tend acid/base. This is caused by several compounds of acid /base in the water so if too acidic or base will disrupt the availability of certain nutrients and providing nutrients for microbial life and life in the water.</p>
		Dissolved oxygen	<p>From the observations of the study area, the value of dissolved oxygen in the</p>

			<p>water sampling locations on the surface of the good conditions (above 3 ppm) which enables fish life and other aquatic biota are still able to walk normally and naturally, but if the oxygen concentration is too low may result in process rusting sooner that can directly affect the availability of water in oxygen.</p>
		<p>BOD</p> 	<p>BOD will show the amount of dissolved oxygen needed by living organisms to solve or oxidize the waste material in the water. Observation of the results of the water sampling site shows that the BOD concentration is still below the quality standard that allowed the third grade class of water is equal to 6mg / L. BOD concentration figures showed 4.38 mg / L, which means that there is water in the catchment has not appeared containing organic matter.</p>

Source: Data compiled from the results of laboratory analysis and PPM BBTKL Surabaya 2009

2. Identification the Impact of UB Educational Hospital Development

In the implementation, the development of UB Educational Hospital must meet several aspects that should be considered include:



- a. Pay attention to the location of waste disposal;
- b. Technical constraints;
- c. The ability of soil and water quality;
- d. In accordance with the government program in the development of the region;
- e. Socially acceptable;
- f. Economic feasibility;
- g. Proper environment;
- h. Financial accountability;
- i. Urgent matters to be dealt with.

Construction of this project will bring undeniable side effect of a negative impact on the physical environment, chemical, biological, socio-economic, cultural and public health caused by the implementation of some components of the work. UB Educational Hospital construction activities include pre-construction, construction and operation phases. Based on the results of the scoping process, the impact of which is predicted to arise which will be reviewed at each stage of activity and will have an impact on the environment is as follows:

a. Pre-construction

1) Survey, Investigation and Licensing

a) Components of social, economic, and cultural

In the pre-construction done early kegiatn surveying, investigation and permitting an early stage in development planning UB Educational

Hospital. This activity is conducted to obtain the initial data used to determine a general overview and data collection activities for planning, measurement, determining the location and mounting stakes, survey and investigation in the form of drilling to determine the topography and geological conditions at the site development plan UB Educational Hospital and perform obtaining the necessary permits for construction activities in compliance with applicable regulations. Activity surveys, investigations and licensing predicted to pose a question mark and misunderstood form of resistance that would cause unrest in the community around the project site that will have an impact on the perceptions and attitudes towards development planning of UB Educational Hospital.

2) Publication and Dissemination

a) Components of the socio-economic environment, social and cultural

In the pre-construction activities are also conducted publikasai activities and socialization to the community in the vicinity of the area development plan UB Educational Hospital, which aims to provide insight and understanding and accommodating the aspirations and wishes of the people associated with the later development plan, especially the affected communities and beneficiaries with the construction of the hospital.

Based on Law No. 32 of 2009, has set in it regarding the procedures for the development and dissemination of information about the activities and/or business through advertising in print and electronic media. Such obligations must be met by the proponent to meet the demands of transparency in the public aspects. Based on the information submitted by the UB Educational Hospital, bulletin boards have been installed at the construction site of the UB Educational Hospital's building plans, it was stated by the proponent stating that it had informed the interested parties about the building plans the UB Educational Hospital in the area. Based on the interview on November 27th, 2013 by Brawijaya University party spokesman, described as follows:

"Provisions on the construction of information dissemination UB Educational Hospital has been made by the proponent, the Brawijaya University and the contractor, PT Nidya since early 2010. Dissemination of information is done through the installation of bulletin boards, government agencies through town to the lowest level such as villages and RW. "

The statement is justified by the Chairman of the Governance and Management Document Environment Agency Malang, which states that the development proponent UB Educational Hospital has put up signs about the development plans at the project site by first taking care of the completeness of the letter through the Building Permit effluent Lowokwaru, Environment Agency Malang, Malang Integrated Licensing Agency to then be forwarded to the Mayor of Malang. This is by justified

by the Environment Agency Malang. Based on extensive details given by the Chairman of the Governance and Administration Section Documents Environment Agency Malang on October 17th, 2013, the results of the interview are summarized as follows:

"Regarding permission on the notice board mounting hospital building has indeed been made by the Brawijaya university by first coordinating with the Environment Agency Malang. However, according to statutory provisions, the initiator also have an obligation to serve ads related to the construction of hospital information in print and electronic media, and it has not been met by the proponent."

Regarding the notice board regarding the installation of the Hospital building is also justified by the Chairman of RW 12 Griya Shanta on the results of the interview on October 16th, 2013, which is as follows:

"It is true that the construction of the posting has been installed since early 2010. So from that moment began to appear some similar action in the form of a rejection of the development of the residents. Rejection arises because the installation is done without the knowledge noticeboard RW 12. Residents wanted a simple fact, every process associated with the construction of hospitals, residents are also notified through me as Chairman of the RW. Hold also installed in the electronic media, so you can easily access it. But it was not done. The meeting was also conducted after the action of rejection, was officially held on November 1st 2013 a plenary meeting, which is regarded as the citizens very sluggish action of the initiator, reasonable if residents feel disappointed with the action as a form of rejection. Meetings and discussions with residents supposed to do from the beginning before installing the announcement, residents should be approached, consulted felt that residents participate given space, that from the beginning there has been definite openness residents also respond to reasonable and rational manner without having to march or perform frontal action. Any approach should not be arbitrary, to be seen as what people in the culture here, see how the

social economy, let's approach accordingly, so that people would know how to properly express their aspirations, so this form of communication and its approach is two-way, so balanced. "

Based on interviews of some of the above, it can be concluded that the activity initiator and/or businesses have obligations related publications and dissemination activities and/or businesses who want to set to all interested parties, including the public, particularly the societies affected. Publication must be conducted in accordance with the laws, while the socialization process should include the principle of participatory approach of all stakeholders on an ongoing basis. Related problems of socialization is also explained by the Chairman of the Environment Agency Malang based on the results of the interview on October 24th, 2013, as follows:

"That's the actual EIA obligations as mandated by Act 32 of 2009, like it or not these conditions must be met by the proponent. But unlike the socialization issue, the matter of choice. If the seven pioneer serious about what the EIA stated in all matters relating to the fulfillment of the existing value in the legislation, which is related to environmental management, must be met. Means that people should be fully involved from the beginning of the development process to run hospital operations, because the public is the main subject in the environment. As an example of the socialization, the EIA was made with the aim of assessing the impact of a large and important a business, then it should have all the information contained in it must be known by the public. Socialization can be done directly through meetings, discussions, direct dialogue, and so on. Indirectly can use social media or use the official web so that the public can access information anytime and anywhere. In terms of direct dialogue, the Environment Agency Malang can help facilitate the meetings can be held. With the gradual dialogue, so any changes that occur in the process of

building a hospital, the public can know, and can provide feedback, critiques and suggestions related to the construction of the hospital. "

Based on the results of these interviews, it can be concluded that the main problems associated with the construction of the UB Educational Hospital of the lack of good socialisation process carried out by the proponent in the development process UB Educational Hospital.

b. Construction Phase

1) Labor recruitment

a) Components of social, economic and cultural

Labor recruitment activities are predicted to 300 people will open up new employment opportunities and lower the unemployment rate to the surrounding community, especially for people in the vicinity of the development, which is the people in the region Mojolangu and Jatimulyo Village, Lowokwaru. Labor requirements for construction in accordance with the stages of the work, will be filled from the local workforce and labor migrants. For local labor primarily for residents and prioritized to residents in the two villages. Meeting the needs of the workforce in the physical construction activities include manual labor and expertise, both as a construction worker, supervisor or project as the project's security force.

This will open up new employment opportunities for the people who will have an impact on the unemployment rate in the vicinity of the project. However, the availability of employment will not be able to accommodate the number of unemployed is around the project, which is projected percentage of local workers only about $\frac{1}{4}$ of the needs of the construction labor will still be tailored to the needs and skills required. Recruitment process is not transparent and the proportion of workers absorbed from outside the region is greater than the local residents will lead to social unrest in the form of jealousy that would change the public perception of the UB Educational Hospital building plans.

2) Mobilty Materials, Equipment, and Labor

a) Components of the geophysical environment

At the time of construction, transport vehicles and vehicles transporting material heavy equipment will take place at a high enough intensity, where the removal of material by using a transport vehicle, equipment and labor would involve the number of vehicles in spite of relatively large take place in a short time.

Mobilization activities in the project vehicles, materials, equipment and labor will also lead dust levels, CO₂, NO₂, SO₂ and particulate matter in ambient air around the access road to the project site due to fumes and dust. Additionally, it will boost the noise of the engine sound of passing vehicles in the vicinity of the project.

b) Components of social, economic and cultural

Event mobility transport vehicle equipment, materials and labor will lead to an increase in traffic flow, especially in some particular way point on the road and street intersections that have service centers such as markets and settlement activities. The density of traffic is expected to cause traffic congestion, especially at peak hours on the condition of the main road. Access project vehicle will enter or exit the construction site of UB Educational Hospital predicted through Borobudur Road towards Soekarno-Hatta Road and Coklat Road or from Cengkeh Road.

3) Activity Basecamp

a) Components of social, economic and cultural

In the construction phase is predicted there will be approximately 300 labor who participated actively in the development of Brawijaya University Hospital. The workers will stay and do activities that could potentially result in domestic waste in basecamp are provided in the vicinity of the project. Domestic waste generated construction workers will have an impact in the form of a decrease in the level of cleanliness. At the base camp location construction workers will be an accumulation of domestic waste for physical construction of the building took place. To localize the impact on the environment so as not to spread around the need to build some sort of fence around the project site.

In addition to the impact the decrease in the level of cleanliness, activities at base camp will provide an opportunity for the business community around the project site to provide services to the construction workers in the fulfillment of daily needs, which will directly foster economic activity around the project such as stall/restaurants, shops and so on that will have an impact on the increase in revenue.

4) Construction of Hospital Buildings and Facilities

a) Components of the spatial environment

Development activities hospital buildings and facilities will lead to reduced green open space as a water catchment area. The loss of green open space will have an impact in the form of the direct runoff consisting of surface run off and interflow which will result in a significant impact of the emergence of a hypothetical inundation around the site even further can result in flooding if it rains intensive ongoing basis.

Based on the monitoring carried out by the Environment Agency Malang during the development process UB Educational Hospital building, process layout into a major problem that is difficult to look for alternative solutions, especially in the face of heavy traffic during the operation of the hospital activities optimally. According to the statement of the Chairman of Environment Agency Malang on December 12th, 2013, as follows:

"Based on the plenary meeting that has been done, we know that one of the most troubling development impact local residents is the congestion that inevitably arise either from the start of construction phase to the operational phase of the hospital. At the time of construction can still be circumvented by means pass the mobility of heavy equipment transporting material and labor at night to avoid congestion at rush hour. But the most difficult was looking for an alternative solution to reduce congestion at the time of hospital activity has begun to operate, which can certainly keep going for 24 hours straight. Given a path Soekarno Hatta road meeting many community activities, whether business, education, health, the matter would be set such that traffic congestion is inevitable. As already stipulated in the EIA regarding the determination of the peak season for the measurement of transport to reduce congestion, it seems to me difficult to be used as an alternative solution for the number of residents in that location alone is 600 head of the family, not to mention the added calculation that each family had one car and one motors. Or on the subject of U-turn in front of the Park Cultural Activities (*Taman Krida Budaya*) of the plan will be shifted to the south as far as 48meter, it obviously will not reduce traffic congestion. "

From interviews and observation of the results of the EIA document through UB Educational Hospital, that the solutions offered by the proponent in addressing congestion on the roads surrounding the Soekarno Hatta and yet effective enough to be applied. Existing congestion even before the construction of UB Educational Hospital, making the construction of this hospital should also think about how appropriate measures raise our congestion problems, and the growing risks to the forecast number of traffic accident in front of the building site UB Educational Hospital. This problem becomes a study that needs to be added in the EIA study UB Educational Hospital, because the solution is

included in the EIA document has not been able to provide the best alternative to solve traffic congestion and prevent the increasing number of traffic accidents around the area UB Educational Hospital.

b) Components of the geophysical environment

Dust, exhaust gas and noise generated when the building construction activities Brawijaya University Educational Hospital and its facilities, as well as vehicles and heavy equipment activity is predicted to have an impact of air pollution is predicted hypothetical impact arising during the construction of buildings and facilities. Indicator of air quality deterioration is increasing degrees of noise and the onset of dust and exhaust gases from vehicles that perform excessive activity within the project site. Dust and exhaust emissions will spread out the construction project site if the location is not equipped with a fence and buffer zone cover sufficient.

The implementation of construction of Brawijaya University Educational Hospital and its facilities, also raises the vibration caused by heavy vehicles passing in and around the project site as a result of the installation of pile foundations of buildings and facilities. Potential impacts that will arise from the occurrence of the vibration is the occurrence of cracks or damage to adjacent buildings on a building site Brawijaya University Educational Hospital.

c) **The components of the biological environment**

Construction of hospital buildings and facilities will change the open area into land up, it has the potential to disturb wildlife populations that exist at a building site due to the changing function of the area which was originally a natural habitat. Loss of function of the original land open land that still supports the development of vegetation that can be used for wildlife habitat as a variety of birds and reptiles will affect the reduction in the population of animals living in the project site so that they will move and migrate to the site of the support to be used as a habitat for life. The reduced area is expected to open the charter hypothetical impact on terrestrial vegetation in the form of tree loss due to land up UB Educational Hospital.

c. **Operation Phase**

1) **Labor recruitmen**

a) **Components of social, economic and cultural**

Various activities will be implemented over the operational Brawijaya University Educational Hospital, among them service of health, education and research activities and commercial activities and services. With a wide range of activities there will certainly require medical personnel (doctors) and non-medical personnel (staff/employees and nurses) in relatively large amounts. For the initial activities undertaken prior to the operation of the hospital is doing recruitment that weighs quite

a lot of labor, but requires special qualifications and expertise in the health field is filled in part of the UB Educational Hospital and the remainder with a recruit. All qualified technical and administrative, local residents will be given priority to be recruited as workers, both part of the formal workforce (doctors and other medical personnel) who require special skills or qualifications and is also part of operational support personnel, such as janitors, parking attendants and so on so as to further empower urban residents Jatimulyo and Mojolangu, Lowokwaru.

Demands on the acceptance of local people is crucial points demanded by various parties to be included in the memorandum of understanding. Party proponent must meet these demands as a form of responsibility for the statements contained in the EIA document which states that the construction of UB Educational Hospital will bring positive impact on the opening of the preferred jobs for local people who have qualifications in accordance with the requirements. Demands to include labor recruitment appointments points emerged due to the disappointment of the experience have ever encountered with the apartment tower Soekrano Hatta. As explained by the Head of Governance and Administartion Section Document Environment Agency Malang on interview date October 17th, 2013, which is as follows:

"Discussion of opening employment opportunities for local people to be one of the most long discussed agenda of the plenary meeting on 1 November 2013. Because the provisions of employee

qualifications need not be described in the EIA and Environmental Management Plan, also not included in the MoU. This has become a sensitive issue given the promise of this kind of recruitment is also done by the proponent Soekarno Hatta Tower apartment building. As presented in the discussion session EIA Tower Apartments Soekarno Hatta, 70% of local residents are construction workers. However, no one who drafted into labor on the project, despite the official application collectively sent by the Chairman of the RW and the local headman known. The chairman of the local municipality RW urged Hospital UB really realize its promise, moreover, requires the proponent to incorporate priority points for the jobs of local people in the MoU. "

2) The utilization buildings and facilities

a) Components of the geophysical environment

Basically the impact of the utilization of buildings and facilities are not much different from when the construction process is executed. However, when entering the operational phase, there are some larger predicted impact is primarily concerned with the use of chemicals and waste that has been turned into a hospital activity. It is certainly bad for the level of hygiene and environmental health as well UB Educational Hospital. Many diagnostic chemical element, which is expected to be used in hospital operations could adversely affect our environment clean and healthy surrounding buildings such as hospitals among them:

(1) Heavy metals

Heavy metals and harmful (Mercury, Lead, Cadmium, chromium), which is based on the observation may lead to water pollution. These metals can accumulate in the body of an

organism and to remain in it long-term become a poison that accumulates in the body of an organism.

(2) Oil and fat content

The possibility of oil and fat content in the operations of the hospital if its content exceeds the allowable standards in waters will lead to disruption of light penetration and oxygen so as to inhibit the growth of aquatic biota and aquatic plants.

(3) Detergent

Residual detergent is petroleum refining that added various chemicals. These chemicals include silicate, fragrance materials, dyes and Alkyl Benzene Sulfonate and phosphate to produce foam material. Scientific research Alkyl Benzene Sulfonate found that result in adverse effects on the environment. Because of these substances is very difficult to decompose by microorganisms. Waste generated by the detergent to be very dangerous and can damage the environment. However, further research proves Linear Alkyl Sulfonate could also threaten the environment when used in the long term. Based on the data obtained proved that to parse Linear Alkyl Sulfonate substance it takes 90 days. Even worse only 50% of that material can be decomposed by microorganisms.

3. Identification Process Achievement Agreement

a. Public hearing process

On Wednesday, November 1st, 2011 has held hearings EIA Malang Audit Commission in the framework of the discussion of the development activities of UB Educational Hospital in Soekarno Hatta Road, Village Jatimulyo, Lowokwaru, Malang. In the trial, the trial participants to provide suggestions and feedback on them as follows:

Table 5 Written Part Result of Appraisers Commission Meeting EIA
UB Educational Hospital

No.	Page	Suggestions & Feedback
A	Headman of RW 04 Village Jatimulyo	
1.		The use of clean water with ground water utilization in order to really run well, with due regard to the needs of clean water for local residents.
2.		As outlined in the discussion session EIA Soekarno Hatta apartments, 70% of residents are construction workers, and yet no one is drafted into labor on the project, despite the official cover collectively sent by the local headman.
B	Environmental Community Social Institutions (Environmental NGO)	
1.		Document EIA and Environmental Management Plan is still too general and management-related explanations benchmark mechanism, the volume, the amount used.
C.	Head of Environmental Agency Malang City	

1.		At the time of implementation of the monitoring and evaluation by the City Government of Malang will involve representatives of NGOs and the public.
2.		MoU between the community and the rector should be included in the plan of environmental management.
D. Chairman of Mojolangu Village		
1.		Given the potential and the risk of traffic accidents at that location, please give warning lights in and out of the project site.
2.		Parking management not to use the highway.
E. Department of Transportation		
1.		Median closure plan in front of the hospital needs to be calculated carefully so that it can adequately for activities in the U-turn maneuver for Griya Shanta and Hospital UB but not add to the numbers. But to anticipate emergencies that open access in front UB Educational Hospital.

Source: EIA Document of UB Educational Hospital, 2011

b. Memorandum of Understanding

As a form of agreement that exists between the various parties, namely the proponents with the affected residents it was agreed a few points of agreement, which includes:

- 1) Provide services inspection on the cheap for RW 12 Griya Shanta Block B, C, D, K, L, in the form of a reduced fee class I (VIP) by 10%, 30% class II, and class III amounting to 70 % of the cost of room and care.

- 2) Provide ease of service for residents of RW 12 Griya Shanta health insurance card holders civil servants and/or retired, the poor health insurance and/or other health insurance.
- 3) Provide facilities in health services for the people of RW 12 Griya Shanta and provide emergency medical relief and treatment of certain diseases.

This agreement that stated Memorandum of Understanding in UB Educational Hospital clearly pointing some promises as a form of responsibilities from the proponent to give feedback to society in order to get fully support in construction process. But, for society point of view this agreement didn't fully representing their demand in the construction process. The whole poin in this MoU only stated that proponent offering to facilitate health service to affected resident in RW 12 Griya Shanta. In the other hand, the people affected expect some point that did not including yet as part of agreement, such as the promise from the proponent to recruit the qualified people from the affected resident. And also, affected people forced the proponent to make the explanation in detail about their action to protect and manage the environment in order to prevent the damage caused by the construction and operational process of UB Educational Hospital. So that's why the people affected assume that this agreement couldn't reperesent their expectation, firstly, from the values of this costruction that stands to provide facility to support a better standard of life quality and also education development. Secondly, how the environmental

impact assessment can maintain public aspiration as the main pillar of sustainable development which is in this case has been questioned. It has the environmental impact assessment can be exist as one of democratic and legitimate product or just being one of expert product which is never touch the values of democratic itself.

C. Discussion

1. Identification of Environmental Policy Implementation

a. Identification Formulation EIA

Towards sustainable development, as well as the definition of sustainable development itself, as development that meets the needs of the present without compromising the ability of future generations to meet their needs. In other words, sustainable development is a wise use of resources so that resources are not depleted and can be enjoyed by children and grandchildren. Sustainable development combines two science that is considered contrary to the economics and ecology, so was born a new discipline, namely Ecological Economics (Costanza in Wiryono, 2011). In order to achieve sustainable development, government officials, employers and the general public must first establish a long-term perspective and holistic. Therefore, in order to pay attention to environmental problems in Indonesia, that has been designed legislation that has the primary goal to protect the environment as a key pillar of human life in addition to the economic and

social pillars. To achieve these objectives required implementation strategy, of which there are five things to consider, namely the aspect of equity, participation, diversity and integration of the ideal long-term perspective.

In an effort to fulfill the fifth aspect of the policies required a design that is oriented towards the participation of all parties. To ensure all human activities from all areas are well integrated in realizing sustainable development it is necessary to form a governing policy each activities that are expected to have an impact on the wider public through fixed procedures prepared and passed environmental assessment documents there in contained Environmental Impact Assessment.

In an effort to strengthen its position as the center of attention in human development, the government has an obligation to manage the environment in a policy formulation. On the basis of compliance with environmental management standards will be established Law Number 32 of 2009 on the Protection and Management of the Environment. In it contained document management policies, called EIA, which is an important study on the impact of a business and/or planned activities on the environment necessary for the process in taking decisions regarding business and/or activity. To meet participatory aspect in it, in the process of publishing an EIA must be with feedback and perceptions of business plans and/or activities. EIA documents as referred to in Article 22 of Law Number 32 of 2009, compiled by the initiative by involving the community. Community participation should be based on the

principle of transparent and complete information and be notified before. Even further set out in Article 26 paragraph (4) that the public can file objections to the EIA document. To meet participatory aspect in it, in the process of publishing an EIA must be with feedback and perceptions of business plans and /or activities. EIA documents as referred to in Article 22 of Law Number 32 of 2009, compiled by the initiative by involving the community. Community participation should be based on the principle of transparent and complete information and be notified before. Even further set out in Article 26 paragraph (4) that the public can file objections to the EIA document.

Based on the explanation given by the Chairman of the Governance and Administration Section Document Environment Agency Malang, in approving the EIA document, the proponent must fulfill conditions listed in the administration of Mayor of Malang Number 16 in 2009, as was their mandatory provisions of socialization to the community as evidenced by the news event. News event in question is a written proof has been holding meetings as a form of socialization on the development plan UB Educational Hospital. Socialization should be attended by representatives of UB Educational Hospital as the proponent, the village and the local district, representatives of the community, and representatives from the Environment Agency, as well as representatives of the owners of the land and/or buildings which coincide with the construction site.

According to the Chairman of the Governance and Administration Section Document Environment Agency Malang, socialization have done dated November 1st 2011 the commission meeting agenda appraiser EIA and submission of suggestions, comments, or criticisms of the development process UB Educational Hospital. Besides the fact that UB Educational Hospital has made the process of socialization to the community, the proponent also has fulfilled the complete document as a requirement to obtain authorization document administration in environmental studies, so that the development process can be implemented hospital.

In this scheme below that will explained the stages to formuate Environmental Impact Assessment. In the flow explained that before the EIA document shall be issued through several stages. The first stage of the EIA judgment examined by the Audit Commission Secretariat and then researched and reviewed by the Technical Team. In the submission of the draft Terms of Reference for the EIA, the proponent must include the required documents such as a letter of approval, the questionnaire and the results of the consultation, as well as the result of socialization. In this stage the proponent must include societies participation and obtain consent from affected communities as a whole.



Figure 6 Legalization EIA procedure

Sources: Major Regulation No. 16 Year 2009 of Malang City

Once the assessment is completed, the Commission session held by the Audit Commission to assess whether the EIA agreed or not. If approved, it can be forwarded to prepare EIA and Environmental Management Plan for later re-assessed by the Audit Commission. Then the Commission Meeting held to assess and decide whether an EIA document deserves to be published or not. UB Educational Parties as proponent has complied with all the necessary fittings to get a letter of eligibility approval of EIA documents so that construction activities can be carried out.

Socializing with the minutes as written evidence, the proponent has the right position to continue the development process UB Educational Hospital. However, the existence of the minutes could not be used as the only amplifier in gaining legitimacy in truth of the affected communities. This can be seen by the persistence of the action of the surrounding communities that reject the construction site development continued UB Educational Hospital. This indicates that the presence of UB Educational Hospital development could not be fully accepted by society, especially the affected communities. This rejection is shown by the community by organizing various actions in front of UB Educational Hospital and also put up billboards as a public statement affected the sustainability of the development process of UB Educational Hospital in their environment. It is in harmony with the evidence given by

people around the rejection or cons that still adorn the building the UB Educational Hospital, especially considering that the land used to build an open space used as an open space in the form field that is normally used to work out by the citizens of Griya Shanta. Open space also serves as a county water seepage that can reduce the possibility of flooding around the housing Griya Shanta especially during high intensity rainfall occurred in the city of Malang. Especially considering getting at least regional water seepage around the area of Soekarno Hatta Road, making removal function of open space in the form of open space is a hospital building is quite disturbing local residents.



Source: www.radarmalang.com



Figure 7 Rejection of the development activities in UB Educational Hospital
Source: personal document

b. Identifying Role of Stakeholders in the EIA Publishing

Reflecting on the opinion of Yakin (2004:26) on the terms desired in sustainable development, it must be clearly understood by the various stakeholders to understand their rights and obligations in order to function well. The main requirement that must be considered in making policies that support sustainable development creating a development that is loaded with a value, in the sense that it must be oriented to achieve ecological, social and economic. Based on the issues raised, namely the refusal of UB Educational Hospital by the affected communities, it can be seen that the presence of policies in environmental management could not be done well. The formation of legislation certainly has a value to be achieved in practice, but unfortunately it does not become a guide in formulating a policy. Just as in the formulation of

policy and the management of environmental protection whose want development that requires the qualitative growth of each individual community, was evident not be implemented either in accordance with the basic values of the birth of regulations and policies related.

An obvious example, the construction of UB Educational Hospital if the terms of the regulations it is clear that the proponent meets all the requirements in the administration of the EIA approval process. But from the aspect of value, construction UB Educational Hospital could not fulfill. Reality on the ground, with a contra attitude of rejection towards the construction of UB Educational Hospital proved that the existence of EIA as a product of the experts is not yet able to accommodate the aspirations and needs of the community as a whole.

1) The Role of Community

To analyze clearly the role of stakeholders in the implementation of development UB Educational Hospital, then have a breakdown of the rights and obligations of each of the relevant parties, either public or the proponent and local governments. In the making of regulations, for example, the public has a right of participation through public hearings or dialogue process in the preparation of laws and administrative regulations. To meet the public rights in an EIA, then being created principles as follows:

- a) Before the EIA compiled, must be announced to the public on the activities of the plan;

- b) The announcement made by the responsible government agency;
- c) Publication of the action plan does not contain the results / impact of the activity, the type and volume of waste generated and its handling systems, and a variety of possible impacts;
- d) Within a period of thirty (30) days after the action plan was announced, members of the community are entitled to advice, in response to the action plan. These suggestions should be submitted in writing for documentation purposes;
- e) Public opinion shall be considered and assessed in the EIA;
- f) Public opinion should be reflected in the preparation of the EIA;
- g) All EIA documents, advice, opinion, community feedback, review commission, and environmental feasibility of the decision, must be open to the public.

Based on information provided by the Environment Agency, the proponent has conducted various forms of socialization such notification UB Educational Hospital building plans on the site by posting the notice board in front of the project site footprint. It was agreed with the statement from people Griya Shanta says that billboard was installed at the project site development. In addition to the announcement board assembly, there are other forms of publication in the case of development activities and / or work order that is known to the wider community notification through the media at least in the mass media the local level (district/city). The extensive

development of UB Educational Hospital is not done through the media, and it is certainly contrary to the principles of transparency to all forms of information that should be known to the public.

In addition to the rights of society to be met, there are also a number of obligations that must be met by the community as does the obligation to provide information to the government and even now these people claimed to find information on the programs or government policy. According to the plea people Griya Shanta they have sought information about the development of the hospital, but he admitted that the information provided to people is not complete as the information about the environmental impacts in detail for an extended period if the hospital has been operating optimally. Plus, people feel there is no effort on the part of the proponent significantly after holding a public hearing. Residents Griya Shanta also coordinate with the Community Social Institutions to bridge the interests of the public to be conveyed to the proponent and the government also Malang.

2) The Role of Government

State power in the utilization and management of the environment can be realized through policy and regulation in the field of community development, implementing a permit system for controlling environmental functions, implement a system of environmental quality standards, and create a system of spatial or environmental impact statement for the prevention, respectively, regulate disputes over environmental issues,

enforce the implementation of environmental laws, and so on. As one of the affairs of the local government, through the Minister of Environment Regulation No. 11 of 2006, the local government is obliged to organize a number of functions, including:

- a) Assessment and preparation of national technical policy in the field of control of environmental impacts in the region;
- b) Determination of technical policy in the field of control of environmental impacts are determined at the discretion of the president general and the Minister of the Environment and the legislation in force;
- c) To coordinate activities in the implementation of the city government's task in particular the Environment Agency;
- d) Monitoring, providing guidance and building on the activities of government agencies and the community in the field of operation of the environmental impact;
- e) The implementation of monitoring, rule of law and the development of EIA;
- f) Development of information systems and information services to the public;
- g) The development of a means of handling the environmental impact;
- h) Supervision in order to conduct environmental impact.

Environment Agency as a representative of the mayor must be act as the mediator between the interests of society and the interests of the proponent. Environment Agency must carry out its role as a mediator in the process of developing appropriate monitoring sustainability of existing policies. Based on the evidence of Governance and Administration Section Document Environment Agency Malang, they have done the mediation to hold a public hearing on November 1st, 2011. In addition to holding a public hearing as part of efforts aspirations of citizens, Environment Agency Malang also made a suggestion box placed at the UB Educational Hospital and also at the head of RW 12 Griya Shanta Housing to more deeply know the public perception of the hospital building. However, it is recognized by Chairman of the Governance and Administration Section Document Environment Agency Malang, it is less effective because at least the running citizen who know about it. Unlike the case that the Chairman of RW 12 Griya Shanta Housing saying that the ineffectiveness of the suggestion box programs because people are reluctant to express in writing their responses. People are more enthusiastic about the responses through direct mediation in a forum discussion with the proponent. Party Environment Agency Malang function which has the main task of managing the environment, in matters relating to the construction of the UB Educational Hospital have the task of facilitating and even claimed to be the initiator of the continuity of the

process of discursive dialogue in a forum that brought together various interest groups within it.

3) The role of proponent

In addition to conducting research in order to publish the environmental assessment for the construction of the UB Educational Hospital, the proponent also have some obligations that must be met, both in the process of fulfillment of administrative requirements, as well as a moral obligation to carry out the function of organizing the construction of a hospital in the corresponding values of sustainable development. Such obligations include:

- a) Review and compilation of technical procedures in order to control the environmental impact;
- b) Coordination of functional activity in the implementation of development;
- c) The implementation and operation of environmental damage and/or pollution control and restoration of quality of life;
- d) Implementing information systems and information services to the public.

One of the delays in the development process of Brawijaya University Educational Hospital because there are problems in part the consent of the affected residents. Refusal is motivated by the proponent in the less intensive approached the affected communities. Of the various processes of

development, socialization publicly performed during physical development has been implementing, this is what makes people demanding the dismissal of the construction until absolutely no discussion and deliberation to all affected residents agree with such development. Societies affected by the desire of each stage in the development process, from pre-construction, construction phase, until the operation phase, the initiator still hold a dialogue or a public hearing involving the public, especially residents of RW 12 Griya Shanta Housing. Desire is considered very reasonable, considering every stage of development must have a difference and certainly there is a change in it so it is expected to cause different effects in terms of both quality and quantity, and is exactly what desired rights of affected residents, the delivery of any changes in the information development process and its impact is transparent to the public.

From the above, it can be seen that the initiator efforts in conveying information to the public still unwell. For approval and support from the community on the implementation of development activities and/or businesses, need good information management. The management of information is important for all parties, especially the public, because of the presence of information flow, decision-making system will be more perfect, especially concerning aspects of environmental management.

Giving the right information is a prerequisite for public participation in the decision making process, namely (Siahaan, 2004:218):

- a) As it relates to information, the public has a right to express an opinion in accordance with their interests (eg in an activity plan or granting permission to carry out activities, people may reject it because it will damage the environment, accept with certain conditions, and even act as an advocate if the activity is deemed positive);
- b) Public participation can contribute to environmental management;
- c) People can understand what the obligations of an environmental management;
- d) In the EIA systems in particular, the principle of true and accurate information to the public is an absolute requirement, which is to further the public can determine its attitude to plan activities.

2. Urgency Formulation Memorandum of Understanding

a. Identification of Formation Processes MoU Brawijaya University Educational Hospital

It takes at least legal and ethical and moral principles to appreciate the nature and degree of the chains of the environment as a component of human life. Therefore, a natural component degraded will also take effect on the human component. And blowing ash coming from the neighbors who do not look after the environment/yard around the house is not just about himself, but

also other neighbors. For this example, any neighbor or settler somewhere must continually develop procedures surrounding their homes.

Follow-up of these systems requires legal ownership arrangement. Similarly to the systems of other rights, especially on the asset or parts that have the properties of a functional correlation. That is, assets which bring benefit to the common life. The nature of this functional correlation starts from the intrinsic ecological deny or at least reduce the absolute owner or holder of any rights, particularly the components that contain the link other people's lives.

Memorandum of understanding contains the agreement of both parties who promised to carry out the terms proposed by each of the negotiating parties to Educational reach agreement. In the development process of Brawijaya University Hospital, the formation of the MoU is considered important by the proponent and affected residents counter that attitude of the community towards the construction of a hospital building in their neighborhood, which certainly brings negataif impact on the environment for long periods of penjang. Therefore, it is natural that residents of RW 12 Griya Shanta propose a condition to their approval for the construction of a hospital building on an area of open space in their neighborhood.

The existence of the MoU itself has an objective to balance or harmonize the various interests, especially the interests of society and the interests of the proponent in order to avoid social inequality, where there is the

much better off than others. Looking at the various impacts estimated to occur in the development process and the process of hospital operations, affected societies ask about the requirements for environmental management in order to guarantee their environment is not polluted by development activities. The next requirement is included in the deal points are the initiators promising labor recruitment process priority for societies affected and also the guarantee of health facilities cost reduction and cost reduction in the number of hospitalizations different for each class.

The deal has been set, but residents still have not seen affected by the realization of the initiators of the points of agreement recruitment priority for the societies affected. Plus points of agreement to prioritize citizens in labor recruitment for hospitals not included in the EIA and does not have the qualifications to be clear about the requirements of employees needed to meet the standards. So is the realization of the promise of environmental management are not included in the deal points also lead to permanent residents to be counter to the construction of the hospital building. Can be concluded, that the establishment of a Memorandum of Understanding as an early achievement of the agreement which is the beginning of the creation of community support, especially societies affected by the construction of hospitals, walk not according as the objectives to be achieved.

b. Policy Termination

Reflecting on the process of formation of a deal that still leaves the problem, raised a question regarding the process of formulation of the deal itself. Constraint causes the stronger rejection of affected residents led to delays in the construction of the UB Educational Hospital of, it can be seen from the physical construction of the building process is not completed until the year 2014 since the start of construction in 2011. From the three existing buildings, only one new building that operates with the service of the public poly and some poly specialists.

The cessation of construction of the building process for a while cause termination on the implementation of existing policies. Policy termination may occur if the two organizations with different interests are at the legal framework and policies are the same and have to negotiate with each other to achieve the goals of either party. Cessation of the development process is UB Educational Hospital one of the conditions in which the cessation of a policy due to licensing issues from the public stumble. At the stage where policy should collide with the interests of the organization that led to the policy process itself stalled, in the end must meet the conditions in which the relevant stakeholders have to choose to remain on the existing status quo or continue the policy process with a variety of changes that must be cultivated.

Basically, termination often involves changing ideologies. Successful termination is often the result of a change in the application of certain

principles, or assumptions, about what service are appropriate for government to sponsor or how these services should be delivered. Because ideologies can be neither proved nor disapproved, the application of ideology to the continued existence of a program doesn't involved issues of performance, effectiveness, cost, or economies. Instead, termination in this case is conducted on the basis of a change of principle.

Seeing the condition of the physical plant UB Educational Hospital is nearing completion and also look at the operation of the activities in it, then it becomes difficult to stop the development process to permanently, in other words it is impossible to cancel the construction of the hospital, then the status quo available the continued development of existing without any changes to existing policies. The other possibility, it will end up on the option to make changes to the policy in order to continue the policy process that has been stalled.

The status quo is the policy termination in the case of the construction of the UB Educational Hospital which acts continue development without making changes. This means that there should be no change in the plan, including changes to public demands set out in the Memorandum of Understanding. But if the choice made is to make changes after the termination it must be done some reshuffle in fixing the policy that has been running, including even a change in the approach to the people affected, even if the necessary changes to the content of the agreement.

In this case, clearly stated that the termination of programs, policies, and organizations takes place within the constraints of democratic values such as citizen participation and political representation. For the process of construction and operational of UB Educational Hospital as an implementation of a policy, that would be secure if the organizations and policies try to adapt to changing environments and unsure their survival. From this explanation, that will be included the scheme of policy termination process that happened nowadays with the choices to keep the status quo without any changes in policy or try to make changeable policy and try to adapt with the environment by being tolerance with the society demand to fulfill the democratic values which is the main goals from the environmental impact assessment.

Seeing along journey which have been trough by UB Educational Hospital, then the option to keep the condition of status quo is not a wise choice. Especially considering how the public perception of the development process. Communities are well aware the the construction of the hospital is not only have a positive impact to reach the health care, but also have negative impacts in the long term to their neighbourhoods. Good quality of life may be avhieved only with good quality and harmonious environment, and it can only be achieved if people want to show their support for the development process.

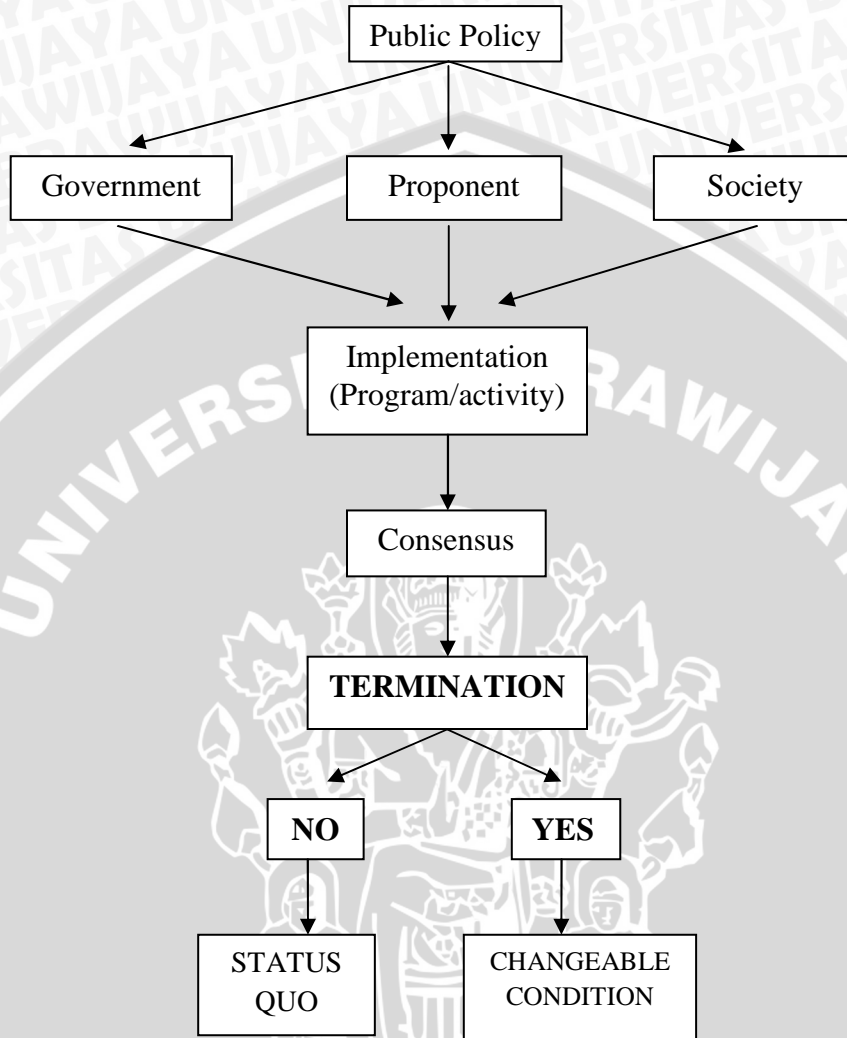


Figure 8 Scheme of Policy Termination

Source: Processed by author

3. Alternative models of deliberative Policy in the Formation of the MoU

Deliberative model of argumentative which is known as a model of policy formulation involving the arguments of the various parties of the formulation. Because deliberative etymologically derived from the word meaning deliberatio

consultation or to weigh, so the model of deliberative democracy has focused on consensus or through public issues that were examined through discourse or public consultation, so as to have a strong legal legitimacy in the realm of civil society dynamics between various parties stakeholders on equal terms.

As Diego Gambetta expressed the interpret deliberation as a method to reach a collective decision. While Habermas states that in acting and communicating, each individual needs to be in a position deliberative. Position deliberative make someone see the actions of others, such as our actions, as actions are guided by certain norms. Deliberative policy perspective both in the formulation and establishment of a Memorandum of Understanding seeks to increase the intensity of people's participation in shaping the aspirations of the opinion that the policies generated by the party making the request can be accepted and adhered to by the parties approval. The mechanism offered by deliberative democracy in making decisions is the direct participation by citizens, not through voting or representation as is done in a liberal democracy, but with dialogue, deliberation and consensus mechanisms. The memorandum of understanding in the eyes of deeply deliberative emphasize participation and equality between citizens in public debate or dialogue, so any public agreement will involve all elements of society and policy products also desired development programs will be in line with the awareness of the community itself.

Looking at the phenomenon that occurs in the development process Brawijaya University Educational Hospital, who suffered termination policy, it

would be prudent if assessed through a phenomenological approach that reinforces basic change in the status quo that exists today. In the phenomenological approach described in the book Wahab, that since the development of democracy in Indonesia, we need to see the various reactions that had arisen in the form of discontent which led to the use of scientific methods, including the EIA approval process. This approach confirms, policy analysts need respect for their intelligent use of intuition, which is generally obtained by a person through long experience, and therefore can not be underestimated by the use of models, hypotheses, quantification, data and the like. Therefore be important in formulating a policy to put an understanding with the hypothesis that walking, instead of a rigid predictions with the hypothesis that at any moment ready to be tested. Additionally, emphasized the need for mutual interaction (deliberative/dialogue) between analysts and policy-makers that the object of policy implementation, not a one-way observation and dominated by policy makers (analyst). In short, the termination process in the development of UB Educational Hospital, required a change in approach by replacing the focus on rigid scientific way, with a total of intuition and social involvement in obtaining relevant information in order to reach an agreement with the community.

EIA as a product of environmental management policy which is the design of the experts already have to make a change, especially concerning the licensing aspect of the affected residents. In Malang Mayor Regulation No. 16 Year 2009 on the System and Standard Operating Procedure Document Legalization

arranging and Environmental Studies, has been arranged that the licensing documents obtained from affected residents at the time of the proposed for EIA wants to establish an EIA. Approval of affected persons is one of the requirements that must be met to establish an EIA. As already explained earlier that the licensing of community contained in a transcript of the commission, which unfortunately has the disadvantage that it can not guarantee concluded the entire affected societies aspirations. It is then a matter of how to permit correction of society through socialization or other methods can truly reflect the aspirations and wishes of the people against the construction of UB Educational Hospital.

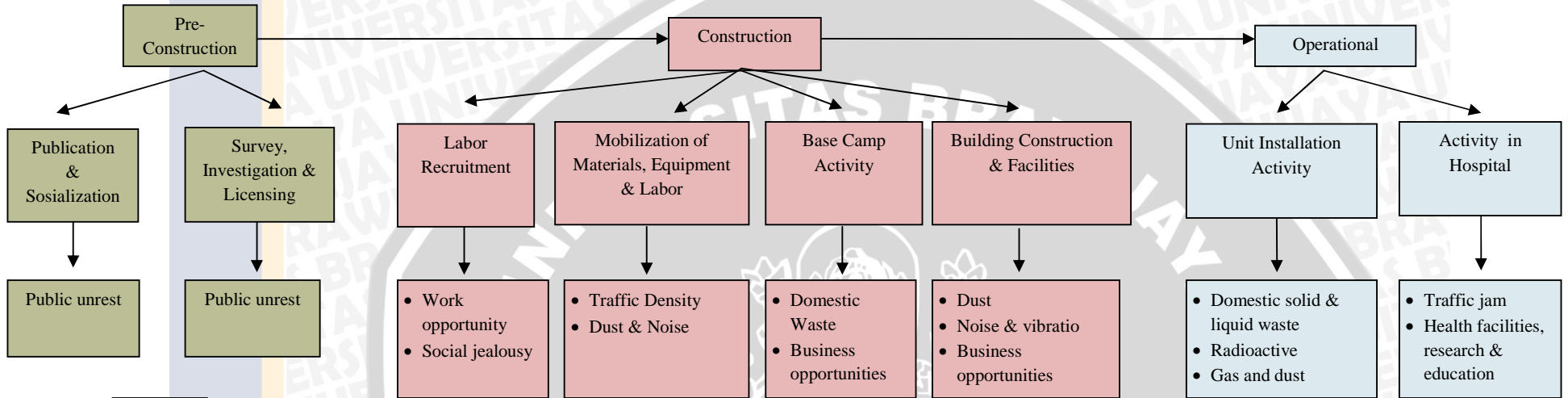
With the attitude of the public counter is still indicated, prove that the policy on the environment through environmental impact assessment has not been able to meet the democratic deliberative aspect. Can be seen from the following scheme identifiers issues that have been described previously, there are a few societal demands have not been met by the proponent in the process of sustainability of development policies UB Educational Hospital.

From the image below, it can be concluded that in addition to any additional policy provisions, namely the licensing process should be done on the prerequisites of the assessment into the EIA analysis, and pre-clearance requirements of EIA into development. In addition, the necessary support in the form of good faith on the part of the proponent to dampen the rejection of society. Party initiator must have the initiative to take action approach to citizens affected by a particular method. One of appropriate method that have to try is design

forum discussion from all of the interest groups. Hopefully this kind of method can find out many different point of view from many interest group and can figure out the suggestion that can be delivered to create in contsuction activity. Because every groups have different interests and also different goals, so it make the importance of focus group discussion as an appropriate method become much worthed to implemented.

According to Law No. 32 of 2009 on Environmental Protection and Management try to to delivered deep message for every proponent to find a spot to meet the public/society demand and their own interest. So thats why, society agreement become one of mein requirement in publishing the Environmental Impact Assessment. To get the agreement from whole society about the construction activity, the proponent have to find out the appropriate method to get approach with the people affected. Deliberative model let the society to participate in formulate the policy. The main goal of this alternative is to collect the whole information to make it balance in order to support either the policy maker or the proponent to think about the best reccommendation to make decision.

Three Stages in the construction of Brawijaya University Educational Hospital



Delibative Process

Proponent wants:

Continue the operational process of UB Educational Hospital with fully agreement by people affected.

Government wants:

Still keep the communication between proponent and society and also insisting the proponent stick on their planning in environmental protection according the study in EIA and improving the solvencies that clearly could'nt solve the problems.

Society wants:

Improving the agreement that stated in MoU, insist the proponent and government keep in their planning to protect the environment and asking the proponent to provide all of information about the operational process in UB Educational Hospital website.

Socialization in each level & create focus group discussion

Memorandum of Understanding

Figure 9 Identification Problems in the formulation of MoU
Source: Processed by Author

One method that can be used by the proponent to carry out the approach that the deliberative process at each stage of development, namely the stage of pre-construction, construction and operation stages. The community must be involved in every decision taken at each stage to determine the impact of clear information and are able to contribute whatever they can in support of the development UB Educational Hospital.

Initiatives to be taken by the proponent to defuse unrest affected societies and further to get the full support of the people, must be adapted to the social values and culture are embraced by the societies affected. Seeing so inconsistent rejection of citizens in taking action against the construction of the hospital, there are strong reasons underlying that somehow must be successfully identified by the proponent to continue the construction of the hospital in the future with more favorable conditions for having had the full approval of affected people. Therefore a deliberative process to do two important things to identify the wants and needs of the people affected, namely the harmonization process at the point of imbalance and seek settlement of dots between the various demands.

Not good to see two paintings which are a high quality but there is next to the painting quality. The phrase is appropriate to describe what the main focus of harmonizing the lame point in a policy process. In harmonizing the interests of the various stakeholders involved, the necessary awareness of all parties to agree

that the process of achieving a better quality of life, for example through the development process as an example of a hospital, regardless of indicators of success or failure of the development process, certainly will spread the impact of the the surrounding environment. Therefore, as the initiator, UB Educational Hospital must be prepared to position itself as the affected neighbors to get to know the various demands of the affected people and the reason why the claim could appear in it.

In the development process of UB Educational Hospital are lame at some point between the proponent with the residents regarding the problem of managing the long-term negative effects. Some lame point in question is as follows:

- a. Publications that are less transparent and less intensively conducted by the proponent to the residents of RW 12 Griya Shanta;
- b. Promise of labor recruitment priority for societies affected by the lack of clear standards regarding the qualifications issue of workers needed in hospitals and the absence of collateral must be because not listed in the memorandum of understanding;
- c. Business opportunities in the surrounding area UB Educational Hospital is considered good by several pioneers, who actually bring the concerns of residents of RW 12 Griya Shanta will have a negative impact if not managed well as the risk of an eyesore, threatens the cleanliness of the area Griya Shanta, possibly causing noise and traffic density;

- d. Traffic jams when UB Educational Hospital has begun to operate;
- e. Negative impacts of hospital waste;
- f. The loss of water catchment areas in the housing Griya Shanta;
- g. The loss of open space in the form of the field where free exercise for RW Griya Shanta since been converted into UB Educational Hospital building.

That is already explained before that termination often involves changing ideologies and it causes termination itself is often followed by rebirth. Termination appears to be a journey more than a destination, and many programs come back to life after the termination have left the political scene. Successful termination is difficult to predict. The interaction of social and economic events overtime may create changes in an organization's environment beyond which the organization can respond effectively. If the organization cannot respond effectively and adequately to its changing environment, the organization becomes terminally ill and will soon die. It also happened in UB Educational Hospital. In this case there supposed to be another solvency that can be offered to overcome from this constraint.

Having a clear idea that there is some lame point in the development process UB Educational Hospitals, then the next step that needs to be done is to make the process of deliberation in finding the dots between the various demands of the settlement. Based on the identification of some lame point above, there are several recommendations that can be considered in the harmonization through a

same point effort in realizing technical support affected residents, some of which are as follows:

- a. Socializing on the impact of the construction of the UB Educational Hospital consistently through group discussion forum method, which consists of the initiator, the affected residents, representatives of environmental NGOs, neutral parties (academics), the business owners in the area around the hospital, as well as representatives Environment Agency. This forum should be done consistently to capture the aspirations of society as well as container delivery of information on the impact of the operational running of the UB Educational Hospital;
- b. Realizing the promise of labor recruitment priority for societies affected by the vacancies to be clarified regarding the labor required complete with requisite qualification and must be informed by group discussion forums, or through representatives of the residents, as well as the need to be advertised in print and electronic media. The proponent must clearly stated on presentage in MoU how much the labor (that will be need and can be fullfilled by the people affected and society in neighbourhood) and which departement/section and what speciality to required the applications.
- c. Facilitate and manage the trading place for business owners, both in the area and around the area hospitals, according to an agreement with business owners around the area UB Educational Hospital;

- d. Creating a sitemap plan, which aims to solve the problem of congestion is expected to occur during activities of UB Educational Hospital operates;
- e. Development of Corporate Social responsibilities program (CSR) of the UB Hospital to the community as a form of responsibility of the proponent in bringing about improvement of quality of life that is guided towards sustainable development, for example: 1) to disseminate health education in schools located in Housing area Griya Shanta, 2) conduct training programs and waste management recycling program tree planting around housing Griya Shanta as supporting water absorption and helps produce cleaner air for the environment;
- f. Build support facilities and environmental quality as well as supporting the health of residents in the park development around the hospital area that can be accessed freely by the local people, especially, remembering that the place UB Educational Hospital being constructed is nearby kindergarten and the resident. Because the existence of park can values the the dimension of education and health care. And also the provision of facilities such as sports, physical fitness or the fitness center at the of UB Educational Hospital that can be accessed by residents RW 12 Griya Shanta with lower price.

As a result the product design expert, EIA proved unable to meet the demands of society to meet the need for environmental aspects of sustainable

development. Therefore requires an approach for assessing the social aspects of the environment can be recognized that the (legitimate) as the assessment of environmental management, especially by the public. For that, it would be better have been provided a draft design as policy scenarios in reaching an agreement stakeholders in realizing the EIA that has aspects of social studies as a basic reference for the issuance of appropriate environmental policies with the goal of sustainable development of the environment.

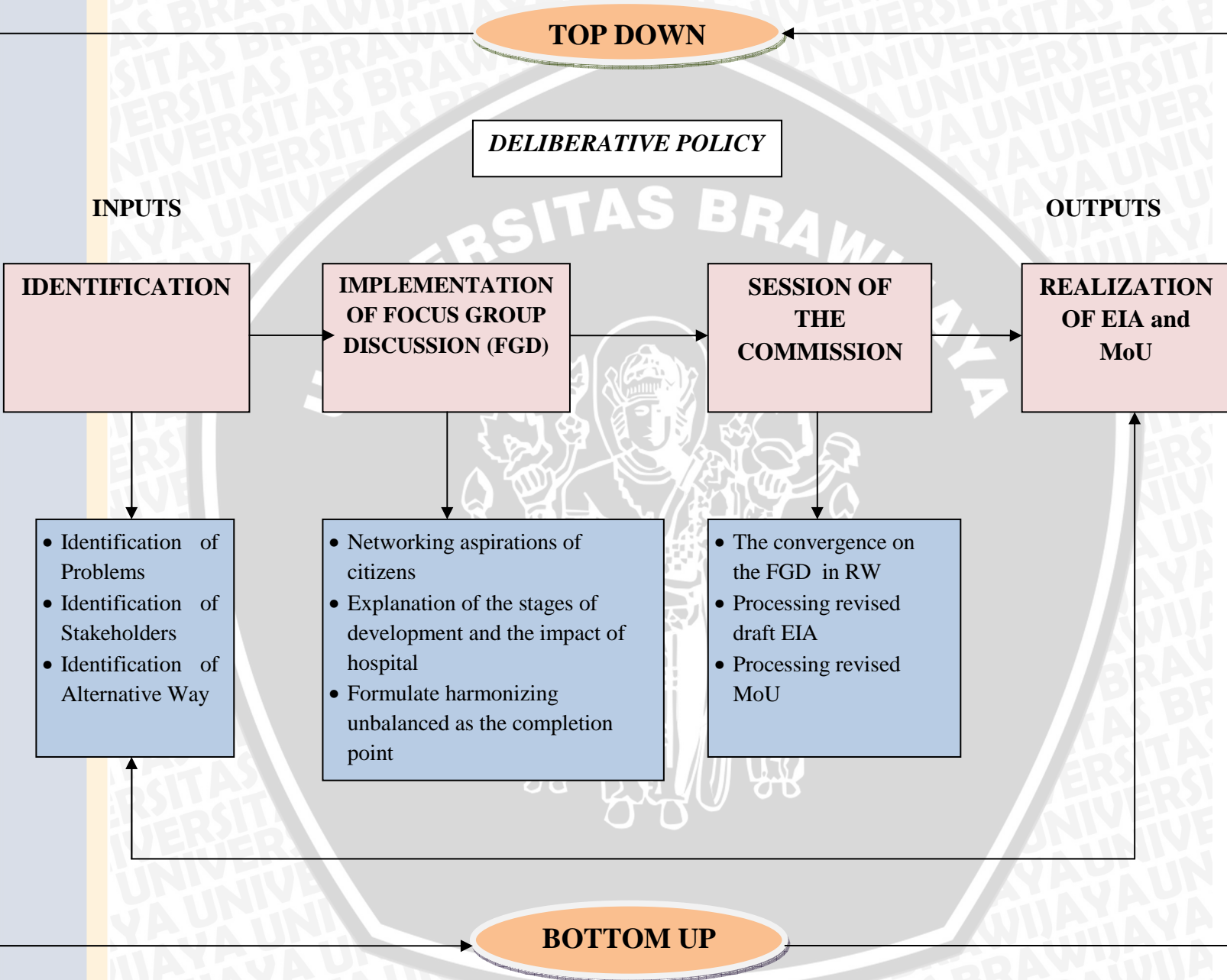
In an effort EIA embodiment having aspects in social studies, we need to realize in practice really needed awareness about the importance of the environment. As explained by Prof. Otto Soemarwoto, the environment is not limited to the physical environment, biological, organic, chemical or explained only on the elements of biotic and abiotic stresses, but also human behavior. Included in the latter case is the behavior of political, economic and socio-cultural. Therefore, the existence of aspects of social studies to identify the perceived public perception is very important in formulating environmental policies through policy EIA. The social aspect has been introduced actually become part of the EIA study since 1987, but only as a principle and the implementing regulations have not been implemented. If the problems associated with public consent for the construction of the UB Educational Hospital, it can be said that to date the EIA is oriented purely physical.

Therefore, in terms of the formation of a democratic EIA study, it must required a proper approach in there. Seeing the occurrence of the phenomenon in

the termination policy development process in UB Educational Hospital, the best approach is to use a process approach followed by partisipatory approach in it. In the process approach, emphasis on the identification of the policy process through an analysis of the determinants in each stage. In society as a whole to get permission, the initiator must be able to identify the wants and needs of the community and put it in the Memorandum of Understanding as a form of collective agreement. And to create the necessary MoU equitable participatory approach. In participatory approach a vast population of citizens who will be affected (positively or negatively) from the policy will be involved in the process and implementation of public policy formulation via a series of discursive dialogue. Therefore, alternative deliberative model is the most appropriate method to bring together all the interests of the various stakeholders and then poured in a memorandum of understanding that is acceptable to all parties. In reaching this kind of goal, it will be needed a new scenario in public policy in order to make sure the agreement that the whole interest group, especially the people affected can be achieved. In this image below, there will be a new scenario in order to change the termination that have been acted and achieving the deliberative model as the best alternative in the construction and operational process in Brawijaya University Educational Hospital.

Figure 10 Scheme of new alternative model

Source: Processed by author



CHAPTER V

CLOSING

A. CONCLUSION

Based on the results and discussion in the previous section, it can be summarized as follows:

1. The results of this study indicate that the preparation of the Environmental Impact Assessment as a critical study of the impact of a business or planned activities on the environment necessary for the decision-making process is not feasible or appropriate, a business or activity established, has been unable to meet the democratic aspect. Seen by the presence of contras attitudes of the community towards the development of Brawijaya University Educational Hospital with a variety of factors that lie behind them, proving that the EIA as a legitimate product of expertise has not been able accepted properly by people who have a major role in supporting the achievement of the objectives of the establishment of the UB Educational Hospital itself as one of the world supporting health facilities and education in Malang in terms of the achievement of sustainable development aspects.

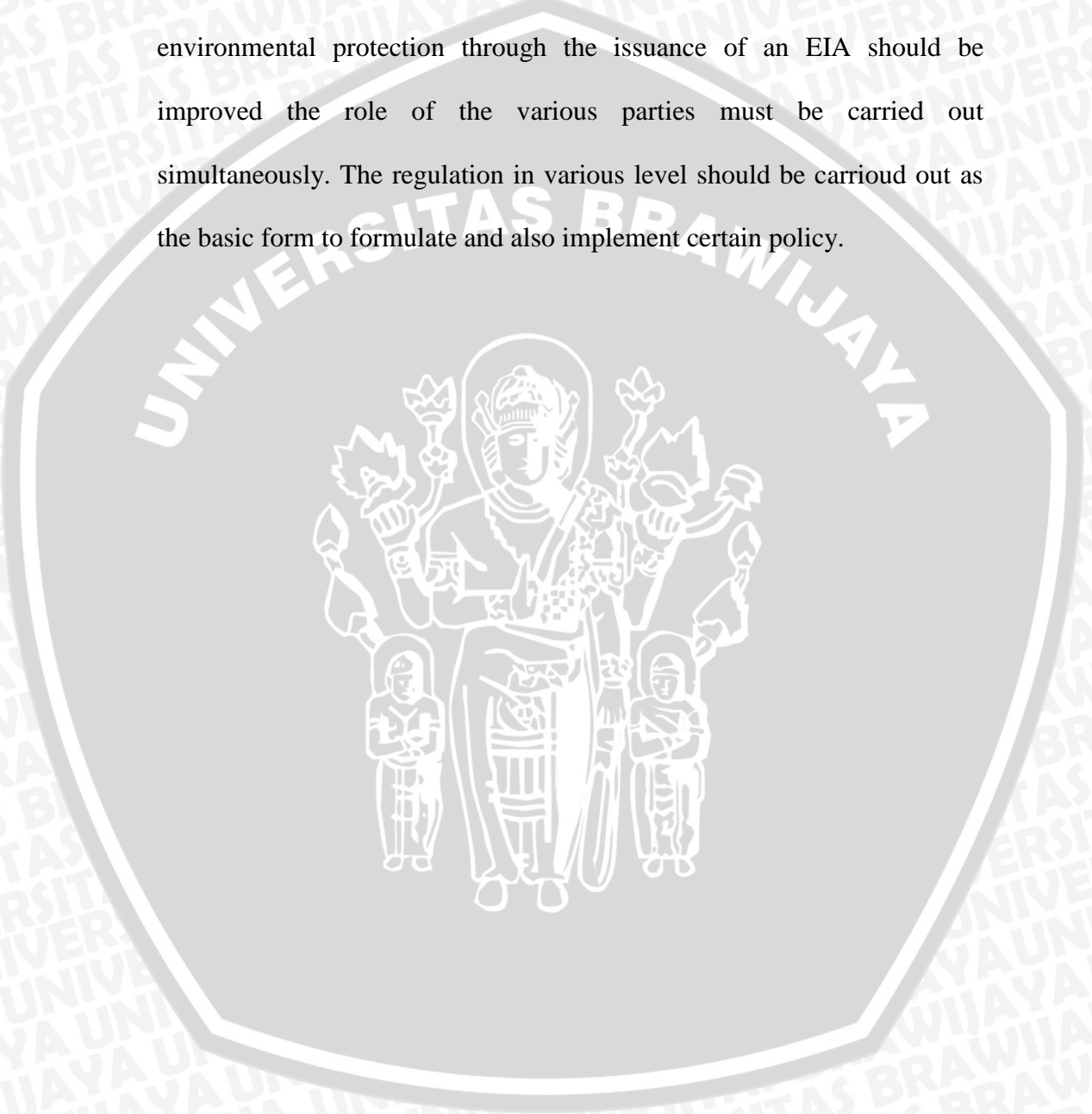
2. The role of stakeholders considered not maximal in response to the problems of rejection societies affected by the construction of the UB Educational Hospital policy that led to the termination conditions. Neither of local stakeholders themselves who do not have a strong political will in the fight for the aspirations of the community as one of the most important elements in the preparation of the EIA. Also the government which is only capable of identifying problems normatively based on provisions of the law regardless of the socio-cultural aspect which is the original purpose of the presence of such legislation.
3. Alternative model of deliberative policy is a breath of urgency of the presence of EIA in the continuing development policies of UB Educational Hospital which had been halted. Proposed model can bridge the wide range of interests and can even be synergistic approach between top-down and bottom-up, the evaluation and monitoring stages, ie the pattern of development of Group Discussion in channeling the aspirations of the people affected in environmental management efforts. Mou as the final product of this process hopefully can be fully represent the wants from many interests groups and deliberative policy recommended to became one of best alternative way to reach that.

B. SUGGESTIONS

In accordance with the above conclusion can be given suggestions as follows:

1. Seeing the complexity of the issues raised, should synchronize all stakeholders and a commitment to the realization of sustainable development is further enhanced in a holistic manner. Establishment of Hospital aimed at building support facilities in improving the quality of public health degree and the development of quality education and research centers, well actually realized in order to improve the people's lives better are realized through the management and protection of the environment.
2. In order to achieve the continuation and move from the policy termination, the whole stakeholders oblige to respond the function optimization problems through empowerment of local stakeholders by way of the establishment of the Focus Group Discussion as a basis for the initial development of public aspirations against all policies are made. Focus Group Discussion which lied on deliberative policy concept should be implemented in the process to create a new agreement. Some of points that have not been involved in Memorandum of Understanding should be included as the important matter in order to reach the agreement from people affected and to fulfill the values of environmental protection and management.

3. Control functions for both phases to evaluate and monitoring in the formulation and implementation of policies and management of environmental protection through the issuance of an EIA should be improved the role of the various parties must be carried out simultaneously. The regulation in various level should be carried out as the basic form to formulate and also implement certain policy.



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