

**HUKUM SUMBER DAYA AIR: STUDI PENGELOLAAN SUMBER DAYA AIR BERBASIS KEARIFAN
LOKAL DI UMBULWADON,
SLEMAN, YOGYAKARTA**
**SUMBER DAYA AIR: STUDI PENGELOLAAN
SUMBER DAYA AIR BERBASIS KEARIFAN LOKAL
DI UMBULWADON, SLEMAN, YOGYAKARTA**

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INTISARI

Penelitian disertasi ini bertujuan untuk mendorong terwujudnya hukum sumber daya air di masa depan yang berbasis kearifan lokal. Secara terperinci disertasi ini bertujuan untuk mendeskripsikan kearifan lokal pengelolaan sumber daya air; menganalisis alasan kearifan belum sebagai basis dalam merumuskan norma perundang-undangan sumber daya air dan arti penting kearifan lokal tersebut sebagai basis dalam merumuskan norma dalam perundang-undangan; pemikiran model hukum sumber daya air di masa datang.

Penelitian dilaksanakan di Umbulwadon dengan responden warga dan tokoh masyarakat setempat. Nara sumber dalam penelitian ini adalah para aktivis di bidang lingkungan (WALHI). Pengumpulan data melalui studi pustaka dan penelitian lapangan. Data dianalisis secara kualitatif dengan memadukan data primer dan sekunder untuk menjawab permasalahan penelitian

Hasil penelitian disertasi ini menunjukkan: (1) wujud kearifan lokal yang ada di masyarakat Umbulwadon terakumulasi dalam bentuk nilai-nilai, perilaku, pengetahuan dan pengalaman dalam melaksanakan pengelolaan sumber daya air. Nilai-nilai tersebut bersifat abstrak yang secara konkrit tampak dalam asas dan norma sebagai pedoman dalam menciptakan keharmonisan hidup manusia. Kearifan lokal yang berujud perilaku masyarakat mencakup gotong royong, tolong menolong, ritual atau upacara, dan tradisi masyarakat dalam pengelolaan sumber daya air. Kearifan lokal yang berujud pengetahuan masyarakat terdiri atas kepercayaan dan mitos tentang sumber daya air. Adapun kearifan lokal yang berujud pengalaman masyarakat dalam pengelolaan sumber daya air tampak dalam menyelesaikan konflik atas sumber daya air; (2) kearifan lokal belum dijadikan sebagai basis utama dalam merumuskan norma di setiap bagian perundang-undangan sumber daya air di Indonesia. Hal itu disebabkan oleh; (a) pengaruh nilai-nilai asing tidak sesuai dengan jiwa bangsa Indonesia yang memarjinalkan nilai domestik; (b) perundang-undangan sumber daya air berparadigma positivisme sehingga belum mengakui dan menghormati pluralisme hukum; (c) paradigma terpadu dan keberlanjutan belum dirumuskan secara utuh sebagai norma hukum di setiap bagian perundang-undangan sumber daya air. Adapun arti penting kearifan lokal sebagai basis dalam perumusan norma di perundang-undangan sumber daya air agar perundang-undangan tersebut mempunyai dasar berlaku yang kuat secara filosofis dan sosiologis; (3) model hukum sumber daya air di masa depan adalah hukum sumber daya air yang berbasis kearifan lokal dengan paradigma konstruktivisme, terpadu dan berkelanjutan.

Kata kunci: Kearifan Lokal, konstruktivisme, terpadu dan berkelanjutan

**WATER RESOURCES LAW: THE STUDY OF WATER RESOURCES
MANAGEMENT BASED ON LOCAL WISDOM IN UMBULWADON,
SLEMAN, YOGYAKARTA**

ABSTRACT

**by
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This dissertation research aimed to promote the establishment of water resources law in the future based on local wisdom. In detail, this dissertation aimed to describe the local wisdom of water resources management; to analyze the reasons of local wisdom has not been used as the basis in formulating legislation and norms of water resources yet and the importance meaning of local wisdom as a basis to formulate norms in legislation; idea of legal model of water resources in the future.

Research was conducted in Umbulwadon with respondents were residents and community leaders of that village. Resource persons in this research were activists in the field of environment (WALHI). Data collected through library and field research. Data were analyzed qualitatively by combining the primary and secondary data to answer the research problems.

The results of this dissertation shown: (1) local wisdom that exist in society of Umbulwadon has been form of values, behaviors, knowledge and experience in implementing water resources management. Those values were abstract that in concrete appear in principles and norms as guidance in creating the harmony of human life. Local wisdom that has been form of social behavior includes mutual cooperation, mutual helping, rituals or ceremonies, and traditions of the community in management of water resources. Local wisdom that has been form of knowledge of the community consists of beliefs and myths about water resources. The Local wisdom that has been form of experience of communities in water resource management appears in resolving conflicts over water resources: (2) Local wisdom had not been used as the primary basis in formulating the norm in every part of the water resources legislation in Indonesia. This was caused by; (a) The influence of foreign values were not appropriate with the spirit of Indonesian nation which had marginalized the domestic value; (b) Legislation of water resources was had positivism paradigm therefore it has not recognize and respect pluralism of law; (c) Integrated paradigm and sustainability have not fully formulated as the legal norm yet in every part of the legislation of water resources. The importance meaning of local wisdom as the basis for the formulation of norms in the legislation of the water resources in order that legislation has a valid basis in a strong philosophical and sociological; (3) Legal model of water resources in the future is law of water resources which based on local wisdom with the constructivism paradigm, integrated and sustainable.

Keywords: Local Wisdom, Constructivism, Integrated and Sustainable