

ABSTRACT

The correlation between the right to good and healthy environment and the human rights identifies from the result of historical, theoretical and philosophical analysis. Historically, the human's right on environment have been the central issue post first generation and are part of the history of human rights development. Theoretically, the human's right on environment is the right which has been elaborate from the theoretical analysis of human rights. Philosophically, the human's right on the environment is an essential in terms of human rights study. Meanwhile, constitutionalization of the principle of human's rights to good and healthy environment serve as *fundamental rights* on the philosophical dimension, politics and law that also act as an absolute requirement of the constitutionalization on the human's right on the environment as *fundamental rights* in a country.

Constitutionalization the human's right to decent and healthy environment in a country will not be comprehensive enough to support the realization of universal environment order if did not be supported by the implementation of those three dimensions.

Includes in this context is Indonesia. The history of the Indonesia's constitutional experience has been never implement the three dimensions of those fundamental rights and constitutionalization principle except only in the form of incorporation of the human's right to good and healthy environment is limited.

Different with the experience from several countries such as Swiss , Latvia, Norway, and Ecuador as states that relatively implement such three dimensions as well as has been selected as states with cleanest environment quality in the world (2010). Therefore, the recommendation and new finding of this research is constructive idea which called *Modern State Constitution which base and be oriented to the Universal Environment order that consist of general and special principles*. The idea is the result of elaboration of those three dimensions cumulative constitutionalization of the human's right to good and healthy environment as fundamental rights (philosophy, politics and law)

Key words: constitutionalization, human rights, fundamental rights and environment.