Household Waste Pollution and Dilemma in Society Based on Law Number 32 of 2009 Concerning Environmental Protection and Management

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Abstract

Enforcing Law Number 32 of 2009 concerning Environmental Protection and Management in household waste management. The increasing accumulation of household waste and low public legal awareness have led to environmental pollution. The gap between legal norms and social realities influences structural and cultural factors, as well as weak law enforcement at the village level. The social dilemma arises when people are aware of the impacts of pollution but continue to litter due to practical and economic considerations. Recommendations for strengthening community participation, establishing waste management units, developing circular economy-based waste banks, and providing ongoing legal and environmental education are recommended. These findings emphasize the importance of transforming legal norms into living laws through synergy between the government and local communities.

Keywords: *household waste; sociological law; community participation; waste banks.*

I. INTRODUCTION

The environment is a fundamental element in the sustainability of human life and that of other living things. In the context of national development, the environment is not merely viewed as a complementary element, but as an integral part that determines the quality of life of the community. Indonesia, as a developing country, faces significant challenges in managing natural resources and the environment sustainably. One crucial issue that continues to emerge is the problem of household waste , which, although considered simple and small-scale waste, when accumulated in large quantities can become a source of serious environmental pollution. Direct environmental pollution is pollution that has a direct impact on the health of living things such as humans, animals and plants.**Sumarno , Ismaidar , Environmental Law Concept and Scope, Page 20, Medan, Cattleyadf, 2022 ,.**

Household waste is the residue resulting from people's daily activities, both in the form of solid and liquid waste. Solid waste includes plastic waste, food scraps, paper, metal, and other non-organic materials, while liquid waste includes used washing water, kitchen waste, and waste from the use of household chemicals such as detergents and floor cleaners. In various studies, household waste has been shown to contribute the largest proportion of total waste piles in Indonesia. Ironically, public awareness of household waste management is still relatively low. This creates a social dilemma , on the one hand, people are aware of the importance of environmental cleanliness, but on the other hand, waste management practices do not reflect compliance with applicable environmental regulations. If such behavior is considered evil and detrimental to members of society.**"Ramayanti, A Criminological Study of Children (Perpetrators) of Violent Motorcycle Theft Crimes ," Journal of Law, Politics and Social Sciences (JHPIS), p. 292, Vol. 2, No. 3, September 2023.**

The Indonesian government has strictly regulated environmental protection and management through Law Number 32 of 2009 concerning Environmental Protection and Management (UUPPLH) . This is regulated in Article 67 " Everyone is obliged to maintain the sustainability of environmental functions and control environmental pollution and/or damage." "Article 67 of Law Number 32 of 2009 concerning Environmental Protection and Management".Law Number 32 of 2009 concerning Environmental Protection and Management expressly provides a legal basis that everyone is obliged to maintain environmental sustainability and is prohibited from carrying out actions that cause pollution. However, the implementation of Law Number 32 of 2009 concerning Environmental Protection and Management in the context of household waste management still faces various obstacles.

Many people believe that waste management responsibility rests solely with the government or sanitation workers, rather than a shared responsibility. Laws and law enforcement are crucial factors in law enforcement, as they will result in the failure to achieve the desired results.“Lidya Ramadhani Hasibuan, Beby Sendy, Application of the Restorative Justice Concept in Drug Cases Committed by Children , Page 509, Seminar of Social Science Engineering & Humanities SCENARIO 2023,.”

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Public involvement in waste management is crucial, given that the amount of waste produced continues to increase with population growth. Data shows that each Indonesian produces an average of 2.5 liters of waste daily, urging everyone to play an active role in waste management. [1]If the contribution of waste management is not understood, there will be a tendency to shift the responsibility entirely to the government.[2]

Field evidence shows that pollution from household waste has impacted various aspects of life. Rivers, once sources of clean water, have been transformed into dumping grounds for liquid waste and garbage . Densely populated residential areas often face problems with unpleasant odors, blocked drainage channels, and the emergence of environmental diseases such as diarrhea, dengue fever, and skin infections. This situation reflects that the problem of household waste is not only a technical issue, but also a behavioral, cultural, and law enforcement issue , and every legal sector must have the capacity to carry out legal activities."Ali Yusran Gea, Accountability for the Use of Grant Funds by Religious Legal Entities , Ranah Research Journal of Multidisciplinary Research and, Page 1764, Development, Vol. 6, No. 5, July. 2024,".

From an environmental law perspective, Law Number 32 of 2009 concerning Environmental Protection and Management in General Provisions Number 3 states that the use of natural resources must be in harmony, compatible, and balanced with environmental functions. Consequently, development policies, plans, and/or programs must be imbued with the obligation to preserve the environment and realize sustainable development goals. This emphasizes that environmental protection and management must be carried out in a sustainable, participatory, and legal awareness-based manner . This means that the community is not merely an object of policy, but also a subject that plays an active role in maintaining environmental cleanliness and sustainability.

However, in reality, a dilemma arises when communities are faced with limited facilities and old habits that are difficult to change. Many settlements still lack integrated waste management systems, lack adequate temporary disposal sites (TPS), and lack education on independent waste management such as sorting and recycling. By influencing environmental policy, the government is expected to address these issues. However, a gap remains between formulated policies and their implementation, particularly in the construction sector, where practices that contradict existing policies often occur."Maund et Al. 'Key Issues for Implementation of Environmental Planning Policy: Construction Management Practice' Sustainability (2018),".

In some areas, social conflict arises when local governments attempt to implement strict policies regarding waste management. Residents often reject the construction of waste management facilities such as Final Processing Sites (TPA) or waste banks , arguing that they disrupt comfort or reduce the aesthetic value of the environment. On the other hand, the government is also often considered inconsistent in enforcing regulations, resulting in an imbalance between normative policies and implementation on the ground. This dilemma is further complicated when economic aspects also influence people's behavior , for example, the habit of using single-use plastics because they are cheaper and more practical than using environmentally friendly materials. The behavior of avoiding single-use plastics is strongly influenced by people's understanding of the environmental impacts of plastics, as well as by underlying economic factors.Feng et al. 'Analysis of Factors of Single-Use Plastic Avoidance Behavior for Environmental Sustainability in China' Processes (2023) Doi:10.3390/Pr11051412,"

If examined further, the problem of household waste is also related to the lack of social and legal sanctions for violations. The Environmental Management Law (UUPPLH) actually contains criminal provisions for anyone who disposes of waste carelessly or causes environmental pollution. Natural resource and environmental management must be accompanied by actions such as natural resource conservation, specifically to promote public welfare.[3]

However, these regulations are applied more to large-scale industrial actors than to violations committed by the general public. This creates the perception that household waste is not considered a serious threat , even though the cumulative potential for pollution is enormous. Improving public understanding of waste management and the impacts of plastic pollution is also crucial, as demonstrated by research that found disparities in waste management practices among city residents .Brotosusilo and Handayani "Dataset on Waste Management Behaviors of Urban Citizens in Large Cities of Indonesia" Data in Brief (2020) Doi:10.1016/j.Dib.2020.106053 ,.

[1] "D. Septianingrum, D. Sagala, K. Khairunisa, & R. Saleh, 'The Role of the Community in Managing Imported Waste', JOCAE, Vol. 1, No. 2, 2024.,"

[2] "M. Hanif, G. Setiaji, & A. Putri, 'Improving Waste Management Through the Waste Bank Application in Truko Village, Kendal', TMT, Vol. 3, No. 2, p. 102, 2023.,"

[3] Tamaulina Br Sembiring , *Environmental Management (Theory and Concept),* Page 22, CV. Adanu Abimata, Deli Serdang, January 2022.

Given these various issues, a new approach is needed to understand and address household waste. A legal-based approach must be integrated with social and educational approaches , ensuring that the public not only understands legal obligations but also develops a moral awareness to protect the environment. Peace and harmonious community life need to be created by all elements of society, particularly local governments.“M. Arif Sahlefi Lubis, Ismaidar, Government Empowerment in Efforts to Prevent Drug Distribution in the Community of Klambir Lima Kebun Village, Hamparan Perak District, Deli Serdang Regency , Page 212, Cemin: Research Journal Volume 6 No. 1, July 2022,.”

Early environmental education, local community involvement, circular economy-based waste management innovations, and strengthening the role of customary law and local wisdom can be relevant solutions in the Indonesian context. Early environmental education is essential to foster awareness and conservative behavior among the younger generation. Environmental education implemented through community-based initiatives has a significant impact on coastal communities' conservation behavior.“T. Sukomardojo, M. Tabran, M. Muhtadin, I. Gymnastiar, & H. Pasongli, 'Encouraging Environmental Conservation Behavior in Coastal Communities: Lessons from Community-Based Initiatives', Jurnal Abdimas Peradaban, Vol. 4, No. 2, p. 22-31, 2023.,“.

II. RESEARCH METHODOLOGY

To achieve the objectives of this research, the methods used were systematically designed and tailored to the focus of the study. These methods were aimed at uncovering in-depth the various factors that contribute to the suboptimal implementation and enforcement of environmental law at the village level, as they relate to a conducive security situation and conditions. Peace and harmonious community life need to be created by all components of society, particularly local governments.

Through this approach, it is hoped that a comprehensive picture can be obtained regarding structural, cultural, and social barriers that influence the implementation of Law Number 32 of 2009 concerning Environmental Protection and Management at the grassroots community level.

Therefore, the method used was triangulation, which combined document studies, observation, and in-depth interviews with local residents. First, a document study was conducted by inventorying all regulations related to cleanliness and the environment. After all relevant regulations were identified and inventoried, observations were conducted at the research location.

Based on the results of the document study and subsequent observations, in-depth interviews were conducted with community members living in Medan Krio village. A sociological legal approach was used to uncover the obstacles faced in law enforcement. All data obtained and collected through document study, observation, and interviews were then analyzed qualitatively, connecting existing data related to the discussion and then presented descriptively.

III. RESULTS AND DISCUSSION

Empirical Conditions of Household Waste Management in the Community

Based on observations and in-depth interviews, it was found that the majority of residents still dispose of household waste without sorting it. Organic and inorganic waste are mixed in one container and then dumped in open areas such as riverbanks, vacant lots, or directly into drainage channels. This practice is due to two main factors: a lack of waste management facilities and a lack of collective awareness among residents .

Some residents believe that waste collection and management are the responsibility of the village government or sanitation workers. This perspective demonstrates the persistence of a *state-centric mindset* , where the state is considered the sole entity responsible for environmental cleanliness. However, according to Article 67 of Law Number 32 of 2009 concerning Environmental Protection and Management , " Everyone is obliged to maintain environmental sustainability. "

functions and controlling environmental pollution and/or damage".

The Gap between Legal Norms and Social Reality

Analysis of Law Number 32 of 2009 concerning Environmental Protection and Management , Article 67 " Every person is obliged to maintain the sustainability of environmental functions and control environmental pollution and/or damage", and Article 69 (1) Every person is prohibited from:

a. committing acts that result in environmental pollution and/or destruction;
b. entering B3 which is prohibited according to statutory regulations into
c. the territory of the Unitary State of the Republic of Indonesia;
d. entering waste originating from outside the territory of the Unitary State of the Republic of Indonesia into the environmental media of the Unitary State of the Republic of Indonesia;
e. importing B3 waste into the territory of the Unitary State of the Republic of Indonesia;
f. dispose of waste into environmental media;
g. dispose of B3 and B3 waste into environmental media;
h. releasing genetically engineered products into the environment in violation of environmental laws and regulations or environmental permits;

i. clearing land by burning;
j. preparing an environmental impact analysis without having an environmental impact analysis competency certificate; and/or
k. providing false information, misleading information, omitting information, damaging information, or providing incorrect information.

This demonstrates that society is legally burdened with obligations and prohibitions related to environmental pollution. However, field findings indicate a legal gap caused by three factors:

1. Structural Aspects (Government Factors and Technical Policies)
   a. There are no adequate Temporary Disposal Sites (TPS) .
   b. There is no household-based waste sorting system.
   c. Lack of socialization of environmental law by village officials and the Environmental Service.
2. Cultural Aspects (Societal Culture and Customs)
   a. The hereditary habit of littering is still strong.
   b. Single-use plastic is still used massively because it is considered more practical and economical.
   c. Social norms do not provide social sanctions for perpetrators of environmental pollution.
3. Law Enforcement Aspects
   a. There are no direct sanctions at the village level even though the UUPPLH contains criminal provisions.
   b. Environmental monitoring institutions at the local level are not operating effectively.
   c. Law enforcement is only applied to large industrial actors, not household-scale polluters.

Social Dilemmas in Household Waste Management

Research has identified a social dilemma *experienced* by communities, a situation where residents are aware of the impacts of pollution but still engage in actions that harm the environment due to considerations of efficiency, convenience, and limited facilities. Some forms of this dilemma include:

a. High awareness, but low action : residents know the impact of waste, but feel "it is better to throw it away quickly than to keep it".
b. Individual interests vs. collective interests : everyone wants a clean environment, but is reluctant to take steps to manage it independently.
c. Economic interests vs. ecological interests : many citizens prefer cheap plastics to alternative materials due to cost considerations.

This shows that the problem of household waste is not merely technical, but is a collective behavioral problem related to legal awareness *and* culture .

Sociological Analysis of Law on the Enforcement of UUPPLH at the Village Level

Through a sociological legal approach, it was discovered that laws are not automatically effective simply because they are normatively enforced . The effectiveness of environmental law is greatly influenced by *social* acceptance . In the context of a village, legal norms regarding the obligation to protect the environment have not yet fully become living social norms .

State law is present, but it does not transform into collective consciousness , because:

a. People do not feel they have direct responsibility .
b. Legal regulations are not followed by technical and educational instruments .
c. There are no community-based empowerment models , such as waste banks, neighborhood-scale mutual cooperation, or waste reduction incentives.

Implications and Opportunities for Transformation

Despite various obstacles, there is potential for transformation if an integrated approach combines legal instruments, education, community participation, and local innovation is adopted . Some potential strategies that emerged from interviews with residents include:

a. Establishment of waste management units at the RT/RW level .
b. Social sanction schemes , such as community reprimands or community service obligations.
c. Development of a circular economy-based waste bank , so that waste has exchange value.

Legal and environmental education based on village deliberations , not just formal socialization from the government

IV. CONCLUSION

Household waste is a significant source of environmental pollution and directly impacts people's quality of life. Although there is a strong legal basis in Law Number 32 of 2009 concerning Environmental Protection and Management, which requires everyone to maintain environmental sustainability and prohibits actions that cause pollution, its implementation at the village level is still far from optimal. This is evident in the low level of public awareness, the absence of an adequate waste sorting and management system, and the lack of supporting facilities such as landfills (TPS) and integrated waste management mechanisms.

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