

Effectiveness of Regional Policies and Strategies in The Management of Household Waste and Waste A Kind in Bakalan Village, Polokarto District Sukoharjo District

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ABSTRACT

The waste problem in Indonesia is of concern to the government because waste processing and management in Indonesia is below standard. In this case, the central government mandates that each region prepare a Regional Policy and Strategy (JAKSTRADA) for the management of household waste and similar waste based on this. By 2025, JAKSTRADA has a target of reducing household waste and similar waste by 30% and waste handling by 70%. This research aims to determine: 1) An overview of the management of household waste and similar waste in Bakalan Village, Sukoharjo Regency. 2) The effectiveness of Sukoharjo Regent Regulation Number 57 of 2018 concerning the management of household waste and similar waste in Bakalan Village, Sukoharjo Regency. The results of this research show that the effectiveness of JAKSTRADA according to the five indicators of legal effectiveness, namely legal factors, law enforcement factors, facilities and facilities factors, community factors, and cultural factors can be said to be ineffective. The obstacles encountered in achieving the effectiveness of JAKSTRADA are: 1) lack of intensive outreach 2) people who ignore household waste management 3) lack of facilities and facilities to support waste management.

Keywords: effectiveness, management, household waste

INTRODUCTION

Humans and the environment cannot be separated, both are a unity. The environment is a place of spatial unity with all objects, conditions, forces and living creatures, including humans and their behavior¹. Therefore, government regulations, roles and functions are needed in managing human relations with the environment. Human Rights guarantee the fulfillment of a clean and healthy environment. This guarantee is also clearly regulated by the Indonesian constitution. Article 28 H paragraph (1) of the 1945 Constitution of the Republic of Indonesia (1945 Constitution of the Republic of Indonesia) states that, "Everyone has the right to live in physical and spiritual prosperity, to live in and have a good and healthy living environment and the right to receive health services".

In Islam, Allah SWT commands all His followers to continue to protect and care for the environment, including in managing household waste. Environmental damage can be influenced by human actions as explained in surah Ar-rum verse 41 which reads as follows:

ظَهَرَ الْفَسَادُ فِي الْبَرِّ وَالْبَحْرِ بِمَا كَسَبَتْ أَيْدِي النَّاسِ
لِيُذِيقَهُمْ بَعْضَ الَّذِي عَمِلُوا لَعَلَّهُمْ يَرْجِعُونَ ﴿٤١﴾

It means: It has been seen that damage on land and at sea is caused by the actions of human hands; Allah wants them to feel some of the (consequences of) their actions, so that they return (to the right path).²

¹ Undang-Undang nomor 23 Tahun 1997 tentang Pengelolaan Lingkungan Hidup

² Rosdiana, 2013, *Pelestarian Lingkungan Perspektif Islam*, Makassar: Repository UIN Alaudin Makassar

Humans are a factor that has a greater influence on environmental conditions compared to other factors. Humans have all the advantages of using their minds to change or influence environmental conditions. Environmental conditions have limitations in accepting change, the limit of the environment's ability to accept change is called the environmental carrying capacity. (environment carrying capacity)³

In need of regulations to regulate human relations with the environment, the government issued JAKSTRADA which is a direction from the National Policy and Strategy (JASTRANAS) for the Management of Household Waste and Similar Household Waste which was stipulated on October 23 2017 and regulated by Presidential Regulation Number 97 of 2017, then JAKSTRADA's directives are regulated in Sukoharjo Regent Regulation Number 57 of 2018 concerning management of household waste and similar waste.

Waste management has a main problem, namely the government's limited ability to overcome the problem of production and collection of household waste which continues to increase.⁴In practice, the amount of waste that is collected and can be managed is still small, this causes piles of waste which will have a negative impact on environmental comfort and public health. Garbage causes many problems which are certainly detrimental to society. For example, the Mojorejo Final Waste Disposal Site (TPAS), Bendosari District, Sukoharjo, emits a foul smell that gets worse over time, especially when the rainy season arrives.⁵Apart from that, the waste problem in Bakalan Village, according to the Head of Bakalan Village, "most people still manage waste independently, namely by dumping it in the yard and then if it feels like there is a lot of rubbish then burning it."⁶This statement shows a non-compliance with JAKSTRADA's direction which has a waste reduction program including limiting, reusing and recycling waste, furthermore in the waste handling program including sorting, collection, transportation, processing and final processing. In order to measure the effectiveness of regional policies and strategies in managing household waste and similar waste in Bakalan village, Sukoharjo Regency, the author uses the theory of legal effectiveness according to Soerjono Soekanto, namely legal factors, law enforcement factors, facilities/facilities factors, community factors, and cultural factors.

RESEARCH METHODS

A. Data collection technique

The author collects the data needed to support the author's topic through the use of structured questions that have been prepared by the author and direct question and answer sessions with sources. The resource persons were the Head of the Sukoharjo Regency Environmental Service, the Head of Bakalan Village, and the Bakalan Village Community.

Literature study is a secondary data collection strategy carried out by studying literature books, statutory regulations, official documents, previous research findings, and other library materials that are in line with the problem being researched.

B. Data analysis technique

By systematically analyzing, interpreting and describing the data obtained, this research uses a qualitative methodology that combines empirical descriptive research. Analyzing the data sources used in this research using primary and secondary data, researchers obtained data from various sources using a qualitative data collection process using data analysis techniques through literature reviews, interviews and questionnaires so that a comprehensive picture of the objectives, especially

³ Akib, Muhammad. 2014, *Hukum Lingkungan Perspektif Global dan Nasional*, Jakarta: Raja Grafindo Persada

⁴ Rasyid Abdilah, Dyah Hariani, Rihandoyo. (2014). *Analisis Strategi Pengelolaan Sampah di Kota Semarang*, Universitas Diponegoro, jurnal, Volume 3, Nomor 1

⁵ <http://www.solopos.com/2013/11/05/masalah-sampah-hujan-datang-bau-tpas-mojorejo-menyebarkan-462662>

⁶ Wawancara dengan Kepala Desa Bakalan pada 20 Maret 2023

regarding the facts, was obtained. related to research. This research uses a deductive analysis method in drawing conclusions.

RESULTS AND DISCUSSION

Waste Management in Bakalan Village, Sukoharjo Regency

Waste management is the action taken to control waste, from when the waste appears to when it is disposed of. Controlling waste generation, collection, transfer and transportation of waste, processing and final disposal are some examples of waste management activities.⁷Waste management involves three stages of action, namely: collection, transportation and final disposal.⁸

As the amount of waste that arises increases, the central government issues waste management directions in the national strategy policy (Jakstranas) which is regulated in Presidential Regulation Number 97 of 2017 which is then implemented at the regional level regulated in Sukoharjo Regent Regulation Number 57 of 2018 concerning regional policies and strategies in management. household waste and similar types of household waste. The household waste reduction and management program is regulated in article 6 which has directions for the waste reduction program including limiting, reusing and recycling household-type waste. The waste management program includes sorting, collecting, transporting, processing and final processing of household waste, in specific arrangements regarding guidelines for implementing waste management regulated in Sukoharjo Regent Regulation 46/2022.

The Bakalan Village community manages household waste independently, not in accordance with the directions of the Regional Strategy Policy (Jakstrada) in reducing and managing household waste. Jakstrada direction article 6 regarding waste reduction programs. If we refer to Perbup Sukoharjo 46/2022 article 7 regulates the waste reduction program by limiting the amount of waste that arises, recycling waste and reusing it.

Based on article 8 of Perbup Sukoharjo 46/2022 concerning limiting waste generation on a household scale, this can be done by using shopping bags repeatedly, but out of 50 respondents there were 46 respondents who did not limit the use of plastic waste. Villagers prefer to use new plastic shopping bags for every shopping activity, this is because it is not practical to carry shopping bags independently.

In recycling the remaining organic waste, the people of Bakalan Village do not recycle it into compost but instead provide the remaining organic waste for use as food for pets such as chickens and ducks. Remaining organic waste is waste that does not last long in storage, for example food, vegetable and fruit waste. If this type of waste is not immediately processed properly it will cause a bad smell.⁹There are 32 respondents out of 50 who process food waste to give to livestock such as chickens and ducks. If you look at Article 9 of Sukoharjo Regency Regulation 46/2022, it explains that the process of recycling organic household waste is carried out by processing it into compost but recycling the remaining waste. organic waste is easier by giving the remaining organic waste to feed livestock, it is more efficient than processing the remaining organic waste into compost.

In addition to processing organic waste into animal feed, the Bakalan Village community collects household waste that has not been sorted according to type to be burned. Piling or stockpiling rubbish on open land and then burning it has a bad impact on health, rubbish that is processed by burning, especially plastic waste, can release toxic substances such as carbon dioxide, methane and nitrous oxide. If inhaled, these toxic substances can pose a risk of respiratory disease.¹⁰

This is not in accordance with Jakstrada's direction, based on article 12 of Sukoharjo Regency

⁷ Yudhi Kartikawan. (2004). *Pengelolaan Persampahan*, Jurnal Lingkungan Hidup, Yogyakarta, hlm 25

⁸ A. Aboejoewono, *Pengelolaan Sampah Menuju ke Sanitasi Lingkungan dan Permasalahannya, Wilayah DKI Jakarta Sebagai Suatu Kasus*, Jakarta :Buku Putih , 1985, hlm 55

⁹ <https://dlh.brebeskab.go.id/manfaat-sampah-organik-dan-non-organik/>

¹⁰ <https://www.cleanipedia.com/id/kepedulian-lingkungan/bahaya-menimbun-sampah-.html>

Regulation 46/2022, this article explains the direction for sorting waste according to its type into at least 2 (two) types, namely organic and inorganic, this aims to facilitate further processing. After sorting, the next process is to collect the waste. Waste collection is the activity of picking up and moving waste from the waste source to the Temporary Collection Site. Based on respondent data, there were 41 people who piled up rubbish on empty land and then burned the rubbish pile. According to the community, they burn their waste independently because there is no Temporary Storage Place (TPS) in Bakalan Village and there is still land available to process the waste independently.

In accordance with Article 18 PP 81/2012, local governments are obliged to provide TPS and/or TPS 3R in residential areas. Before waste is sent to a recycling site, processing site or integrated waste disposal site, it is first collected at a TPS¹¹. This is in line with article 4 of Sukoharjo Regency Regulation 46/2022 concerning the duties of regional governments in providing TPS.

Technically, PU Ministerial Decree 03/PRT/M/2013 article 20 regulates TPS requirements, which include: 1) TPS has a maximum area of 200 m², facilities for classifying waste into 5 (five) different types of waste. type, 2) type of temporary waste handling container, not permanent container, 3) location, area and capacity according to needs, location is easy to reach, 4) does not pollute the environment, 5) does not interfere with aesthetics and traffic, and 6) has a collection schedule and transportation¹².

Effectiveness of Sukoharjo Regent Regulation Number 57 of 2018 concerning Regional Policy and Strategy management of household waste and similar waste

The effectiveness of a law is considered effective if it has a beneficial legal impact and achieves its goal of changing or directing human behavior to produce legal behavior.¹³

The theory of legal effectiveness according to Soerjono Soekanto is that whether a law is effective or not is determined by 5 (five) factors, namely:¹⁴ legal factors, law enforcement factors, facilities or facilities factors, community factors, cultural factors.

a. Legal Factors

Law Number 32 of 2009 concerning the Environment regulates national environmental regulations. In the consideration, it is explained that the survival of humans and other living creatures is threatened due to the increasingly deteriorating quality of the environment, therefore the environment needs to be protected and managed in a real and consistent manner by all stakeholders.

The central government together with regional governments have guaranteed the implementation of effective and environmentally sound waste management, in accordance with Article 5 of Law Number 18 of 2008 concerning Waste Management. It can be understood that the central government, provincial government and district/city governments have different authorities but contribute to each other with the same goal. This delegation of authority is in accordance with the provisions of Law Number 23 of 2014 concerning Regional Government. The law aims to implement regional autonomy.

In implementing regional regulations, implementing regulations and horizontal level regulations are needed for more in-depth elaboration as implementing regulations. Regional regulations can delegate the authority to make regulations to regional heads to implement regional regulations to the Sukoharjo Regency government. Regional regulations are delegated in the form of Regent's Regulation Number 57 of 2018 concerning Regional Policies and Strategies in managing household waste, hereinafter referred to as JAKSTRADA.

¹¹ Nurhayati, N. (2017), Quo Vadis Izin Lingkungan Pendirian Tempat Penampungan Sampah Sementara (TPS), Surakarta, publikasi ilmiah UMS

¹² Nurhayati, N. (2017), Quo Vadis Izin Lingkungan Pendirian Tempat Penampungan Sampah Sementara (TPS), Surakarta, publikasi ilmiah UMS

¹³ Soerjono Soekanto. (1985), Efektivitas Hukum dan Peranan Saksi, Bandung, Remaja Karya

¹⁴ Soerjono Soekanto. (2008), faktor-faktor yang mempengaruhi penegakan hukum, Jakarta, Raja grafindo persada

JAKSTRADA has a program for reducing and handling household waste and similar waste which consists of: The waste reduction program includes limiting, reusing and recycling waste. The waste handling program includes sorting, collection, transportation, processing and final processing.

b. Law Enforcement Factors

The law enforcer in this case is the Sukoharjo Regency Environmental Service in coordination with the Bakalan Village Government to implement Sukoharjo Regent Regulation Number 57 of 2018 in conjunction with Sukoharjo Regent Regulation Number 90 of 2020 concerning Regional Policies and Strategies in Household Waste Management, hereinafter referred to as Jakstrada, in implementing Jakstrada has implementation guidelines for waste management which are regulated by Sukoharjo Regent Regulation Number 46 of 2022. In article 4 paragraph (1) of Sukoharjo Regent Regulation Number 46 of 2022, it is stated that regional governments have the authority to carry out waste management duties. It is explained in article 4 paragraph (5) regarding the duties of village/sub-district governments to make Jakstrada a success.

The Bakalan Village Government has conducted outreach to the community to process household waste but it has been less effective in increasing community involvement in collecting waste at the TPS. The Secretary of Bakalan Village revealed that people prefer to pile up rubbish and then burn it because there is still available land to process it, this is not in line with the objectives of Jakstrada.¹⁵

c. Facilities and Facility Factors

The existence of facilities and facilities which are supporting components that greatly determine the success of implementing a regulation. The supporting facilities and facilities of Sukoharjo Regent Regulation Number 57 of 2018 concerning Jakstrada have not been optimally implemented. In the implementation of article 12 paragraph (6) of Sukoharjo Regency Regulation Number 46 of 2022 concerning the provision of rubbish bin facilities, it is not stated who is the rubbish bin provider, so the people of Bakalan Banyak Village choose to manage household waste independently by dumping it in the yard and burning it. Apart from that, the obstacle is the lack of TPS available in Bakalan Village, there is only 1 (one) TPS designated for waste in the Bakalan Village Market area.¹⁶

The unavailability of public TPS for the community has resulted in the non-operation of Jakstarda which is regulated in Sukoharjo Regency Regulation Number 46 of 2022 article 14 paragraph (2) Letter a which reads "transportation from every source of waste directed to TPS/TPS3R Village/Kelurahan is the responsibility of the community and /or waste generator" in this case means the availability of TPS Temporary Waste Storage Sites for the community. According to the Sukoharjo Environmental Service, there are no Temporary Waste Storage Sites (TPS) available due to the unavailability of funds to build TPS in each village and the need for operational costs which will be the responsibility of the community.¹⁷

d. Community Factors

Society is a legal subject that drives the law's ability to be implemented effectively. In this case, the actions of the Bakalan Village Community are an indication of how well the Regulations are working. Community compliance with the law can be seen from their behavior, whether the behavior implemented is in accordance with or violates existing rules. The behavior of the Bakalan Village Community so far cannot be said to be law-abiding. This can be seen from the behavior of people who have not implemented article 6 of Sukoharjo Regent Regulation Number 57 of 2018 concerning household waste reduction and handling programs.

The author observed that most residents dispose of household waste on empty land by burning it. The results of research conducted by the author by interviewing the Bakalan Village Secretary and the village community, it was proven that the average community did not understand the regulations

¹⁵ Wawancara dengan sekretaris Desa Bakalan

¹⁶ Wawancara dengan sekretaris Desa Bakalan

¹⁷ Wawancara dengan kabid pengelolaan sampah, limbah B3, dan non limbah B3 Dinas Lingkungan Hidup Sukoharjo

and even did not know about procedures for managing household waste. Lack of public sensitivity to the impact of household waste management that does not comply with procedures and lack of public willingness to implement these regulations, especially article 6 of Sukoharjo Regent Regulation Number 57 of 2018 concerning household waste reduction and handling programs.

e. Cultural Factors

Legal culture includes the values that are the basis of the habits carried out by society, society's habits in treating applicable rules are called legal culture. Legal culture refers to how society treats relevant laws. Community habits and aspects of legal culture are interconnected and coexist to form the entire legal culture.¹⁸

Javanese people have a deep understanding and appreciation for harmonious social life. "Rukun agawe santosa, santosa agawe rukun" is one of the many ideas in Javanese culture that emphasizes unity and peace. This kind of thinking prohibits the value of communal living and mutual support. A calm and pleasant atmosphere will develop in society if everyone in it lives in peace and harmony.¹⁹

One way to develop a legal culture is through counseling and communication regarding various laws and regulations, with the aim of ensuring that individuals can understand and obey the relevant laws. Legal culture and legal awareness are two important factors in society. As a result of increasing public understanding and support for law enforcement efforts carried out by all parties, this action also aims to strengthen law enforcement in this country. In this situation, education and outreach can also help reduce legal violations that occur due to not understanding the relevant legal regulations.²⁰

CONCLUSION AND SUGGESTION

Waste management by DLH Sukoharjo Regency in Bakalan Village is not yet fully effective. This is due to the lack of supporting facilities and facilities, the unavailability of Temporary Storage Places (TPS) for the public in Bakalan Village, causing the community to manage household waste independently.

The obstacle faced by DLH Sukoharjo Regency in managing household waste in Bakalan Village is that the community is not yet aware of household waste management according to Jakstrada's directions.

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¹⁸ Sudirman, Mishi Sesse, 2013, *Budaya Hukum dan Implikasinya Terhadap Pembangunan Hakim Nasional*. *Jurnal Hukum Dikhum*, Vol 11, No 2

¹⁹ Theresia Pratiwiningsih. (2020). *Nilai Kearifan Ungkapan Budaya Jawa "Rukum Agawe Santosa Dalam Gagasan Pemikiran Emmanuel Levinas*, *Jumalan Budaya*, 2, 216-24

²⁰ Jaward (2016). *Strategi pengembangan budaya Indum* *Jurnal Penelitian Hum De Jure*, 16(1), hal 77-93

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