

IMPLEMENTATION OF MAJALENGKA REGENCY LOCAL GOVERNMENT POLICIES IN ENVIRONMENTALLY FRIENDLY WASTE MANAGEMENT

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Abstract : *The Majalengka Regency Government issued Regional Regulation Number 3 of 2023 concerning Waste Management to overcome environmental problems. However, even though the regulation already exists, the waste problem remains a major environmental problem in several sub-districts. The purpose of this research is to analyze the implementation of policies of the Regional Government of Majalengka Regency in waste management in Majalengka Regency and to examine and provide an ideal concept related to policy synchronization in waste management between the Regional Government, District Government and Village Government in realizing environmentally sound waste management in Majalengka Regency. This study uses a normative juridical approach with an analytical descriptive nature. Data were collected through literature studies to obtain secondary data from primary, secondary, and tertiary legal materials. Field research is also carried out to obtain primary data that supports secondary data. Data analysis was carried out using qualitative analysis techniques. The results of the study show that the Majalengka Regency Regional Government implements a systematic waste management policy to create a clean and healthy environment. Key strategies include reducing waste from its source, improving recycling programs, and managing the efficiency of landfills, supported by regulations, facilities, infrastructure, and public education. Collaboration with the private sector and local communities is also important. Despite facing challenges, the Majalengka Regional Government is strongly committed to improving environmental conditions and public health through coordinated efforts with the District and Village Governments.*

Keywords: Policy; Local Government; Waste Management

I. INTRODUCTION

Waste management should ideally be carried out according to the policies and regulations that have been set. The local government of Majalengka Regency should implement a systematic and environmentally friendly waste management policy with the aim of creating a clean and healthy environment. These policies include reducing waste from its source, improving recycling programs, and efficient management of landfills. Regulations, improvement of facilities, infrastructure, and public education should support the implementation of this policy. Collaboration with the private sector and local communities is also expected to increase the effectiveness of waste management. Ideally, this policy is well coordinated between local governments, sub-district governments, and village governments, but it illustrates the reality that occurs on the ground related to the implementation of the policy. Although the environmentally friendly waste management policy has been established by the Majalengka Regency Regional Government, its implementation still faces various challenges. The waste problem remains the main environmental problem in several sub-districts. Factors such as lack of infrastructure, limited facilities, and lack of public awareness often hinder the effectiveness of these policies. Collaboration with the private sector and local communities has not been fully optimal. Even so, the Majalengka Regional Government shows a strong commitment to continue to improve environmental conditions and public health through efforts that continue to be improved and coordinated with various related parties.

Research related to the problem of Local Government in Waste Management has been carried out by other researchers before, but substantially there are still differences with this research. The research that is almost the same as this research is a study that has been carried out by Claudia Angelika Untu, *Jurnal Lex et Societatis* Vol. VIII/No. 1/Jan-Mar/2020, entitled "Duties and Authorities of the Government in Implementing Environmentally Friendly Waste Management According to Law Number 18 of 2008 concerning Waste Management" (Claudia Angelika Untu, 2020).

The research carried out by Claudia Angelika Untu, discusses the Duties of the Government and Regional Government, including developing and increasing public awareness in waste management. Looking at the object or scope of research conducted by Claudia Angelika Untu, there are similarities and differences with this research. On the basis of such differences, it can be said that this study is not a re-examination of research that has been carried out by other researchers. The identification of problems and the objectives of this study are very relevant because it not only analyzes the implementation of waste management policies by the Majalengka Regency Regional Government, but also seeks to provide an ideal concept for policy synchronization between local governments, sub-districts, and villages. This approach is important to realize environmentally friendly waste management in a holistic and effective manner in Majalengka Regency.

II. RESEARCH METHOD

The approach method carried out in this study is normative juridical . The specification of this study uses descriptive analysis (Rony Hanitijo Soemitro, 2013). Data sources come from primary data and secondary data. Data collection methods include interviews, Document Studies or Library Materials. The data analysis method used in analyzing data is a qualitative analysis technique

III. RESEARCH RESULTS

1. Implementation of the Waste Management Program for Community Welfare in the Majalengka Regency Area

In the context of environmentally sound waste management, the approach taken must consider the environmental impact of waste management activities. The main principles in

sustainable waste management theory include *Reduce, Reuse, Recycle* (3R), integrated waste management, community participation, and the use of environmentally friendly infrastructure and technology. This is strengthened by Majalengka Regency Regional Regulation No. 3 of 2023 concerning Waste Management. In theory, the hierarchy of legislation according to Hans Kelsen emphasizes the importance of hierarchical structure in the legal system to ensure the consistency and validity of each regulation. According to Kelsen, law is a system of norms arranged in stages, where lower norms get their validity from higher norms. At the top of this hierarchy is *the Grundnorm* (basic norm), which is the source of all other legal norms.

Kelsen's theory can be used to ensure that these local regulations are consistent with higher legal norms. These regional regulations must be aligned with higher regulations in the hierarchy of Indonesian legislation, such as Presidential Regulations, Government Regulations, Laws, and the 1945 Constitution. For example, Majalengka Regency Regional Regulation No. 3 of 2023 must be in accordance with Law No. 18 of 2008 concerning Waste Management, which is a national law that regulates similar matters. In addition, these regional regulations must also comply with the principles and provisions set out in the 1945 Constitution, especially related to the right to a good and healthy environment guaranteed by the constitution.

If there is a conflict between Majalengka Regency Regional Regulation No. 3 of 2023 and a higher regulation, then the higher regulation in the hierarchy has priority and must be followed. For example, if there is a provision in a local regulation that is contrary to Law No. 18 of 2008, then the provisions in the law must take precedence. Using Kelsen's theory of legislative hierarchy ensures that local regulations in Majalengka Regency are not only legally valid, but also consistent with the broader national legal framework. This helps create legal certainty and justice in waste management at the local level. Although in practice there are budget and other problems, these conditions are not supported by technical regulations at the village government level due to the absence of village regulations.

Based on the results of an interview with the Head of Heuleut Village, Agus Ahmad Sopyan, regarding the absence of a village regulation (Perdes) regarding waste, the following results were obtained:

"The process of compiling and collecting data related to waste management in the village is still ongoing. We want to ensure that the Perdes made are really in accordance with the conditions and needs of the village. Although the Regional Regulation does not yet exist, several steps have been taken to manage waste, such as holding routine mutual cooperation, providing garbage cans at several strategic points, and providing education to the public about the importance of maintaining environmental cleanliness."

The Majalengka Regency Regional Government can apply the 3R principle through an education campaign to the public about the importance of reducing waste, reusing goods, and recycling. The development of integrated waste management infrastructure also needs to be carried out by building and repairing TPS, recycling facilities, and waste processing centers that are efficient and environmentally friendly.

Involving the community in the waste management process is the key to success. Local governments can form community groups that are active in waste management at the village and sub-district levels, and involve schools, community organizations, and the private sector in waste management programs. The use of environmentally friendly technologies for waste treatment, such as effective composting and recycling technologies, also needs to be adopted according to local needs and conditions.

The implementation of Majalengka Regency Regional Regulation No. 3 of 2023 concerning waste management in Majalengka Regency has been realized, but its implementation has not been running optimally. This is because there are still no waste reduction programs such as recycling, then there is still a lack of facilities and infrastructure such as in waste management, there is still a lack of Temporary Waste Disposal Sites (TPS) in

each village. However, according to the author, Majalengka Regency Regional Regulation No. 3 of 2023 concerning waste management is appropriate, but in its implementation there are still some that have not gone well.

2. A Study on the Synchronization of Regulations on Waste Management in Majalengka Regency

In Indonesia, it has become a commitment that all activities carried out in the realm of state sovereignty must refer to the law. The state of law is a state system governed by law with justice regulated in a constitution, in which all people in the state, both ruled and ruler, are subject to the same law, so that everyone is treated equally and each person is treated differently based on rational distinctions, regardless of skin color, race, gender, religion, region, and belief. The government's authority is limited by a principle of power sharing, so that the government does not act arbitrarily and violates the rights of the people. Therefore, the people are given a democratic role. So, all government regulations must be based on Pancasila and the 1945 Constitution to achieve the goal (Endang Sutrisno & Esmi Warassih, 2016). The principle of balance and harmony as part of efforts towards the harmonization of law so as to minimize the overlap of legal norms, be able to overcome limitations that can cause differences in the formation of contradictory and inconsistent orders. in law and also able to use law as a tool to determine the direction and pattern of dynamic community development reform, or can also be referred to as a legal expert who is able to use law as *social engineering* (Esmi Warassih, 2011). The main purpose of the formation of the government is to maintain an order where people can live a reasonable life (Esmi Warassih, 2011). Therefore, the main function of the government is to serve the community. As stated by *Chambliss* and *Seidman* in *The Working Theory of Law*, in the work of law, the role of personal and social forces is very influential not only on the people as the target of legal arrangements, but also on legal institutions.

There are several aspects in the work of the law, namely: law making institutions, sanction activity institutions, role occupants, as well as societal personal force, legal culture and all elements of feedback (feedback) from the process of working the law that is happening. Into this social force includes the complex of other orders. The direction of the arrow can be seen that the final result of the work of order in society cannot be monopolized only by law, but also by other social forces (Endang Sutrisno, 2013).

If waste management is associated with the theory of the work of the law, then in the work of the law, the role of personal and social forces is very influential not only on the people as the target of legal arrangements, but also on legal institutions. Esmi Warassih's thoughts on law and policy are very relevant in the context of waste management. Law provides a framework that governs behavior and sets standards, while policy directs the practical implementation of those legal principles. Good integration between law and policy, public participation, and effective law enforcement are key to achieving a sustainable and effective waste management system in Indonesia. Esmi Warassih's thoughts provide valuable insights into how the law can be used to drive positive change in environmental management, including waste management.

The waste problem which is part of the problem of people's lives that requires law as a function of social control, there have been legal instruments in the form of Law Number 18 of 2008 concerning Waste Management (UUPS), Government Regulation Number 81 of 2012 concerning the Management of Household Waste and Household Waste, Regulation of the Minister of Home Affairs Number 33 of 2010 concerning Waste Management Guidelines, Regulation of the Minister of Environment Number 13 of 2012 concerning Guidelines for the Implementation of *Reduce, Reuse, and Recycle* through Waste Banks, and Regulation of the Minister of Public Works Number 3 of 2013 concerning the Handling of Household Waste and Similar Waste, for operationalization, it is necessary to follow up with Regional Regulations

(Perda) at the Regency/City level. In the 1945 Constitution of the Republic of Indonesia, Article 28H paragraph (1) contains provisions that a good and healthy environment is a human and constitutional right for every Indonesian citizen. In Article 9 of Law Number 18 of 2008 concerning Waste Management, that the Regency/City Government has the responsibility and authority in waste management so that there is no hoarding and mountains of waste. Waste has become a national problem so its management needs to be carried out in an integrated and conclusive manner starting from collection to waste processing. Waste management can run effectively and efficiently if there is good cooperation from the Central Government, Regional Government, District Government and Village Government (Tania Larasita Situmeang et al., 2023).

Policy synchronization in waste management in Majalengka Regency includes various aspects that are important to consider. Majalengka Regency, faces serious challenges related to waste management. Population growth and increased economic activity have increased the volume of waste produced. Without proper management, this waste can become a source of environmental pollution, damage soil, water, and air, and disrupt the sustainability of natural ecosystems. On the other hand, authority related to waste management is spread among various levels of government, ranging from local governments to village governments. However, there is often a discrepancy in policy planning and implementation between these levels of government. Limited resources, both in terms of finance, labor, and infrastructure, are also an obstacle in efforts to improve the effectiveness of waste management. Although public awareness of the importance of environmentally sound waste management has increased, without good coordination between local governments, sub-districts, and villages, these awareness efforts may not be maximized. Moreover, the implementation of existing regulations related to waste management is still uneven and consistent at all levels of government. Therefore, joint efforts are needed between local governments, sub-districts, and villages to create a coordinated and sustainable framework for environmentally sound waste management in Majalengka Regency.

In the context of Majalengka Regency, joint efforts between local governments, sub-districts, and villages are increasingly important to overcome waste management challenges. Solid cooperation between all relevant parties can strengthen waste management infrastructure, improve the efficiency of waste collection, sorting, and processing, and optimize the use of existing resources.

In addition, a holistic and community participation-based approach needs to be implemented. Involving the community in the decision-making process, education about the importance of sustainable waste management, and the provision of adequate facilities and infrastructure for household and community waste management can be key steps in achieving environmentally sound waste management goals.

In addition, there needs to be efforts to strengthen the capacity of local, sub-district, and village governments in planning, implementing, and monitoring waste management programs. This includes integrated policy formulation, adequate budget allocation, and the development of a trained workforce in the field of waste management. Thus, policy synchronization in waste management between local governments, sub-districts, and villages in Majalengka Regency will provide a strong foundation for joint efforts in creating a clean, healthy, and sustainable environment for future generations.

Starting from the above explanation, if we relate it to the theory of legislative hierarchy, it highlights the importance of a hierarchical legal structure, where each level of legal norm has its validity derived from a higher level of norms. In the context of Majalengka Regency, this theory shows that regulations regarding waste management, such as Majalengka Regency Regional Regulation No. 3 of 2023, must be in line with higher national laws, such as Law Number 18 of 2008 concerning Waste Management. This ensures that any regulations

implemented at the regional level do not conflict with the broader legal framework, thus creating legal clarity and consistency in waste management in Majalengka Regency. With good synchronization between regional and national regulations, the implementation of waste management policies can run effectively and support efforts to create a clean and healthy environment at the local level.

Based on the theory of legal certainty and the Synchronization of Regulations on Waste Management in Majalengka Regency in realizing environmentally sound waste management in Majalengka Regency, it can be explained that: the theory of legal certainty highlights the importance of stability and clarity in legal regulations. In the context of waste management, this refers to the need for clarity in regulations related to waste management that apply at the local, sub-district, and village government levels. Clear regulations will help harmonize policies between different levels of government, ensuring that all parties involved have the same understanding of their duties and responsibilities regarding waste management.

In addition, the theory of legal certainty emphasizes the need for legal protection for all parties involved in an activity. In terms of waste management, strong legal protection will give confidence to local governments, sub-districts, and villages to take the necessary steps in implementing environmentally sound waste management policies. This includes decision-making related to budget allocation, infrastructure planning, and the implementation of waste management programs. The theory of legal certainty highlights the importance of compliance and law enforcement in maintaining order and justice in a legal system. In the context of waste management, this means the importance of compliance with existing regulations and effective law enforcement against violations that occur. Thus, the relationship between the theory of legal certainty and policy synchronization in waste management in Majalengka Regency highlights the importance of clear regulations, strong legal protection, and effective compliance and law enforcement in creating a clean, healthy, and sustainable environment.

Environmentally sound waste management will not be able to run without the will and awareness of the community. One of the very basic problems for waste management in Majalengka Regency is the large amount of waste generated by the community. In addition, in waste management, the community is also responsible for its handling because waste is generated from community activities. With the participation of the community related to waste sorting, it will have a positive impact on the implementation of waste management in Majalengka Regency.

Joint efforts between local governments, sub-districts, and villages in Majalengka Regency in realizing environmentally sound waste management is not an easy task. Strong commitment, good coordination, and active participation from all stakeholders are needed to achieve these goals. In addition, a holistic approach involving various aspects, such as public education, infrastructure development, law enforcement, and technological innovation, also needs to be implemented.

Nevertheless, the expected results of this joint effort are enormous. Environmentally sound waste management will not only improve the quality of the environment and public health, but can also be an opportunity for sustainable development and the creation of new jobs. In addition, by keeping the environment clean and healthy, Majalengka Regency will become a more attractive place for investment and tourism. Thus, policy synchronization in waste management in Majalengka Regency is not only about efforts to maintain environmental sustainability, but also an investment in a better future for the entire community.

The relationship between the theory of legal certainty and the absence of village regulations regarding waste management can be explained as follows: in the legal context, legal certainty is a principle that emphasizes the importance of clear, predictable, and consistently applicable rules in people's lives. When there are no village regulations regulating waste management, there is uncertainty in the waste management process at the village level. This

can lead to various inconsistent interpretations and actions in waste handling by the community and local government.

Without specific village regulations, communities and village governments may face difficulties in determining their obligations, rights, and responsibilities related to waste management. It can also affect efforts to achieve environmentally sound and sustainable waste management goals at the local level. In this case, the existence of clear and law-based village regulations is very important to create the necessary legal certainty for all parties involved in waste management in Majalengka Regency.

Looking at the object or scope of research carried out by Claudia Angelika Untu, there are similarities and differences. The similarity is that there is a similarity between the Duties and Authorities of the Government in Implementing Environmentally Friendly Waste Management according to Law Number 18 of 2008 concerning Waste Management and the Implementation of Majalengka Regency Local Government Policies in Environmentally Friendly Waste Management in Majalengka Regency are both have the goal of: managing waste effectively and efficiently, protecting the environment from the negative impact of waste and ensuring the sustainability of natural resources and the environment. Meanwhile, the Government's Duties and Authorities in Law Number 18 of 2008 are usually focused on the national legal framework that regulates the general principles and duties of the central government in waste management. Meanwhile, the implementation of policies by the Majalengka Regency Regional Government is more specific to local conditions, including regulations and programs that are tailored to the characteristics and needs of the local area in environmentally sound waste management.

IV. CONCLUSION

The implementation of waste management regulations in Majalengka Regency based on Regional Regulation Number 3 of 2023 faces significant obstacles, such as budget limitations, low awareness and community participation, and a lack of coordination between the village government, the private sector, and the community. Inadequate infrastructure, resistance to waste segregation at the source, and a lack of trained and educated workforce for cleaners also hampered the implementation process. Although this Regional Regulation provides a clear legal framework, a coordinated solution from all parties is needed to achieve the objectives of this regulation optimally.

Hans Kelsen's Theory of Legislative Hierarchy emphasizes the importance of an orderly legal structure, where higher norms govern lower norms to maintain consistency in the legal system. In the context of waste management, synchronization between Law Number 18 of 2008 concerning Waste Management and Majalengka Regency Regional Regulation Number 3 of 2023 is important for effective implementation at the district level. Although the Law provides a national legal framework, the implementation of the Village Regulation on waste management is still not available at the village level, demonstrating the need for coordination between the District and Village governments in order to harmonize regulations. This effort is needed so that all levels of government can work together in achieving effective and sustainable waste management.

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