

*Jurnal Hukum Replik*

ISSN 2337-9251 (Print) 2597-9094 (Online)


Vol. 14 Issue 1 (2026) 1–34

DOI: <https://doi.org/10.15294/ijals.v5i1.67726>

Available online since: May 15, 2026



# IMPLEMENTATION OF COMMUNITY PARTICIPATION IN ENVIRONMENTAL PROTECTION BASED ON LAW NUMBER 32 OF 2009 CASE STUDY: NEIGHBORHOOD ASSOCIATION (RT) 08, COMMUNITY ASSOCIATION (RW) 04, MALAKA JAYA, EAST JAKARTA

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## Abstract

Environmental protection is not only the government's responsibility, but the community must also be actively involved. And environmental damage is now a very crucial problem that shows the gap between the law in the text (law in the books) and the law in practice (law in action). Law Number 32 of 2009 concerning Environmental Protection and Management provides a clear scope for the community to participate in maintaining environmental sustainability, especially starting from the micro-level community. This study aims to analyze how local community participation in implementing environmental protection in RT 08 RW 04 Malaka Jaya, East Jakarta and find solutions to avoid problems and obstacles that arise.

The method used is empirical juridical legal research with a qualitative descriptive approach and data collected through direct interviews with RT/RW administrators and residents, through observation of environmental conditions, and literature studies on laws and regulations and related literature. This study has shown that the community has been involved in environmental cleaning activities. The results show that residents of RT 08 RW 04 participate through regular and active initiatives that have transformed the environment into a good example. This participation emerged from strong local awareness and broad-minded, forward-thinking leadership. It's not just a formal legal obligation, but also a challenge in addressing the consistency of participation and the varying levels of awareness. This research concludes that effective community participation can create "living law," meaning environmental norms are internalized and implemented collectively beyond the boundaries of positive law. This success has proven that even the smallest communities can be a driving force for sustainable environmental protection

## **Keywords**

*Community Participation, Environmental Protection, Law Number 32 of 2009, RT 08 RW 04 Malaka Jaya, Environmental Law*

## **Introduction**

The environment plays a crucial role in maintaining human survival and national development.<sup>1</sup> A clean environment is a primary requirement for a prosperous life, especially in densely populated cities with high economic activity. If the population continues to grow without regard for the environment, it will lead to numerous problems such as pollution, poor sanitation, and accumulating household waste.<sup>2</sup> Indonesia has a comprehensive environmental legal framework, with Law Number 32 of 2009 concerning Environmental Protection and Management (UUPPLH) as a key pillar, one of which is community participation.<sup>3</sup> This law affirms that communities have the right and obligation to participate in environmental protection, through participation in environmental management, social oversight, and the submission of aspirations and complaints regarding alleged environmental pollution and damage. This participatory principle

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<sup>1</sup> Arief, S. (2019). *Hukum Lingkungan dan Kebijakan Publik*. Jakarta: Sinar Grafika. h. 43

<sup>2</sup> Hardjosoemantri, K. (2015). *Hukum Tata Lingkungan*. Yogyakarta: Gadjah Mada University Press. h. 99

<sup>3</sup> Nugroho, R. (2018). Peran Serta Masyarakat dalam Perlindungan dan Pengelolaan Lingkungan Hidup. *Jurnal Hukum Lingkungan Indonesia*, 5(1), 45–58.

aligns with the concepts of sustainable development and good environmental governance.

However, ongoing environmental crises, ranging from uncontrolled waste management and water pollution to the impacts of climate change, demonstrate a significant discrepancy between the law on the books and the reality on the ground (law in action). Formal law is often powerless when it is not internalized and implemented by local communities as active legal subjects.<sup>4</sup>

This phenomenon underscores the importance of a socio-legal approach to help communities understand how environmental law operates within a social context.<sup>5</sup> At the smallest community level, such as the Neighborhood Association (RT), the interaction between state law (positive law) and prevailing social norms (living law) becomes particularly evident. This is where the effectiveness of environmental law is tested. Micro-environmental issues, such as small amounts of litter like cigarette butts or the unpleasant odor of animal waste (Q&A RT8 RW4), often escape the reach of formal law but become everyday problems that can only be addressed through the collective awareness and participation of local residents.

In an urban context, residential areas constitute the primary living spaces for communities and are most vulnerable to environmental degradation. Environmental problems at the residential level are often local and recurring, such as littering, lack of household-based waste management, and minimal community participation in environmental cleanup activities. This situation demonstrates that environmental protection efforts cannot rely solely on government policies but require the active involvement of the community as the primary actors in preserving their surrounding environment.

Despite clear regulations regarding community participation, implementation of regulations at the community level still faces numerous challenges. Low levels of understanding of environmental law, inadequate policy dissemination, and limited supporting facilities

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<sup>4</sup> Soemarwoto, O. (2017). *Ekologi, Lingkungan Hidup, dan Pembangunan Berkelanjutan*. Jakarta: Djambatan. h 45.

<sup>5</sup> Arief, S. (2019). *Hukum Lingkungan dan Kebijakan Publik*. Jakarta: Sinar Grafika. h 52

and infrastructure often hinder optimal community participation. As a result, legal provisions designed to encourage community participation have not been fully internalized by residents in their daily lives.

The gap between the normative provisions regarding community participation in Law Number 32 of 2009 and the empirical reality at the neighborhood level (RT) level indicates problems in the implementation of environmental law. Therefore, this research is crucial to empirically examine how community participation in environmental protection is implemented at the community level and the factors that influence its effectiveness. The results of this study are expected to provide a concrete picture of the implementation of environmental law at the local level and serve as a basis for strengthening the community's role in sustainable environmental protection.<sup>6</sup>

This research uses a case study in RT 08 RW 04, Malaka Jaya Village, Duren Sawit District, East Jakarta. This location, known as "Pencegah Crisis Planet" on Google Maps at <https://maps.app.goo.gl/44iG331WzjiRVqka6>, has transformed from a densely populated, concrete-clad neighborhood into a living laboratory for community-based environmental protection practices. RT 08's success in managing its environment independently and innovatively offers an empirical model of how community participation can be an effective mechanism for realizing living environmental law. Therefore, this study is relevant for an in-depth analysis of how such participation is implemented and the factors influencing its socio-legal context.

Despite clear regulations regarding community participation, the implementation of regulations at the community level still faces many challenges. Poor understanding of environmental law, inadequate policy dissemination, and limited supporting facilities and infrastructure often hinder the optimization of community participation. Consequently, legal provisions designed to encourage

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<sup>6</sup> Hardjasoemantri, K. (2015). *Hukum Tata Lingkungan*. Yogyakarta: Gadjah Mada University Press

community participation have not been fully internalized by residents in their daily lives.

## Research Method

This research employs qualitative research with a case study approach. The primary approaches employed are socio-legal studies and juridical-empirical studies. The socio-legal approach analyzes the interaction between formal legal norms and social practices and community legal awareness. Meanwhile, the juridical-empirical approach examines the facts on the ground regarding the implementation of community participation and links them to the applicable legal framework.<sup>7</sup>

This research was conducted in Neighborhood Association (RT) 08, Community Association (RW) 04, Malaka Jaya Village, Duren Sawit District, East Jakarta. This location was purposively selected due to its proven track record of innovation and community participation in the environmental sector, making it a rich case study for in-depth study. Data were obtained directly from primary sources in the field. In this study, the primary data were interviews and questionnaires with residents and administrators of RT 08, RW 04, Malaka Jaya, as documented in the document "Q&A RT8 RW4\_MALAKA JAYA"

## Results and Discussion

### A. Overview of Research Location: Transformation of RT 08 RW 04 Malaka Jaya

RT 08 RW 04 Malaka Jaya, which is easily found from Googlemap at the link <https://maps.app.goo.gl/44iG331WzjiRVqka6> or simply typing “Planetary Crisis Prevention” which currently has thousands of positive five-star comments, has undergone a significant transformation from a densely populated environment that tends to be “neglectful and administrative” to a recognized socio-ecological innovation unit. Under visionary leadership, residents collectively drafted the Decree of the RT 08 RW 04 Malaka Jaya Residents' Meeting Number 01/SK/IV/08/01/2024 dated January 10, 2024 concerning the 'Blueprint RT08 RW04 Malaka Jaya 2023–2028' as a strategic guide. This transformation is realized through various concrete innovations that demonstrate the active participation of residents, including:

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<sup>7</sup> Nugroho, R. (2018). Partisipasi Masyarakat dalam Perlindungan Lingkungan Hidup. *Jurnal Hukum Lingkungan Indonesia*, 5(1), 45–58.

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1. Planetary Crisis Prevention Learning Pilot Center: An area at the entrance of an alleyway that houses more than 40 environmental innovations, covering climate change prevention (biopores, solar panels), biodiversity conservation (nutrient ponds, aquaponics), and pollution prevention (composters, rainwater harvesting). This innovation has been registered as Intellectual Property (IP) by the Ministry of Law under register EC00202436752, dated May 10, 2024.
2. Food and Economic Innovation: Utilizing limited space above a water channel (U-ditch) with a double-decker system to construct a two-story "Citizen Nutrition Pond" for fish farming, which not only supports food security but also creates economic value for residents. This innovation has been registered as an Intellectual Property (IP) by the Ministry of Law under registration EC002025177583, dated November 11, 2025.
3. Institutionalization of Participation: Citizen participation is not sporadic, but rather institutionalized through the "Bersama Tumbuh Maju" Farmer Group (Poktan), which was authorized by Village Head Decree Number 50 of 2024 dated January 9, 2024. This creates an accountable and sustainable system.

**B. These initiatives demonstrate that current environmental conditions are considered "better, because they are cleaner and greener than before" by residents (Q&A RT8 RW4).**

Implementation of Community Participation in RT 08 RW 04 Malaka Jaya The implementation of community participation in RT 08 RW 04 aligns with the mandate of Article 70 of the Environmental Management Law (UUPPLH), which covers the right and opportunity to play an active role. These forms of participation include:<sup>8</sup>

- a. Social Monitoring and Information Dissemination: Residents actively participate in maintaining cleanliness. Most residents independently maintain cleanliness in front of their homes (Q&A RT8 RW4). New initiatives also consistently emerge and are presented in community meetings and deliberations, demonstrating the existence of open channels for participation.
- b. Active Role in Environmental Management: Participation is not merely passive, but active in the form of concrete activities. Residents carry out scheduled community service activities once a week (Q&A RT8 RW4). Furthermore, there are various waste management programs, such as collecting waste for the Waste Bank, composting, and utilizing biopores and maggots.

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<sup>8</sup> Marzuki, P. M. (2017). *Penelitian Hukum*. Jakarta: Kencana Prenada Media Group.

- c. Developing Independence and Pioneering: Innovations such as the Nutrition Pool and the Planetary Crisis Prevention Center are examples of pioneering initiatives born from community initiatives (bottom-up), not government programs. This is in line with the objectives of UUPPLH to foster community independence and pioneering..

Socio-Legal Analysis: Supporting and Inhibiting Factors of Participation From a socio-legal perspective, the success of participation in RT 08 is influenced by various social factors, not only because of the existence of legal regulations.<sup>9</sup>

#### Supporting Factors

1. Visionary and Innovative Leadership: The proactive role of the neighborhood head, capable of mobilizing residents, serves as a key catalyst. This leadership successfully translates a shared vision into concrete action and institutionalizes it.
2. Social Cohesion and Deliberation: A culture of deliberation to resolve problems provides a strong foundation. When environmental conflicts arise between residents, resolutions are carried out independently or through deliberation (Q&A RT8 RW4). This demonstrates that social norms and mutual agreements (living law) are prioritized over formal resolution.
3. Collective Awareness: There is a shared understanding that maintaining a clean environment is "our collective obligation" (Q&A RT8 RW4). Responsibility is not delegated to neighborhood leaders or the government, but rather is borne collectively.
4. Sustainable Initiatives: Residents proactively propose new initiatives in meetings, demonstrating that participation is dynamic and not static (Q&A RT8 RW4).
5. Awareness that the RT Deliberation is the highest forum according to the Regulation of the Minister of Home Affairs Number 18 of 2018 and the Regulation of the Governor of DKI Jakarta Number 22 of 2022 concerning RT and RW.

#### Inhibiting Factors

1. Maintaining Consistency and Togetherness: The main obstacle faced is "maintaining consistency and togetherness among residents" (Q&A RT8 RW4). High participation requires ongoing efforts to motivate residents.
2. Different Levels of Awareness: Not all residents have the same

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<sup>9</sup> Ibrahim, J. (2017). *Teori dan Metodologi Penelitian Hukum Normatif*. Malang: Bayumedia Publishing.

8 ■ Title

- level of awareness. Some residents are active, while "others still need to adapt to a zero-waste lifestyle" (Q&A RT8 RW4). This difference presents a challenge in achieving uniform compliance.
3. Participation Fatigue: Routine and repetitive activities, such as weekly community service and the large number of visitors each week, have the potential to cause fatigue in some residents (Q&A RT8 RW4).
  4. Limited Government Support: Residents feel that government support is "not sufficient" (Q&A RT8 RW4). There has never been any concrete assistance related to waste management, and the support that exists is limited, such as education in food security programs. This indicates that the initiative relies more on community self-reliance or bottom-up rather than top-down support.
  5. Support from the RT management family is quite influential in determining the continuity of activities and the implementation of the commitment to maintain a sustainable environment and the implementation of the ideals in the smallest environment in the RT community (Q&A RT8 RW4).

Legal Perception and Environmental Awareness at the Community Level An interesting finding from this study is residents' perceptions of environmental law. When asked whether protecting the environment is a legal obligation or a matter of personal awareness, the dominant response was "more of a personal awareness" (Q&A RT8 RW4).<sup>10</sup> This is reinforced by the fact that most residents admitted to not knowing the details of environmental law regulations, despite having received information from the RT Head, who happens to care about the environment and emphasizes "What the Law Says" and "What the Law Says," or all actions he takes are based on "What the Law Says" and "According to the Law." (Q&A RT8 RW4).

This phenomenon is a classic example of living law in action. Residents' pro-environmental behavior is not driven by fear of formal legal sanctions, but rather by internalized social norms and moral awareness. The sanctions imposed are also social in nature, in the form of "reprimands and education," rather than fines or formal punishment (Q&A RT8 RW4). This suggests that the effectiveness of environmental protection in RT 08 relies more on the strength of social capital and communal agreements than on state law

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<sup>10</sup> Marota, R., Suryadnyana, N. A., Sjam, J. M. E., & Supriadi, T. (2023). Corporate social responsibility (CSR) accounting treatments on financial performance: Case study in manufacturing public companies. *ATESTASI: Jurnal Ilmiah Akuntansi*, 6(1), 339–350.

enforcement.<sup>11</sup>

Nevertheless, residents remain hopeful that formal law will function. The hope for the future is "that the Environmental Law can be implemented from the bottom up" (Q&A RT8 RW4). This indicates an awareness that strong local initiatives need to be supported by a consistently enforced national legal framework to create a broader and more sustainable impact.

### **Conclusion**

The implementation of community participation in RT 08 RW 04 Malaka Jaya has been effective and exceeded the normative mandate of the Environmental Management Law (UUPPLH). Participation is manifested in innovative, structured, and sustainable bottom-up initiatives, such as routine community service, integrated waste management, and the creation of a "Planetary Crisis Prevention" model. From a socio-legal perspective, the main supporting factors for successful participation are strong leadership in accordance with applicable laws and regulations, high social cohesion, and collective awareness. Meanwhile, inhibiting factors include challenges in maintaining consistent participation, differences in awareness levels among residents, and a lack of concrete support from the government, including family factors, which contribute to the continuity of policy implementation in the community. Pro-environmental behavior in RT 08 RW 04 is driven more by the highest leadership in the smallest neighborhood who is committed to environmental progress, personal awareness and social norms (living law) rather than adherence to formal law (positive law). Social sanctions such as reprimands are more effective than the threat of legal sanctions. This demonstrates that successful community participation can create living laws that are adhered to at the community level.

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<sup>11</sup> Supriadi, T., Mulyani S.M., Supardi, E.M., Farida I., Influence of Auditor Competency in Using Information Technology on the Success of E-audit System Implementation, Jurnal Internasional Q1 - Scopus <https://doi.org/10.29333/ejmste/109529>, EURASIA J Math Sci Tech Ed, 2019.

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