



Ideal Arrangements for Fines to Enhance Legal Awareness and Minimize Waste Effectively in Society

Abdusalam Rauf ¹, Fenty U. Puluhulawa ², Ahmad ³

¹²³ Faculty of Law, Gorontalo State University, Indonesia.

Correspondence Email: salamr130202@gmail.com

Abstract: The implementation of fines as a legal instrument plays a crucial role in shaping public behavior concerning waste management. Despite the existence of numerous regulations governing waste management, the effectiveness of imposing fines remains limited in raising legal awareness and reducing waste volume in society. This study aims to explore the ideal framework for implementing fines to enhance legal awareness and minimize waste, emphasizing more effective and systematic law enforcement. Utilizing a normative juridical and sociological approach, the study analyzes existing regulations and identifies obstacles in the application of fines in Indonesia. The findings reveal that while fines have the potential to reduce waste, the main challenges include insufficient public education, weak law enforcement, and inconsistencies between the amount of fines imposed and their intended deterrent effects. The study recommends strengthening waste management regulations, increasing community participation, and implementing proportional fines coupled with stringent monitoring systems to achieve significant waste reduction. With a more ideal regulatory framework, it is hoped that public legal awareness will improve, paving the way for sustainable waste management practices.

Keywords : Fine Setting; Legal Awareness; Waste Management.

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1. Introduction

Population growth in developing nations tends to progress at a much faster rate than in developed countries, exerting significant pressure on the environment. Rapid population expansion in countries such as China, India, Pakistan, and Indonesia often surpasses the environment's carrying capacity, threatening the sustainability of ecological functions. High birth rates in these regions drive substantial demographic surges, resulting in widespread ecological consequences, including severe damage to existing ecosystems. The immense population size in developing and low-income countries further amplifies environmental stress. Many individuals in these regions rely heavily on biodiversity from terrestrial and aquatic ecosystems for their livelihoods, often leading to overexploitation of natural resources without regard for long-term sustainability.¹ This overreliance is frequently driven by poverty, forcing communities to depend on these resources for survival.² Consequently, environmental degradation becomes evident across multiple sectors, particularly in coastal areas where pollution intensifies due to dense maritime activities and proximity to urban settlements.³

Indonesia, as the most populous country in Southeast Asia with a population of 278 million as of mid-2023, exemplifies the environmental challenges associated with rapid population growth.⁴ Waste generation has surged to approximately 17.78 million tons in 2023, with 33% remaining untreated. Indonesia is also one of the world's largest contributors to marine plastic pollution, releasing an estimated 56.33 metric tons of plastic waste into the ocean annually. This poses a significant challenge for managing plastic waste, particularly in the nation's territorial waters. Uncontrolled population growth exacerbates waste-related issues, such as the accumulation of domestic waste, which generates harmful methane gas and threatens public health. For instance, a 2020 survey reported 1,249 waste items weighing 2,603.3 grams, consisting of materials such as plastic, polystyrene, fabric, glass, ceramics, metals, paper, rubber, and wood, highlighting the severity of the problem.⁵

Modernization has further complicated environmental management, as changes in lifestyle, consumer behavior, and an increasing preference for convenience contribute

¹ Habibie, Amelia, and Ahmad Ahmad. "Factors Affecting The Imposition Of Sanctions For The Crime Of Unlicensed Black Stone Mining." *Estudiante Law Journal* 6.2 (2024): 442-451.

² Ahmad, Ahmad, Muh Ramdhani Hamzah, and Gunawan Rena. "Upaya Pemerintah Dalam Mengurangi Dampak Negatif Pertambangan Batu Hitam Di Daerah Gorontalo." *Depositi: Jurnal Publikasi Ilmu Hukum* 2.2 (2024): 422-430.

³ Maria Lidia Dumang, Jimmy Pello, dan Rudepel Petrus Leo, "Kesadaran Hukum Masyarakat Kota Ruteng Terhadap Pengelolaan Sampah Rumahtangga Ditinjau Dari Peraturan Daerah Manggarai Nomor 2 Tahun 2013 Tentang Pengelolaan Sampah," *Mandub: Jurnal Politik, Sosial, Hukum Dan Humaniora* 2, no. 2 (29 April 2024): 139-52, <https://doi.org/10.59059/mandub.v2i2.1172>.

⁴ Moha, Mohamad Rivaldi, et al. "The Comparative Law Study: E-Commerce Regulation in Indonesia and Singapore." *Jurnal Legalitas* 16.2 (2023): 248-259.

⁵ Merry Lenda Kumajas, "Kesadaran Hukum Awak Kapal dalam Pengelolaan Limbah di Kapal Laut," *Jurnal Social Science* 10, no. 1 (1 April 2022): 12-16.

to environmental degradation.⁶ While modernization offers benefits such as technological advancements and economic growth, these positive impacts are often accompanied by negative consequences for the environment if left unaddressed. Effective measures are crucial to prevent long-term declines in quality of life. Collective action and public participation are essential in tackling environmental challenges. Indonesia's constitutional framework underscores the importance of proactive environmental stewardship, with Article 28H (1) of the 1945 Constitution affirming the right to a healthy and sustainable environment.⁷ This legal mandate emphasizes the shared responsibility of the government and society to manage waste and preserve environmental quality.⁸

Despite Indonesia's comprehensive legal framework, including Law No. 18 of 2008 on Waste Management, challenges persist in its enforcement. The country ranks as the fifth-largest contributor to waste in Southeast Asia, partly due to inadequate public compliance and enforcement measures. For example, cases of improper waste disposal, such as individuals littering in Cimahi or dumping waste into rivers in Bogor, underscore the lack of deterrent effects from current enforcement strategies. Stronger measures, alongside increased public accountability, are necessary to address these recurring issues effectively.

Lessons from European nations such as the Netherlands provide valuable insights into waste management. Over the years, the Netherlands has transitioned from basic waste disposal practices to implementing advanced waste incineration technologies that mitigate health risks while generating renewable energy. These efforts are supported by robust legal frameworks, public awareness initiatives, and a national culture of environmental responsibility. By integrating waste recycling, strict regulations, and innovative solutions, the Netherlands has achieved a recycling rate of 56.8%, positioning itself as a global leader in sustainable waste management.⁹

Building a robust legal culture and fostering environmental awareness are critical for effective environmental governance. Legal awareness encourages compliance with laws, ensuring public accountability and sustainable management of natural

⁶ Mamu, Karlin Z., et al. "Peningkatan Kesadaran Masyarakat Bantaran Dalam Menjaga Kelestarian Danau Melalui Pemanfaatan Alat Tangkap Berbasis Kearifan Lokal." *Jurnal Pengabdian Mandiri* 3.1 (2024): 137-142.

⁷ Ismail, Dian Ekawaty, Fence M. Wantu, and Novendri M. Nggilu. "Model For Legal Settlement On Damage To The Tanjung Panjang Nature Reserve In Pohuwato Regency." *Russian Law Journal* 11.3S (2023): 32-42.

⁸ Peni Verawati, "Kebijakan Extended Producer Responsibility Dalam Penanganan Masalah Sampah Di Indonesia Menuju Masyarakat Zero Waste," t.t.

⁹ Safrin Salam dkk., "Penyuluhan Hukum Membangun Kesadaran Hukum Lingkungan Berbasis Kearifan Lokal Pada Wilayah Pesisir Di Desa Bahari Tiga Kabupaten Buton Selatan," *SELAPARANG: Jurnal Pengabdian Masyarakat Berkemajuan* 8, no. 3 (15 September 2024): 2456-63, <https://doi.org/10.31764/jpmb.v8i3.26072>.

resources.¹⁰ Education also plays a pivotal role in shaping environmentally conscious behavior. Japan's success in integrating environmental education from an early age demonstrates how such initiatives can foster disciplined, eco-friendly lifestyles, contributing to the long-term sustainability of natural resources.

Environmental degradation directly impacts human well-being, making the right to a healthy environment a fundamental human right. Addressing these challenges requires comprehensive legal frameworks, public participation, and sustained educational efforts. As Indonesia strives to safeguard its natural resources, the government must prioritize the effective enforcement of environmental laws, encourage active public engagement, and adopt lessons from global best practices to achieve sustainable environmental management.

2. Method

The research method used in this study involves specific techniques, systematic approaches, and analytical thinking to understand legal concepts or issues. This method requires a thorough examination of legal facts to address the issues that arise within a particular framework. The researcher in this study will use three types of approaches: Comparative Approach, Legislation Approach, Historical Approach and Case Approach.¹¹

3. Ideal Arrangements Regarding the Implementation of Fines

Legal theories often emphasize that the distinguishing feature of legal norms compared to other societal norms is the element of coercion or sanctions inherent in legal norms.¹² Law, particularly in modern states, functions as a structured command from superior to subordinate, rather than mere coercive threats or physical intimidation. In this context, criminal law is seen as *ultimum remedium* – a measure of last resort – applied only when other legal mechanisms fail to resolve an issue. Its primary objective is to punish offenders, typically through imprisonment or fines, rather than directly addressing or restoring environmental damage.¹³ However, the deterrent effect of criminal sanctions is significant, necessitating their selective application. In Indonesian environmental law, two key principles guide the use of

¹⁰ Lanjahi, Mohammad Abdi, et al. "Analisis Yuridis Terhadap Perlindungan Ekspresi Budaya Tradisional Provinsi Gorontalo." *Perkara: Jurnal Ilmu Hukum Dan Politik* 1.3 (2023): 161-182.

¹¹ Zainuddin Ali, *Metode penelitian hukum* (Sinar Grafika, 2021).

¹² Pantouw, Indah Amanah Poetri Soedarno Oei, and Ahmad Ahmad. "Perlindungan Hukum Terhadap Masyarakat Akibat Penambangan Emas Di Sungai Tulabolo Yang Tercemar Merkuri." *Borneo Law Review* 6.2 (2022): 187-204.

¹³ Paruki, Novia Rahmawati A., and Ahmad Ahmad. "Efektivitas Penegakan Hukum Tambang Ilegal." *Batulis Civil Law Review* 3.2 (2022): 177-186.

criminal sanctions: *ultimum remedium* and *primum remedium*.¹⁴ The *ultimum remedium* principle dictates that criminal law enforcement is employed only after other legal approaches, such as administrative sanctions, have proven ineffective. This approach reflects the gravity and restraint associated with criminal penalties.¹⁵ Conversely, *primum remedium* emphasizes the immediate application of criminal sanctions for actions that cause significant harm to public or state interests. Both principles share the ultimate aim of safeguarding society and the environment, though they differ in their operational focus. While *ultimum remedium* prioritizes measured responses, *primum remedium* underscores urgency in addressing severe environmental harm.¹⁶

The implementation of these principles depends heavily on the competence and integrity of legal actors, including the police, prosecutors, forestry police (*PPNS*), and judges. Taverne's assertion, "Give me an honest and intelligent prosecutor and judge, and even with the worst law, I will find a just decision," underscores the importance of capable individuals in legal systems. Environmental law enforcement requires not only improvements in legal and political systems but also the placement of environmentally conscious individuals in key positions within the judicial system. This ensures that enforcement aligns with the broader goal of environmental protection. According to Friedman Lawrence's legal system theory, effective law enforcement relies on the interplay of three key components: substance (legal regulations), structure (law enforcement bodies), and legal culture (societal values and norms). The legal culture, as a collective societal value system, plays a particularly critical role in shaping the success of legal implementation. Without alignment between societal attitudes and legal norms, even the best-designed laws may fail to achieve their objectives.¹⁷

Improving the legal system requires a multi-pronged approach. Outdated or non-aspirational laws that no longer align with societal values must be revised or replaced, and new laws should be introduced to address emerging challenges. Comprehensive legal research is necessary to analyze existing legislative shortcomings, while judges should engage in legal innovation to resolve novel legal disputes. The ultimate goal of these reforms is to create a unified and aspirational legal framework that reflects the collective will of society. Furthermore, the establishment of a robust legal culture is essential, as it ensures widespread societal compliance with laws and the effective

¹⁴ Ahmad, Ahmad. "Measuring The Application of Corporate Social Responsibility of PT. Gorontalo MineralS." *Estudiante Law Journal* 4.2 (2022): 132-145.

¹⁵ "Penerapan sanksi pidana dalam Peraturan Daerah Kabupaten Grobogan Nomor 2 Tahun 2014 tentang pengelolaan sampah dalam perspektif hukum pidana Islam - Walisongo Repository," diakses 27 Desember 2024, <https://eprints.walisongo.ac.id/id/eprint/17330/>.

¹⁶ Pakaya, Mohammad Syauqi, and Ahmad Wijaya. "Efektivitas Penegakkan Hukum Terhadap Lingkungan Hidup Dalam Pertambangan Emas Tanpa Izin Di Desa Popaya, Kecamatan Dengilo, Kabupaten Pohuwato." *Borneo Law Review* 6.2 (2022): 236-253.

¹⁷ Nizomiah Nur Padilah, "Penaan Sanksi Adminstrasi Dalam Pengelolaan Sampah Rumah Tangga Di Kota Sungai Penuh Menurut Peraturan Daerah NO 9 Tahun 2013" (other, Hukum Administrasi Negara, 2023), <https://repository.unja.ac.id/53779/>.

implementation of legal norms. Legal culture reflects the shared values, attitudes, and behaviors of a community and influences how laws are perceived and enforced. Differences in legal culture across communities often stem from variations in environmental, customary, and social contexts, underscoring the need for adaptive and inclusive legal frameworks.

In conclusion, environmental law enforcement in Indonesia reflects the dual principles of *ultimum remedium* and *primum remedium*, both of which aim to protect society and the environment. The success of these principles depends on the synergy between sound legal frameworks, competent legal actors, and a supportive legal culture. Effective environmental governance requires not only the presence of well-crafted laws but also their consistent application by individuals who are committed to environmental protection. Without this balance, environmental law enforcement risks becoming an abstract concept rather than a practical tool for sustainable development and ecological preservation. Through comprehensive legal reform and a focus on fostering environmental awareness within the legal system, Indonesia can strengthen its commitment to protecting its natural resources and ensuring a sustainable future.

3.1 Legal Concept from a Substantive Perspective

The umbrella law for the environment in Indonesia does not provide specific provisions for environmental offenses, such as crimes or violations. Instead, regulations concerning environmental offenses are scattered across sectoral laws, including laws on water pollution, chemical waste, and soil protection. This sectoral approach results in gaps within the legal framework, as the existing rules fail to comprehensively address all aspects of environmental pollution or damage. By contrast, the Netherlands incorporates many environmental offenses into its *Wet op de Economische Delicten* (WED 1950), which governs economic crimes and facilitates the enforcement of environmental criminal law. This system allows for broader sanctions and grants investigators and prosecutors greater authority in handling environmental cases. In comparison, Indonesia's legal framework follows a more fragmented model, with economic law provisions that are procedurally robust but lack unified environmental enforcement mechanisms.¹⁸

The Dutch legal system exemplifies a comprehensive environmental law framework, encompassing administrative, criminal, and civil aspects. Administrative violations are subject to punitive or remedial sanctions, and environmental offenses are often categorized as economic crimes. This classification ensures that companies and their management can be held criminally accountable for environmental violations, with penalties ranging from fines to imprisonment. In certain cases, administrative and

¹⁸ Stephanie Calista Siregar, "Penegakan Hukum Terhadap Praktik Pengelolaan Sampah Di Kecamatan Bina Widya Kota Pekanbaru Berdasarkan Undang-Undang Nomor 18 Tahun 2008 Tentang Pengelolaan Sampah" (s1, Universitas Lancang Kuning, 2023), <https://repository.unilak.ac.id/4809/>.

criminal sanctions may be applied concurrently, reflecting the system's integrated approach to enforcement. This dual mechanism not only punishes offenders but also aims to deter future violations, ensuring adherence to environmental regulations.¹⁹

A practical application of this enforcement framework in the Netherlands is the violation card system, implemented in several regions to promote environmental compliance. This system, which employs tiered warnings, could be adapted to Indonesia to improve waste management practices. The Dutch model uses color-coded cards: yellow for first and second offenses, orange for the third, and red as the final warning. Beyond serving as a sanction system, the violation card system acts as an educational tool, encouraging behavioral change and fostering sustainable waste management habits. Communities are given opportunities to rectify mistakes before facing harsher penalties, which helps build long-term awareness and accountability. The effectiveness of this approach is evident in the Netherlands' success in reducing waste by 56.8% by 2020. Such innovative systems demonstrate the potential of combining enforcement with education to achieve significant environmental outcomes.²⁰

3.2 Legal Concepts from the Perspective of Law Enforcement

To mitigate the negative environmental impacts of business activities and societal indifference, various environmental laws and regulations have been enacted. However, the implementation and enforcement of these laws remain challenging, often due to limitations faced by state officials and law enforcement officers, including police, Civil Servant Investigators (PPNS)²¹, prosecutors, and judges. These challenges highlight the need for more robust enforcement mechanisms and institutional reforms. Among these is the establishment of a one-roof enforcement system and the adoption of the *greening the bench* concept, which seeks to strengthen the judiciary's role in environmental protection. This system integrates PPNS, police, and certain prosecutors under the Ministry of Environment and regional environmental agencies to form specialized investigation teams. These teams collaborate with environmental prosecutors to streamline cases and direct them to court. Moreover, the presence of

¹⁹ Sudiman Sudiman, "Hukum Pengelolaan Sampah Spesifik Menurut Undang-Undang Republik Indonesia Nomor 18 Tahun 2008 Tentang Pengelolaan Sampah" (other, Universitas Merdeka Pasuruan, 2023), <https://repository.unmerpas.ac.id/385/>.

²⁰ Muhammad Hery, "Peran Hukum Lingkungan Dalam Pelestarian Sumber Daya Alam," *WriteBox* 1, no. 4 (20 November 2024), <https://writebox.cloud/index.php/wb/article/view/187>.

²¹ Iqbal Mustapa, Zamroni Abdussamad, dan Mellisa Towadi, "Positive Fictional Authority Legislative Ratio in Government Administration Laws and Job Creation Laws," *Damhil Law Journal* 2, no. 1 (28 Mei 2022): 17–35, <https://doi.org/10.56591/dlj.v1i1.1726>.

judges specifically certified in environmental law is essential to optimize the handling of environmental cases.²²

In contrast to Indonesia, the Netherlands has made environmental issues a national priority, resulting in a comprehensive regulatory framework supported by a dedicated and specialized law enforcement infrastructure. The Dutch Ministry of Public Housing, Spatial Planning, and Environmental Management (*Ministerie van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer*) plays a central role in environmental management, wielding broad authority over environmental regulation, monitoring, and law enforcement. Special divisions within the police and prosecutors' offices, as well as inspectors from the Ministry of Environment, focus exclusively on environmental violations. This specialized approach ensures that environmental cases are handled with expertise and rigor.²³ Additionally, the Dutch judiciary includes environmental prosecutors who are highly experienced and senior compared to their counterparts in general prosecutions. Universities and specialized polytechnics, such as *Polytechniek IJsseland*, provide targeted education and training in environmental law, equipping professionals to manage and enforce environmental regulations effectively. Notably, Indonesian prosecutors participated in training programs at this institution in the early 1990s, demonstrating the potential for cross-national learning in environmental law enforcement.²⁴

In Indonesia, environmental management lacks the structural and organizational strength observed in the Netherlands. The absence of a dedicated environmental ministry, coupled with limited executive authority vested in the Environmental Impact Management Agency (*Bapedal*), constrains the country's capacity to enforce environmental laws. Coordination between central and regional governments remains weak, further complicating enforcement efforts. The lack of institutional authority, inadequate training, and limited integrity among law enforcement officers, compounded by societal noncompliance with environmental regulations, significantly undermines enforcement effectiveness.²⁵

To address these challenges, Indonesia must strengthen its legal framework and improve coordination between central and regional governments. Lessons from the

²² Martina Male dkk., "Analisis Yuridis Terhadap Implementasi Peraturan Daerah Tentang Sampah," *Audi Et AP: Jurnal Penelitian Hukum* 3, no. 01 (6 Februari 2024): 39-46, <https://doi.org/10.24967/jaeap.v3i01.2859>.

²³ Shazland Abdurrahman dkk., "Aspek - Aspek Pidana Dalam Pengelolaan Sampah Masyarakat," *Jurnal Ilmiah Multidisipin* 2, no. 1 (31 Januari 2024): 43-47.

²⁴ I. Gusti Bagus Surya Permana Putra, I. Gusti Ayu Agung Andriani, dan Ni Nyoman Ernita Ratnadewi, "Penegakan Hukum Terhadap Masyarakat Yang Membuang Sampah Sembarangandi Kali Ditinjau Dari Hukum Positif Dan Hukum Hindu," *Jurnal Hukum Agama Hindu Widya Kerta* 6, no. 2 (2 November 2023): 106-22.

²⁵ Tamaulina Br Sembiring dkk., "Penegakan Hukum Terhadap Pelaku Pidana Yang Melakukan Pencemaran Lingkungan," *Journal of Mandalika Social Science* 2, no. 1 (10 Februari 2024): 94-96, <https://doi.org/10.59613/jomss.v1i2.70>.

Dutch model emphasize the importance of strict supervision at all governmental levels and the active involvement of specialized law enforcement agencies. These efforts align with the concept of a legal system comprising three interrelated elements: legal substance, structure, and culture. Effective environmental law enforcement requires the seamless functioning of these components, ensuring that legal regulations are supported by competent institutions and a culture of compliance. Without such integration, environmental protection efforts risk remaining ineffective, leaving ecosystems vulnerable to continued degradation.

3.3 The Concept of Law from the Perspective of Community Legal Culture

Legal culture is intrinsically linked to the awareness and compliance of a community with its legal system. It manifests in the daily practices of individuals and groups, reflecting their adherence to laws and norms that govern their nation and state. Legal culture offers a measure of collective legal awareness, demonstrating how communities utilize the legal framework to address societal challenges. However, cultivating a strong legal culture remains a significant obstacle in many countries, including Indonesia, due to limitations in resources and systemic inefficiencies.²⁶

Compliance with the rule of law is a cornerstone of legal culture and is evident in the actions of individuals who abide by established legal norms. This compliance often stems from an awareness of the legal consequences of noncompliance. However, in Indonesia, societal demands and a lack of robust legal support frequently result in widespread disregard for regulations. This is particularly apparent in environmental contexts, where violations such as littering and negligence toward waste management are commonplace, underscoring a pervasive lack of awareness and concern for environmental laws.²⁷

Research in Medan Krio City highlights how low legal awareness contributes to environmental issues. Residents frequently litter, particularly during night and early morning hours, and demonstrate minimal participation in supporting waste management systems, such as paying garbage truck fees. This behavior reflects broader systemic issues, including a lack of community engagement in waste management and low public awareness about the importance of environmental cleanliness. Garbage collectors, who play a critical role in maintaining the waste

²⁶ Muhammad Iqbal Mustapa, Zamroni Abdussamad, dan Mellisa Towadi, *Rasiolegis Kewenangan Mengadili Perkara Fiktif Positif Dalam Perundang-Undangan*, 1 ed. (UII Press), diakses 19 Desember 2024, <https://dpsd.uui.ac.id/uui-press/katalog/rasiolegis-kewenangan-mengadili-perkara-fiktif-positif-dalam-perundang-undangan/>.

²⁷ Sri Hutomo, "Penegakkan Hukum Untuk Pengelolaan Sampah Di Kota Bekasi," *Jurnal Hukum Tora: Hukum Untuk Mengatur Dan Melindungi Masyarakat* 10, no. 1 (26 April 2024): 105–18, <https://doi.org/10.55809/tora.v10i1.330>.

management system, often face challenges due to these social attitudes, further exacerbating environmental problems.²⁸

Comparatively, the Netherlands provides a model of effective legal culture in environmental management. Over the past 15 years, the Netherlands has transformed its waste management system, transitioning from a situation similar to Indonesia's current challenges to one of the most effective systems in Europe. This transformation was achieved through a combination of consistent policies, legal reforms, and public education. Key strategies included incentives for waste sorting and recycling, as well as strict law enforcement measures. For example, Dutch citizens are encouraged to separate recyclable materials and reduce plastic use through personal responsibility initiatives. Studies in cities like Utrecht show that a mix of legal enforcement and educational efforts has significantly increased public compliance with waste management laws, contributing to the country's high recycling rate of 54%, as reported by the European Environment Agency in 2019.²⁹

Environmental education plays a pivotal role in shaping legal culture, as evidenced by programs in Poland. Integrating environmental education into school curricula has led to measurable behavioral changes among students, who adopt sustainable waste management practices at home. Such programs also engage parents and communities in discussions about proper waste disposal, reinforcing positive environmental behaviors. Surveys indicate that as many as 32% of students exhibit lasting changes in their habits after participating in these programs, demonstrating the potential of education to drive long-term cultural shifts.

Indonesia faces several challenges in building a strong legal culture for environmental compliance, including difficulties in implementing laws, weak institutional frameworks, and a pervasive culture of noncompliance. However, lessons from the Netherlands offer valuable insights for addressing these issues. Indonesia can enhance its legal framework by adopting sectoral laws tailored to specific environmental violations, integrating environmental law with economic policies to empower investigators and prosecutors, and implementing a comprehensive sanctions system that includes administrative, criminal, and civil penalties. The Dutch tiered violation card system (yellow-orange-red) serves as both a sanction mechanism and an educational tool, encouraging self-correction before harsher penalties are applied, thus fostering sustainable environmental awareness.

To improve environmental law enforcement, Indonesia could establish a dedicated environmental ministry with full authority over management and supervision.

²⁸ Verawati, "Kebijakan Extended Producer Responsibility Dalam Penanganan Masalah Sampah Di Indonesia Menuju Masyarakat Zero Waste."

²⁹ Danto Herdianto, "Efektivitas Kebijakan Pengelolaan Sampah Di Kota Tasikmalaya Dalam Upaya Meningkatkan Kualitas Lingkungan Dan Ketertiban Masyarakat," *Jurnal Penelitian Hukum Galunggung* 1, no. 3 (6 Desember 2024): 67-93, <https://doi.org/10.1234/jphgalunggung.v1i3.36>.

Enhancing human resource competencies through specialized training programs for law enforcement officers and integrating routine patrols with tiered warning systems would strengthen compliance. Coordinated efforts among police, prosecutors, and judges with expertise in environmental law are essential to ensure consistent enforcement. Simplifying regulations and clearly delineating institutional authority would further enhance the effectiveness of Indonesia's environmental management system.³⁰

Finally, fostering a culture of compliance requires incentives for waste sorting, improving community participation in waste transportation systems, and promoting sustainable education programs on environmental cleanliness. Adaptive regulations that account for societal behavior shifts can drive cultural change, transforming Indonesia's legal culture into one that prioritizes environmental sustainability. Through these measures, Indonesia can build a robust framework for environmental law enforcement that balances legal compliance, community engagement, and sustainable development.

5. Conclusion

Building an effective framework for environmental law enforcement and cultivating a strong legal culture are essential for addressing Indonesia's environmental challenges. Legal culture, as a reflection of societal awareness and compliance with laws, plays a pivotal role in fostering adherence to environmental norms. However, systemic issues such as weak institutional frameworks, low public awareness, and a lack of coordination among enforcement agencies hinder progress. Lessons from countries like the Netherlands demonstrate that integrated legal systems, consistent enforcement, public education, and community engagement are key to creating sustainable environmental practices. By adopting targeted regulations, strengthening institutional capacities, and promoting environmental education, Indonesia can bridge gaps in its legal framework and instill a culture of compliance. The establishment of a dedicated environmental ministry, the use of incentive-based systems, and the integration of law enforcement with public participation can further ensure long-term environmental sustainability. Through these collective efforts, Indonesia can enhance its environmental governance and effectively address pressing ecological issues.

Reference

Abdurrahman, Shazland, Muhammad Irfan Faisal Barus, M. al Affu, Joe Vans Rajs, dan Tamaulina Br Sembiring. "Aspek - Aspek Pidana Dalam Pengelolaan

³⁰ Anggraini Y. Djafar dkk., "Dampak Dari Pencemaran Lingkungan Akibat Sampah Elektronik Dalam Prespektif Hukum Lingkungan," *Journal of Comprehensive Science (JCS)* 2, no. 6 (9 Juni 2023): 1637-46, <https://doi.org/10.59188/jcs.v2i6.388>.

Sampah Masyarakat." *Jurnal Ilmiah Multidisipin* 2, no. 1 (31 Januari 2024): 43-47.

Ahmad, Ahmad, Muh Ramdhani Hamzah, and Gunawan Rena. "Upaya Pemerintah Dalam Mengurangi Dampak Negatif Pertambangan Batu Hitam Di Daerah Gorontalo." *Deposisi: Jurnal Publikasi Ilmu Hukum* 2.2 (2024): 422-430.

Ahmad, Ahmad. "Measuring The Application of Corporate Social Responsibility of PT. Gorontalo Minerals." *Estudiante Law Journal* 4.2 (2022): 132-145.

Ali, Zainuddin. *Metode penelitian hukum*. Sinar Grafika, 2021.

Djafar, Anggraini Y., Fenty Puluhulawa, Jufryanto Puluhulawa, dan Amanda Adelina Harun. "Dampak Dari Pencemaran Lingkungan Akibat Sampah Elektronik Dalam Prespektif Hukum Lingkungan." *Journal of Comprehensive Science (JCS)* 2, no. 6 (9 Juni 2023): 1637-46. <https://doi.org/10.59188/jcs.v2i6.388>.

Dumang, Maria Lidia, Jimmy Pello, dan Rudepel Petrus Leo. "Kesadaran Hukum Masyarakat Kota Ruteng Terhadap Pengelolaan Sampah Rumah tangga Ditinjau Dari Peraturan Daerah Manggarai Nomor 2 Tahun 2013 Tentang Pengelolaan Sampah." *Mandub : Jurnal Politik, Sosial, Hukum Dan Humaniora* 2, no. 2 (29 April 2024): 139-52. <https://doi.org/10.59059/mandub.v2i2.1172>.

Habibie, Amelia, and Ahmad Ahmad. "Factors Affecting The Imposition Of Sanctions For The Crime Of Unlicensed Black Stone Mining." *Estudiante Law Journal* 6.2 (2024): 442-451.

Ismail, Dian Ekawaty, Fence M. Wantu, and Novendri M. Nggilu. "Model For Legal Settlement On Damage To The Tanjung Panjang Nature Reserve In Pohuwato Regency." *Russian Law Journal* 11.3S (2023): 32-42.

Lanjahi, Mohammad Abdi, et al. "Analisis Yuridis Terhadap Perlindungan Ekspresi Budaya Tradisional Provinsi Gorontalo." *Perkara: Jurnal Ilmu Hukum Dan Politik* 1.3 (2023): 161-182.

Mamu, Karlin Z., et al. "Peningkatan Kesadaran Masyarakat Bantaran Dalam Menjaga Kelestarian Danau Melalui Pemanfaatan Alat Tangkap Berbasis Kearifan Lokal." *Jurnal Pengabdian Mandiri* 3.1 (2024): 137-142.

Moha, Mohamad Rivaldi, et al. "The Comparative Law Study: E-Commerce Regulation in Indonesia and Singapore." *Jurnal Legalitas* 16.2 (2023): 248-259.

Herdianto, Danto. "Efektivitas Kebijakan Pengelolaan Sampah Di Kota Tasikmalaya Dalam Upaya Meningkatkan Kualitas Lingkungan Dan Ketertiban Masyarakat." *Jurnal Penelitian Hukum Galunggung* 1, no. 3 (6 Desember 2024): 67-93. <https://doi.org/10.1234/jphgalunggung.v1i3.36>.

- Hery, Muhammad. "Peran Hukum Lingkungan Dalam Pelestarian Sumber Daya Alam." *WriteBox* 1, no. 4 (20 November 2024). <https://writebox.cloud/index.php/wb/article/view/187>.
- Hutomo, Sri. "Penegakkan Hukum Untuk Pengelolaan Sampah Di Kota Bekasi." *Jurnal Hukum To-Ra : Hukum Untuk Mengatur Dan Melindungi Masyarakat* 10, no. 1 (26 April 2024): 105–18. <https://doi.org/10.55809/tora.v10i1.330>.
- Kumajas, Merry Lenda. "Kesadaran Hukum Awak Kapal dalam Pengelolaan Limbah di Kapal Laut." *Jurnal Social Science* 10, no. 1 (1 April 2022): 12–16.
- Male, Martina, Yuli Purwanti, Satria Surya Pratama, Rendy Renaldy, dan Andriansyah Kartadinata. "Analisis Yuridis Terhadap Implementasi Peraturan Daerah Tentang Sampah." *Audi Et AP : Jurnal Penelitian Hukum* 3, no. 01 (6 Februari 2024): 39–46. <https://doi.org/10.24967/jaeap.v3i01.2859>.
- Mustapa, Iqbal, Zamroni Abdussamad, dan Mellisa Towadi. "Positive Fictional Authority Legislative Ratio in Government Administration Laws and Job Creation Laws." *Damhil Law Journal* 2, no. 1 (28 Mei 2022): 17–35. <https://doi.org/10.56591/dlj.v1i1.1726>.
- Mustapa, Muhammad Iqbal, Zamroni Abdussamad, dan Mellisa Towadi. *Rasiolegis Kewenangan Mengadili Perkara Fiktif Positif Dalam Perundang-Undangan*. 1 ed. UII Press. Diakses 19 Desember 2024. <https://dpsd.uui.ac.id/uui-press/katalog/rasiolegis-kewenangan-mengadili-perkara-fiktif-positif-dalam-perundang-undangan/>.
- Padilah, Nizomiah Nur. "Penaan Sanksi Administrasi Dalam Pengelolaan Sampah Rumah Tangga Di Kota Sungai Penuh Menurut Peraturan Daerah NO 9 Tahun 2013." *Other, Hukum Administrasi Negara*, 2023. <https://repository.unja.ac.id/53779/>.
- Pakaya, Mohammad Syauqi, and Ahmad Wijaya. "Efektivitas Penegakkan Hukum Terhadap Lingkungan Hidup Dalam Pertambangan Emas Tanpa Izin Di Desa Popaya, Kecamatan Dengilo, Kabupaten Pohuwato." *Borneo Law Review* 6.2 (2022): 236-253.
- Pantouw, Indah Amanah Poetri Soedasno Oei, and Ahmad Ahmad. "Perlindungan Hukum Terhadap Masyarakat Akibat Penambangan Emas Di Sungai Tulabolo Yang Tercemar Merkuri." *Borneo Law Review* 6.2 (2022): 187-204.
- Paruki, Novia Rahmawati A., and Ahmad Ahmad. "Efektivitas Penegakan Hukum Tambang Ilegal." *Batulis Civil Law Review* 3.2 (2022): 177-186.
- "Penerapan sanksi pidana dalam Peraturan Daerah Kabupaten Grobogan Nomor 2 Tahun 2014 tentang pengelolaan sampah dalam perspektif hukum pidana

Islam - Walisongo Repository." Diakses 27 Desember 2024.
<https://eprints.walisongo.ac.id/id/eprint/17330/>.

Putra, I. Gusti Bagus Surya Permana, I. Gusti Ayu Agung Andriani, dan Ni Nyoman Ernita Ratnadewi. "Penegakan Hukum Terhadap Masyarakat Yang Membuang Sampah Sembarangandi Kali Ditinjau Dari Hukum Positif Dan Hukum Hindu." *Jurnal Hukum Agama Hindu Widya Kerta* 6, no. 2 (2 November 2023): 106–22.

Salam, Safrin, Agus Slamet, Rahma Fathan Hezradian, dan Rahmi Fathan Hezraria. "Penyuluhan Hukum Membangun Kesadaran Hukum Lingkungan Berbasis Kearifan Lokal Pada Wilayah Pesisir Di Desa Bahari Tiga Kabupaten Buton Selatan." *SELAPARANG: Jurnal Pengabdian Masyarakat Berkemajuan* 8, no. 3 (15 September 2024): 2456–63. <https://doi.org/10.31764/jpmb.v8i3.26072>.

Sembiring, Tamaulina Br, Yaumil Adli, Muhammad Muqsith Lubis, Rio Aginta Ginting, dan Adillah Fajar Siddiq. "Penegakan Hukum Terhadap Pelaku Pidana Yang Melakukan Pencemaran Lingkungan." *Journal of Mandalika Social Science* 2, no. 1 (10 Februari 2024): 94–96. <https://doi.org/10.59613/jomss.v1i2.70>.

Siregar, Stephanie Calista. "Penegakan Hukum Terhadap Praktik Pengelolaan Sampah Di Kecamatan Bina Widya Kota Pekanbaru Berdasarkan Undang-Undang Nomor 18 Tahun 2008 Tentang Pengelolaan Sampah." S1, Universitas Lancang Kuning, 2023. <https://repository.unilak.ac.id/4809/>.

Sudiman, Sudiman. "Hukum Pengelolaan Sampah Spesifik Menurut Undang-Undang Republik Indonesia Nomor 18 Tahun 2008 Tentang Pengelolaan Sampah." Other, Universitas Merdeka Pasuruan, 2023. <https://repository.unmerpas.ac.id/385/>.

Verawati, Peni. "Kebijakan Extended Producer Responsibility Dalam Penanganan Masalah Sampah Di Indonesia Menuju Masyarakat Zero Waste," t.t.