

Legal Review of the Implementation of Regional Regulations on Waste Management in Blitar Regency

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ABSTRACT

Waste management is one of the main challenges in sustainable development that requires regulatory support and effective policy implementation at the regional level. Blitar Regency has established Regional Regulation Number 10 of 2011 concerning Waste Management as the legal basis for implementing environmentally sound waste management. However, the effectiveness of the regulation's implementation still faces various obstacles in practice. This study aims to analyze the implementation of Blitar Regency Regional Regulation Number 10 of 2011 and identify factors that influence its effectiveness. The study uses an empirical juridical approach with qualitative methods. Data were obtained through in-depth interviews, observations, and documentation studies with informants consisting of Environmental Agency officials, waste management officers, waste bank managers, and the community. Data analysis was conducted using the Miles and Huberman interactive model. The results show that the legal substance of the Regional Regulation has comprehensively regulated waste management, but its implementation has not been optimal due to low community participation, limited facilities and infrastructure, and weak law enforcement. Based on Soerjono Soekanto's theory of legal effectiveness, successful implementation is influenced by the legal substance, law enforcement officers, supporting facilities, the community, and legal culture. This study recommends strengthening law enforcement, improving infrastructure, and empowering communities to create an effective and sustainable waste management system.

Keywords: Policy Implementation, Waste Management, Regional Regulations, Legal Effectiveness, Empirical Jurisprudence

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INTRODUCTION

Waste management is an increasingly complex environmental challenge, driven by population growth, urbanization, changes in consumption patterns, and economic development. Globally, the increasing volume of waste poses a serious threat to environmental quality, public health, and sustainable development. A World Bank report estimates that urban solid waste generation will continue to increase significantly until 2050 if it is not accompanied by an effective, integrated, and sustainable management system (Kaza et al., 2018). This situation demonstrates that waste management is no longer viewed

solely as a technical issue, but has evolved into an environmental governance issue that requires regulatory support, institutional support, and comprehensive community participation.

In the context of developing countries, waste management challenges are generally related to limited infrastructure, weak institutional capacity, low levels of public awareness, and suboptimal implementation of environmental policies. Guerrero, Maas, and Hogland (2013) explain that the success of waste management is not only determined by the technical aspects of waste collection and transportation, but is also influenced by the effectiveness of policies, institutional capacity, and community involvement in each stage of waste management. Meanwhile, Marshall and Farahbakhsh (2013) emphasize that a sustainable waste management approach must be built through an integration of legal systems, institutional governance, resource support, and public participation.

In Indonesia, waste management has a strong legal basis through Law No. 18 of 2008 concerning Waste Management. This regulation emphasizes that waste management must be carried out systematically, comprehensively, and sustainably through waste reduction and handling activities. Furthermore, this provision is strengthened through Law No. 32 of 2009 concerning Environmental Protection and Management and Government Regulation No. 81 of 2012 concerning the Management of Household Waste and Household-Like Waste. The existence of these various regulations demonstrates the government's commitment to creating a waste management system oriented towards environmental protection and sustainable development.

However, the existence of regulations does not always translate to effective implementation on the ground. Various regions in Indonesia still face serious waste management issues, such as low levels of waste sorting at source, limited waste management facilities, indiscriminate waste disposal practices, and weak law enforcement against environmental violations. Ferronato and Torretta (2019) explain that one of the main factors causing waste management failures in developing countries is weak policy implementation and low public compliance with established regulations. This condition indicates a gap between written legal norms (law on books) and their implementation in community life (law in action).

As an implementation of national policy at the regional level, the Blitar Regency Government has established Blitar Regency Regulation Number 10 of 2011 concerning Waste Management. This regional regulation serves as the legal basis for local governments and communities in implementing environmentally sound waste management. Normatively, this regulation has regulated various important aspects, ranging from waste reduction, waste handling, community roles, local government authority, to supervision and sanctions for violations. Thus, Blitar Regency Regulation Number 10 of 2011 is expected to be an effective legal instrument in addressing waste problems in the region.

However, empirical reality shows that various waste management issues persist in Blitar Regency. Indiscriminate waste disposal, low public awareness of waste sorting, limited waste management facilities and infrastructure, and suboptimal enforcement of sanctions for violations remain challenges facing the local government. These conditions

indicate that regulatory implementation has not fully achieved its intended objectives. Therefore, a study is needed that not only examines the legal substance contained in regional regulations but also assesses the effectiveness of their implementation in practice.

Various previous studies have examined waste management from environmental, public policy, and governance perspectives. Anisykurlillah and Sampe (2024) found that the success of waste management is significantly influenced by the quality of environmental governance and coordination between stakeholders. Salsabila, Ariany, and Koeswara (2024) emphasized that community participation is a crucial factor in supporting the sustainability of community-based waste management programs. Research by Maskun et al. (2024) shows that strengthening compliance with environmental regulations is a key prerequisite for realizing an effective waste management system. Furthermore, Negara and Senastri (2024) explain that environmental law enforcement oriented towards the principles of good environmental governance plays a strategic role in increasing the effectiveness of waste management in the regions.

While these studies have made important contributions to the development of waste management studies, most have focused on environmental governance, community participation, or general policy implementation. Studies specifically analyzing the implementation of regional regulations from an empirical legal perspective, particularly regarding the effectiveness of legal norms in regulating the behavior of communities and implementing officials at the regional level, are still relatively limited. Furthermore, research specifically focusing on Blitar Regency is also scarce in the scientific literature.

Based on these conditions, a research gap exists, indicating the need for research that integrates normative analysis of regional regulations with empirical studies of their implementation in the field. This study seeks to fill this gap by analyzing how Blitar Regency Regional Regulation No. 10 of 2011 is implemented in practice, the factors influencing its effectiveness, and the various obstacles encountered in its implementation.

In terms of novelty, this study offers an approach that integrates legal perspectives and empirical reality through the use of Soerjono Soekanto's theory of legal effectiveness. This approach allows for a more comprehensive analysis of the relationship between legal substance, law enforcement officials, facilities and infrastructure, society, and legal culture in determining the successful implementation of a regulation. Unlike previous research that tends to focus on the technical or administrative aspects of waste management, this study places legal effectiveness as the primary focus of analysis.

In addition to its theoretical contribution to the development of environmental law and regional administrative law studies, this research also has practical relevance for local governments in formulating strategies to improve the effectiveness of waste management. The research findings are expected to serve as a basis for refining policies, strengthening oversight mechanisms, increasing public participation, and optimizing environmental law enforcement in Blitar Regency.

Based on the description, this study aims to analyze the implementation of Blitar Regency Regional Regulation Number 10 of 2011 concerning Waste Management, identify factors that influence the effectiveness of its implementation, and formulate

recommendations that can support the realization of effective and sustainable waste management.

METHOD

This research uses an empirical legal approach with qualitative methods. The empirical legal approach was chosen to analyze the implementation of law not only from a normative aspect (*law in books*), but also from the practice of its application in society (*law in action*). This approach allows researchers to examine the effectiveness of the implementation of Blitar Regency Regional Regulation Number 10 of 2011 concerning Waste Management through interactions between legal provisions, implementing officials, and the community as legal subjects.

The research was conducted in Blitar Regency, East Java Province, considering that the local government already has specific regulations regarding waste management and faces various implementation challenges relevant to study from an environmental law perspective. The research location was selected based on the region's characteristics, which still face challenges with community participation, limited infrastructure, and the effectiveness of law enforcement in waste management.

Data sources consist of primary data and secondary data. Primary data was obtained through in-depth interviews (*in-depth interview*) with informants selected by purposive sampling, namely parties who have knowledge and direct involvement in the implementation of waste management policies. Research informants include officials from the Blitar Regency Environmental Service, Temporary Shelter (TPS) and Final Processing Site (TPA) management officers, waste bank managers, and communities involved in waste management activities. To obtain more comprehensive information, the informant collection process was developed using a snowball sampling technique until the data obtained reached saturation point (*data saturation*).

Secondary data was obtained through a literature review, including laws and regulations, scientific books, reputable national and international journal articles, government documents, and previous research related to waste management, legal effectiveness, and environmental governance. The use of current literature is intended to strengthen the analysis of waste management policy implementation from an empirical legal perspective.

Data collection techniques are carried out through interviews, observation, and documentation. Interviews were conducted in a semi-structured manner using interview guidelines developed based on the research focus, allowing researchers to gain in-depth information regarding understanding of regulations, policy implementation, implementation constraints, and the effectiveness of law enforcement. Observations were conducted to obtain a factual picture of the condition of waste management, the availability of facilities and infrastructure, and community behavior in managing waste. Documentation was used to supplement the data through the collection of archives, reports, photos of activities, and official documents related to the implementation of Blitar Regency Regional Regulation Number 10 of 2011.

The primary research instrument is the researcher (human instrument), who plays a role in designing the research, collecting data, interpreting it, and drawing conclusions. To maintain consistency in data collection, the research is supported by interview guidelines, field notes, and documentation tools used throughout the research process.

Data analysis was carried out using the interactive analysis model of Miles, Huberman, and Saldaña (2014), which includes three stages, namely data reduction, data presentation, drawing conclusions, and verifying them. Data reduction was performed by selecting, grouping, and simplifying information relevant to the research focus. Furthermore, the data was presented in descriptive narrative form to facilitate interpretation. The final stage involved drawing conclusions based on the interrelationships between findings obtained during the research. The analysis process was conducted simultaneously from data collection until the research was completed, resulting in a comprehensive interpretation of the implementation of regional regulations on waste management.

Data validity is guaranteed through source triangulation and technical triangulation. Source triangulation is carried out by comparing information obtained from various groups of informants, while technical triangulation is carried out by comparing the results of interviews, observations, and documentation. In addition, researchers conduct member checking with key informants to ensure the interpretation of the results matches empirical conditions in the field. This step aims to increase the credibility, dependability, and confirmability of the research results.

FINDING AND DISCUSSION

RESEARCH RESULT

Implementation of Blitar Regency Regional Regulation Number 10 of 2011 regarding Waste Management

The results of the study indicate that normatively, Blitar Regency Regional Regulation Number 10 of 2011 has regulated waste management comprehensively, covering aspects of reduction, handling, local government obligations, community participation, and monitoring and sanctioning mechanisms. From an administrative law perspective, the regulation has fulfilled the element of normative clarity (*legal substance*), so that conceptually it can be the basis for implementing waste management in Blitar Regency.

However, interviews indicate that the implementation of these legal norms has not been fully effective. Informants from the Environmental Agency stated that provisions regarding waste reduction, sorting, and transportation are already provided in regional regulations, but public understanding of the substance of these regulations remains relatively low. This situation is reinforced by the recognition that people are aware of the existence of waste management regulations but do not yet understand their rights, obligations, or legal consequences.

These findings indicate that the existence of regulations does not automatically result in public compliance. From a legal effectiveness perspective, successful

implementation is determined not only by the quality of the legal substance, but also by the process of socialization, policy communication, and the internalization of norms within the public.

Effectiveness of Implementation of Waste Management Obligations

Research shows that the community's obligation to separate waste at source, as stipulated in Blitar Regency Regulation No. 10 of 2011, has not been optimally implemented. Most residents still mix organic and inorganic waste before transporting it. Household waste burning and unsorted waste disposal are also still found in several research locations.

This situation indicates a gap between legal norms and public behavior. From a policy implementation perspective, public compliance is influenced by the level of understanding of regulations, ease of access to waste management facilities, and perceptions of the benefits of environmentally-friendly waste management.

This finding aligns with research by Anisykurlillah and Sampe (2024), which states that effective environmental governance requires collaboration between local governments, communities, and other stakeholders. Without public participation, regulations are unlikely to generate sustainable behavioral change.

Law Enforcement in the Implementation of Regional Regulations

Another area of concern is law enforcement against waste management violations. Although Blitar Regency Regulation No. 10 of 2011 stipulates a mechanism for imposing sanctions, research shows that the implementation of both administrative sanctions and legal action remains persuasive. A coaching approach is more frequently employed than firm enforcement.

This situation results in a low deterrent effect on violations committed by the public. From the perspective of Soerjono Soekanto's theory of legal effectiveness, weak law enforcement indicates that law enforcement officials are not functioning optimally in supporting regulatory implementation.

This finding also supports the research findings of Maskun et al. (2024), which explains that strengthening compliance with environmental law requires consistent application of sanctions and increased institutional capacity of local governments.

Facilities and Infrastructure as Supporting Factors for Policy Effectiveness

Research has found that limited transportation fleets, Temporary Storage Facilities (TPS), and Final Processing Facilities (TPA) capacity remain major obstacles to implementing waste management policies. Field officers reported that waste volume continues to increase, while facility capacity has not expanded proportionally.

From a public policy implementation perspective, resource availability is a key determinant of successful regulatory implementation. Without adequate infrastructure support, it is difficult to achieve the objectives set out in regional regulations.

The results of this study are consistent with the research of Marshall and Farahbakhsh (2013) which emphasizes the importance of institutional integration, funding, technology, and infrastructure in an integrated waste management system.

Community Participation from a Legal Culture Perspective

Community participation is a key indicator of successful waste management policy implementation. Research shows that waste bank activities have not been able to sustain community participation. Some residents still dispose of waste indiscriminately or burn household waste.

This phenomenon indicates that the public's legal culture regarding environmental management has not yet been optimally developed. Low legal awareness results in the norms established in regulations not being fully implemented in daily life.

These findings support research by Salsabila et al. (2024), which emphasized that community-based waste management requires empowerment strategies, environmental education, and strengthening collaborative governance between the government and the community.

DISCUSSION

Based on the overall research findings, the effectiveness of the implementation of Blitar Regency Regional Regulation Number 10 of 2011 concerning Waste Management cannot be understood solely from the existence and completeness of legal norms. The research results show a gap between normative regulations and waste management practices in the field. The regional regulation has provided a basis for waste reduction and handling, local government and community obligations, supervision, and sanctions, but its implementation has not resulted in consistent compliance. These findings indicate that the main problem lies in the relationship between legal norms and social and institutional factors that determine whether norms are accepted, complied with, and implemented in everyday life.

From the perspective of Soerjono Soekanto's theory of legal effectiveness, this condition can be analyzed through five factors: legal substance, law enforcement officers, facilities, society, and legal culture. These five factors are not independent elements, but rather form a system that influences each other. Thus, weaknesses in one factor can reduce the effectiveness of others. In the context of waste management in Blitar Regency, relatively adequate norms are not sufficient to produce behavioral change without effective socialization, easily accessible facilities, consistent officials, and a legal culture that supports compliance.

First, from a legal substance perspective, Blitar Regency Regulation Number 10 of 2011 provides a normative basis for waste management. The research findings indicate that the regulation addresses waste reduction and management, the role of local government, community participation, supervision, and sanctions. Therefore, the implementation problem lies not primarily in the absence of a legal basis, but in the ability of these norms to be translated into actions that are understood and carried out by legal subjects.

Information from informants indicates that some members of the public are aware of the regulations but do not yet fully understand the rights, obligations, and legal consequences inherent in waste management. This demonstrates that formal clarity of norms needs to be followed by a continuous legal communication process.

These findings are important because they demonstrate that the effectiveness of legal substance is not only related to whether a provision is written in a regulation, but also whether the provision can function as a guideline for behavior. When mandatory waste sorting has been established but the public does not yet understand its mechanisms and benefits, legal norms have the potential to stop at the written level. In other words, there is a difference between law on the books and law in action. These findings reinforce the description in previous research that successful waste management requires governance that links regulations with coordination and stakeholder participation (Anisykurlillah & Sampe, 2024). Therefore, strengthening legal substance needs to be placed simultaneously with strengthening mechanisms for socialization and implementation.

Second, the law enforcement apparatus factor points to issues with the consistency of implementation and enforcement of provisions. The study found that although regional regulations provide sanction mechanisms, their implementation still relies primarily on persuasive and coaching approaches. Coaching approaches can essentially serve as educational instruments, particularly when violations are related to low public awareness. However, if this approach is not accompanied by consistent enforcement mechanisms for repeated violations, the binding power of norms can weaken. From a legal effectiveness perspective, law enforcement officers function not only as implementers of sanctions but also as those who translate norms into administrative actions and public services.

These conditions indicate that waste management law enforcement requires a balance between education, guidance, supervision, and sanctions. Enforcement that relies solely on sanctions without education has the potential to fail to address the root causes of behavioral problems, while guidance without a clear follow-up mechanism can reduce the certainty of rule implementation. The findings of this study align with those of Maskun et al. (2024), who place compliance with environmental law as a crucial element in strengthening waste management. Therefore, increasing the effectiveness of law enforcement involves not only increasing enforcement actions but also increasing supervisory capacity, clarifying procedures for handling violations, and consistent follow-up on detected violations.

Third, facilities and infrastructure are factors that directly influence the ability of the community and government to fulfill legal obligations. Research has found limitations in the transportation fleet, waste disposal facilities, and landfill capacity, while waste volume continues to increase. This finding has important consequences for the effectiveness of regulations. The community can be directed to sort and dispose of waste in designated areas, but compliance will be difficult to maintain if adequate sorting, collection, and transportation facilities are not available. Therefore, facilities are not merely

an adjunct to government administration, but rather a material prerequisite for the realistic implementation of legal obligations.

The relationship between norms and facilities also explains why implementation cannot be solely the responsibility of the community. If the waste management system does not provide a supporting service chain from source to final processing, then community behavior directed through regulations will not always be supported by the system. This finding is consistent with Marshall and Farahbakhsh (2013), who emphasized the need for a systems approach to waste management through the integration of institutions, funding, technology, and infrastructure. In the context of Blitar Regency, strengthening facilities needs to be understood as part of the implementation of local government obligations and as an instrument to increase the likelihood of community compliance with regulations.

Fourth, community factors demonstrate that compliance with regulations has not yet fully translated into consistent behavior. Research results indicate the continued mixing of organic and inorganic waste, the burning of household waste, and the disposal of waste without sorting. This situation demonstrates that the existence of norms does not automatically change behavior. Compliance is strongly influenced by community understanding of the regulations, ease of access to facilities, and perceptions of the benefits of waste management. Therefore, the community needs to be positioned not merely as an object of regulation, but as an actor with a role in the success of the waste management system.

Participation through waste banks demonstrates the potential for collective behavior formation, but research has found that this participation is not always sustainable. These findings suggest that participation requires ongoing incentives, mentoring, education, and institutional support. These findings align with Salsabila et al. (2024), who emphasized the importance of community empowerment and collaborative governance in community-based waste management. This means that program success is measured not only by the existence of waste banks or outreach activities, but also by the program's ability to maintain community involvement in daily practices.

Fifth, legal culture is a factor explaining why some provisions have not yet become social habits. Legal culture relates not only to knowledge of regulations, but also to societal attitudes and habits in viewing the law as a guide to behavior. The habit of burning or throwing away trash without sorting indicates that waste management norms have not been fully internalized. In such circumstances, behavioral change requires a longer process than simply conveying information about the contents of regulations. Environmental education, exemplary behavior from officials, consistent service delivery, and community experience with the benefits of waste management can all be part of the process of forming a legal culture.

When these five factors are analyzed in an integrated manner, it is clear that the implementation of Blitar Regency Regulation No. 10 of 2011 is systemic. Limited facilities can hinder public compliance; low public understanding can reduce the effectiveness of norms; inconsistent enforcement can weaken the drive for compliance; and an undeveloped legal culture can make participatory programs difficult to maintain. Therefore,

improvements in one aspect without strengthening others have the potential to have limited impact. Implementing regulations requires integration between regulations, institutions, resources, services, participation, and law enforcement.

Compared with previous research, the findings of this study demonstrate that waste management in Blitar Regency is not solely a technical issue of waste transportation and processing. Anisykurlillah and Sampe (2024) emphasize the importance of environmental governance and coordination between stakeholders, while Salsabila et al. (2024) demonstrate the importance of public participation in community-based management. Maskun et al. (2024) highlight legal compliance, while Marshall and Farahbakhsh (2013) emphasize a systems approach that integrates various resources. The results of this study connect these various findings through Soerjono Soekanto's legal effectiveness perspective, allowing regulatory issues to be viewed simultaneously from the perspective of norms, officials, facilities, society, and legal culture.

Thus, the analytical contribution of this research lies in explaining why existing normative regulations have not fully produced the expected changes in behavior and governance. This gap does not indicate that regional regulations have no function, but rather that the function of law is highly dependent on the social and institutional environment in which the law is applied. This perspective reinforces the understanding that legal effectiveness is a process involving the interaction between rules and the empirical conditions of society.

The implication is that increasing the effectiveness of the implementation of Blitar Regency Regulation Number 10 of 2011 needs to be directed towards an integrated approach. Socialization needs to explain legal obligations and consequences in a simple and sustainable manner; officials need to strengthen supervision and consistent follow-up; management facilities need to be adjusted to needs; waste bank and community empowerment programs need to be strengthened; and the formation of a legal culture needs to be carried out through education and repeated waste management practices. With this approach, regional regulations will not only function as normative documents, but can also become instruments that shape behavior, strengthen governance, and support sustainable waste management.

CONCLUSION

This study demonstrates that the implementation of Blitar Regency Regulation Number 10 of 2011 concerning Waste Management has an adequate legal basis for regulating waste management at the regional level. The regulation includes provisions regarding waste reduction, waste management, the role of local government, community participation, and oversight and law enforcement mechanisms. However, the results indicate that the regulation's implementation has not been optimal.

Based on Soerjono Soekanto's theory of legal effectiveness, the effectiveness of implementation is influenced by five main factors: legal substance, law enforcement officers, facilities and infrastructure, the community, and legal culture. The study found that the legal substance has provided a fairly strong normative basis, but its implementation still

faces various obstacles such as low levels of public compliance, limited waste management facilities, suboptimal policy socialization, and law enforcement that still prioritizes a persuasive approach rather than the consistent application of sanctions.

This research's contribution lies in analyzing the implementation of Blitar Regency Regional Regulation No. 10 of 2011 from a legal effectiveness perspective, integrating empirical findings from various stakeholders. The results indicate that successful waste management is determined not only by the quality of the regulations, but also by the synergy between the local government, implementing officials, the community, and the support of adequate facilities and infrastructure.

The implications of this research are the need to improve policy dissemination, strengthen institutional capacity, expand waste management infrastructure, optimize community empowerment programs, and implement more consistent law enforcement. These steps are expected to improve the effectiveness of Blitar Regency Regulation Number 10 of 2011 and support the realization of sustainable environmental governance.

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