

Socialization of Law Number 32 of 2009 Concerning Environmental Protection and Management in Gadingan Village, Mojolaban District, Sukoharjo Regency

Triwanto^{1*}, Alya Maya Khonsa Rahayu², Achmad Riyadi³, Rizaldi Setyo Prabowo⁴

^{1,2,3,4} Faculty of Law, Universitas Slamet Riyadi Surakarta, Surakarta, Indonesia.

@ : trihfy@gmail.com



Abstract

Introduction: This study aims to determine how the socialization of Law Number 32 of 2009 concerning Environmental Protection and Management in Gadingan Village, Mojolaban District, Sukoharjo Regency, and to evaluate public understanding of the contents and implementation of the law.

Purposes of The Devotion: Socialization regarding environmental protection and management is very important to increase public awareness in maintaining environmental sustainability and fulfilling legal obligations related to sustainable natural resource management.

Method of The Devotion: Legal counseling activities in Gadingan village, Mojolaban District, Sukoharjo Regency were carried out by the Panel Discussion method where the presenter delivered the material in turn, then continued with a question and answer between the speaker and the community.

Results Main Findings of the Devotion: The results of the study indicate that the socialization carried out by the local government is still limited, both in terms of frequency and reach of participants. The community in Gadingan Village still has a low understanding of the importance of environmental protection based on the law. Therefore, it is necessary to increase the intensity of socialization and more active community involvement in environmental programs. This study is expected to contribute to efforts to increase community understanding of the importance of environmental management and protection in accordance with the provisions in force in Law Number 32 of 2009.

Keywords: Legal Education; Environment; Local Government.

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INTRODUCTION

Every human being basically needs a healthy and conducive living environment. The environment is expected to be free from various forms of pollution. We need to know that basically environmental change is very determined by the attitude and protection of humans in their environment, in the utilization of natural resources, both biological and non-biological, greatly affect environmental conditions and can even overhaul the life system that is balanced between life itself and its environment.¹ The community in this case certainly plays an important role in maintaining and protecting the environment.

Environmental problems are getting bigger, more widespread, and more serious. The problem is not only local or translocal, but also regional, national, transnational, and global. If one aspect of the environment is affected by problems, then various other aspects will

¹ Koesnadi Hardjasoemantri, *Aspek Hukum Peran Serta Masyarakat dalam Pengelolaan Lingkungan Hidup*, Pidato Pengukuhan, Yogyakarta: Universitas Gajah Mada, p. 2.

experience impacts or consequences as well.² Basically, environmental problems are the actions of every community that is not aware that maintaining and managing a good environment is one of the roles of every community itself.

There are so many impacts resulting from people's insensitivity in managing and maintaining a good environment, flash floods, landslides, forest fires, loss of biodiversity on land and in the oceans, ozone depletion, global warming and climate change, droughts, rising sea levels, pollution of rivers, groundwater, lakes and seas, air pollution and the emergence of new diseases are only a small part of the consequences of environmental damage that is increasing day by day increasingly threatening the survival of all earth's creatures. Awareness of environmental sustainability itself in Indonesia is still very lacking, so that to reduce environmental problems in the future is increasingly difficult due to the lack of awareness at this time, so in this case what needs to be improved in order to achieve environmental sustainability is awareness of the importance of preserving and protecting the environment.³

In Indonesia itself, the environmental damage that occurs is very concerning, even to the point that it can cause damage that occurs to future generations, so that in the end future generations get environmental problems that occur due to environmental damage in the previous period, thus what must or needs to be emphasized is that the environment itself must be seen and managed for sustainable life not solely for growth and equitable development. We need to realize that awareness of the importance of preserving the environment in Indonesia is still very lacking, where the Indonesian people have not been able to fully consciously always protect the existing environment.⁴

According to the Law of the Republic of Indonesia Number 32 of 2009 concerning Environmental Protection and Management, climate change is climate change caused directly or indirectly by human activities so that it causes changes in the composition of the atmosphere globally and in addition is also in the form of changes in natural climate variability that are observed over a comparable period of time. Key climate parameters, such as precipitation, temperature, humidity, wind (magnitude and direction), cloud cover, and evaporation, can change in pattern, intensity, or amount. These changes could indicate climate change.⁵

The things behind the making of the Law include national economic development which is carried out based on the principles of sustainable development and environmentally friendly, that the spirit of regional autonomy in the implementation of the government of the Unitary State of the Republic of Indonesia has brought changes in the relationship and authority between the Central Government and local governments, including in the field of environmental protection and management, that the quality of the environment which is declining has threatened the survival of humans and other living things, so it is necessary to carry out serious and consistent environmental protection and management by all stakeholders.

² N. H. T Siahaan, *Hukum Lingkungan dan Ekologi Pembangunan*, Jakarta: Erlangga, 2004, p. 1

³ M Y F Hafidz Nasution, Dwi Sartika Paramyta, Neri Arisuma, Salman Alfari, Maya Puspita Ningrum, "Sosialisasi Penegakan Undang-Undang Nomor 32 Tahun 2009 Tentang Perlindungan dan Pengelolaan Lingkungan Hidup pada Masyarakat di Kecamatan Medan Belawan dan Medan Marelan", *Jurnal Abdi Mas Adzkia* 2 no 2 (2022): 89-98.

⁴ Munajat Danusaputro, *Hukum Lingkungan*, Buku 1 Umum, Jakarta: Binacipta, 1981, p. 67.

⁵ Fina Agustina Agustina, R. Azizah, "Pengelolaan Sampah Berkelanjutan Sebagai Aksi Iklim Dalam Mengurangi Dampak Perubahan Iklim: Sebuah Tinjauan Literatur", *Jurnal Kesehatan Tambusai* 5 no 1 (2024): 1753-1762.

METHOD OF THE DEVOTION

As described earlier in the introduction, the impact of unconscious communities in managing and maintaining a good environment, Flash floods, landslides, forest fires, loss of biodiversity on land and in the oceans, ozone depletion, global warming and climate change, droughts, rising sea levels, pollution of rivers, groundwater, lakes and seas, air pollution and the emergence of new diseases are only a small part of the Due to environmental damage that is increasingly threatening the survival of all earthly creatures. Therefore, community service activities through legal counseling are considered important to be carried out, especially to the maysarakat in Gadingan Village, Mojolaban District, Sukoharjo Regency as a form of education to the community. The purpose of this counseling activity is to provide education and legal understanding to the community related to the importance of maintaining and preserving the environment in dealing with threats or the impact of environmental damage.

RESULTS AND DISCUSSION

Community service carried out by the Faculty of Law, Slamet Riyadi University, Surakarta, Gadingan Village, Mojolaban District, Sukoharjo Regency, in this legal counseling activity was carried out with the theme "environmental protection and management according to Law Number 32 of 2009, in this activity, the speaker explained about "Harmonization of Local Government Policies Towards the Environment According to Law Number 32 of 2009". The word harmonization is interpreted as something related to harmony, or equality, while the word "harmonization" is interpreted as harmonization, or an effort to find harmony, in this counseling the word harmonization is also used as an effort to find conformity between laws and regulations. Harmonization is also related to the approach to laws and regulations with the need to also understand the principle of *lex specialis derogat legi generali*. This principle refers to two laws and regulations that hierarchically have the same position, but the scope of content between the laws and regulations is not the same, namely one is a special regulation of the other.

In Article 28H paragraph (1) of the Law of the Republic of Indonesia in 1945 it is stated, "that everyone has the right to live a prosperous and born mind, to live and get a good and healthy living environment and the right to receive health services". This is also regulated in Article 65 paragraph (1) of Law Number 32 of 2009 concerning Environmental Protection and Management, which states that "everyone has the right to a good and healthy environment as part of human rights. One of the authorities inherent in the Regional Government is the authority to permit environmental for industry and transportation players whose business activities can damage or cause environmental pollution.

The management and preservation of the environment at the level of idealism not only requires a large quantity but also a sustainable consistency. This is because the environment is not only used today, but will become a place for the residence of the wider community in an infinite time. Therefore, the role of the government is very large.⁶ Law Number 32 of 2009 concerning Environmental Protection and Management stipulates that the Government and Regional Governments are obliged to make a Strategic Environmental Study to ensure that the development principles of a region and/or policies, plans, and/or programs. The Strategic Environmental Assessment according to Law Number 32 of 2009 is a series of

⁶ *Ibid*, p, 80.

systematic, comprehensive, and participatory analyses to ensure that the principles of sustainable development have become the basis and integrated in the development of a region and/or policies, plans, and/or programs.

Local governments are formed by the Central Government. The authority and government affairs in the Regional scope are sourced from and given by the Central Government. The process of forming the government structure and the source of authority then gives birth to a subordinate relationship between the central and regional governments. This logic flow does not only apply to areas that apply ordinary autonomy but also to areas with special/special status. Regional autonomy was born from the decentralization or distribution of authority from the central government to local governments. Decentralization is the distribution of authority and government affairs in a state organization.

This shows that the main problem of decentralization is about authority, which is the core element in the administration of government, so that the issue of authority is always a point of conflict between regions and with the central government.⁷ Regional autonomy itself means the right of authority and the obligation of the region to regulate and manage its own households in accordance with the applicable laws and regulations.⁸

Based on the provisions of Article 9 of Law Number 23 of 2014, government affairs are divided into absolute government affairs, concurrent government affairs, and general government affairs: 1) Absolute government affairs are government affairs that are fully under the authority of the Central Government; 2) Concurrent government affairs are government affairs that are divided between the Central and Regional Governments of provinces and districts/cities. Concurrent government affairs that are handed over to the Regions are the basis for the implementation of Regional Autonomy; 3) General government affairs are government affairs that are the authority of the president as the head of government.

In line with the decentralization policy in the era of regional autonomy, through the Environmental Protection and Management Law, the government also gives very broad authority to Regional Governments in carrying out environmental protection and management in their respective regions.⁹ Furthermore, the speaker explained "Local government policies towards environmental protection and processing according to Law Number 32 of 2009". Local Government policies in protecting the environment are: 1) Making urban parks; 2) Conducting counseling and socialization in maintaining environmental balance; 3) Hold prokasih; 4) Planting a thousand trees.

Environmental protection and management in accordance with Article 3 of Law Number 32 of 2009 concerning Environmental Protection and Management aims to: a) Protect the territory of the Unitary State of the Republic of Indonesia from environmental pollution and/or damage; b) Ensuring human safety, health, and life; c) Ensuring the survival of living things and the sustainability of the ecosystem; d) Maintaining the sustainability of environmental functions; e) Achieving environmental harmony, harmony, and balance; f) Ensuring the fulfillment of justice for current and future generations; g) Ensuring the fulfillment and protection of environmental rights as part of human rights; h) Controlling

⁷ The Liang Gie, *Pertumbuhan Pemerintahan Daerah di Negara Republik Indonesia*, Jakarta: Gunung Agung, 1968, p. 31.

⁸ S H Sarundajang, *Arus Balik Kekuasaan Pusat ke Daerah*, Jakarta: Pustaka Sinar Harapan, 1999. p. 27.

⁹ H. Samsul Wahidin, *Dimensi Hukum Perlindungan dan Pengelolaan Lingkungan Hidup*, Yogyakarta, 2014, p. 63.

the wise use of natural resources; i) Realizing sustainable development; and j) Anticipating global environmental issues.

Law Number 32 of 2009 concerning Environmental Protection and Management in Article 1 paragraph 6 provides an understanding of conservation, namely "The preservation of environmental functions is a series of efforts to maintain the continuity of the carrying capacity and carrying capacity of the environment". Communities that are part of the environment have an obligation to protect and maintain the sustainability, support capacity and carrying capacity of the environment. According to Article 1 letter a of Law Number 32 of 2009 concerning Environmental Protection and Management, it provides the definition of the Environment, namely "The environment is a unity of space with all objects, powers, conditions, and living beings, including humans and their behavior, which affect nature itself, the survival of life, and the welfare of humans and other living beings".

The main policy of natural resource management and the environment in the water sector, namely water conservation policy, needs to place the subsystems of water production, air distribution, and water consumption in a comprehensive and related unit to achieve a balanced pattern between these sub-systems. The policies are as follows: 1) Water Production sub-system policies, including: a) Conservation of watershed ecosystems and water sources to ensure water supply; b) Preventing and restoring environmental damage, especially to the watershed ecosystem; c) Controlling pollution to maintain and improve water quality; d) Optimization of rainwater utilization. 2) Economical and efficient water consumption policies to support water conservation. 3) Water distribution sub-system policies , including: a) planning for surface water and groundwater allocation; b) improve adequate infrastructure; c) Determining spatial planning includes (1) Determining spatial plans according to the carrying capacity and capacity of the environment (2) consistency of space utilization; (3) supervision of spatial planning, (4) Increasing access to information; d) Institutional policies, including (1) establishing water management institutions, (2) water dispute resolution mechanisms, (3) economic valuation, (4) economic incentives; e) Principles of natural resources and environmental policies in the energy sector; f) Pollution prevention policy; Quality Standards for Coal Mining Liquid Waste, Quality Standards for Ambient Air Quality and Motor Vehicle Exhaust Emissions, and the implementation of Environmental Impact Analysis in each mining activity; g) Environmentally friendly energy production and supply policies; h) Policy to strengthen security of supply, with efforts to provide fuel oil blends such as gahosol, biodiesel, and others; j) Environmentally friendly energy utilization policy; j) Policy on the efficient and economical use of non-renewable energy; k) Renewable energy utilization policy, with investment encouragement and technological innovation.¹⁰

CONCLUSION

Legal socialization activities on environmental protection and management in Gadingan Village, Mojolaban District, Sukoharjo Regency show that socialization carried out by the local government is still limited, both in terms of frequency and reach of participants. The people in Gadingan Village still have a low understanding of the importance of environmental protection based on the law. Therefore, there is a need to increase the intensity of socialization and more active community involvement in environmental

¹⁰ Kementrian Lingkungan Hidup RI, *Status Lingkungan Hidup Indonesia*, Jakarta, 2003.

programs. This research is expected to contribute to efforts to increase public understanding of the importance of environmental management and protection in accordance with the relevant provisions.

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