



## RETRIBUTION FOR SOCIAL CAPITAL BASED HOUSEHOLD WASTE HANDLING SERVICES

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### ABSTRACT

The issue of hygiene and household waste management in Indonesia is becoming increasingly urgent. A public culture that does not care about cleanliness and the environment is the main challenge. Ironically, while 65 million tons of waste are generated each day, a mere 7% of it is recycled. This research utilizes normative methods, focusing on both statutory and conceptual approaches, to explore relevant legislation and legal concepts related to waste management. This research highlights the lack of research that emphasizes the social capital aspect of waste management and proposes a social capital-based waste service levy model as a solution. The research results show that low public awareness, lack of infrastructure, and weak implementation of regulations are the main problems in waste management in Indonesia. The social capital-based retribution model, which involves the use of special plastic bags and active community participation, is expected to increase the effectiveness and efficiency of waste management. This approach utilizes existing social networks and norms, encourages communities to be more responsible in managing their household waste, and creates a fairer and more transparent retribution mechanism. Thus, this research provides a new contribution in efforts to create a cleaner and healthier environment in Indonesia.

### A. INTRODUCTION

The problem of hygiene and household waste management in Indonesia is an increasingly urgent issue that needs to be addressed. The cultural

character of Indonesian society which still does not care about cleanliness and the environment is the main challenge in efforts to handle household waste. Even though the values of cleanliness are highly emphasized in legislation, culture and religion, the actual practices of society often do not reflect this. The majority of Indonesian people are Muslim, where cleanliness is one of the important aspects emphasized in religious teachings.<sup>1</sup> However, ironically, this has not been internalized in people's daily lives.

Indonesia, as the largest country in ASEAN with a population of 273.8 million people, is facing an alarming waste crisis. According to *Sustainable Waste Indonesia* (SWI), of the 65 million tons of waste produced every day, only 7% is recycled, while the other 69% accumulates in final disposal sites (TPA).<sup>2</sup> In fact, less than 10% of plastic waste is successfully recycled, and half of the total plastic waste ends up in landfill.<sup>3</sup> Non-organic garbage that is poisonous, hard to break down, and pollutes the environment is plastic waste.<sup>4</sup> This condition reflects the poor waste management system in Indonesia, which has not been able to keep up with the very high rate of waste production. With a large population, Indonesia should have a more prepared and efficient waste handling system.

Poor waste management in Indonesia is caused by several main factors. First, there is low public awareness in disposing of waste in its place and sorting it before throwing it away. Second, the related agencies are less dexterous in handling waste.<sup>5</sup> Even though the government has provided separate bins for each type of waste, the transportation process is still carried out simultaneously, which eliminates the benefits of this separation.<sup>6</sup> To achieve the target of a waste-free Indonesia by 2025, there needs to be a drastic change in waste management strategies. The Environmental Service must separate organic and inorganic waste when collecting and disposing of it at the landfill, and educate the public that just throwing the waste in the right place is not enough. Separating waste from the source is very important to reduce the burden on landfills and increase recycling efficiency.

<sup>1</sup> Rahmayani Furqan, "Kebersihan Lingkungan Dalam Al-Qur'an Dan Aplikasinya Pada Masyarakat Gampong Buloh Gogo," *Tafse: Journal of Qur'anic Studies* 6, no. 2 (2021): 229.

<sup>2</sup> Rifki Wuda Sudirman, "Daur Ulang Perlu Ditingkatkan Di Berbagai Lapisan Masyarakat," *IDN Times*, 2023, <https://www.idntimes.com/science/experiment/rifki-wuda-sudirman/daur-ulang-perlu-ditingkatkan-di-berbagai-lapisan-masyarakat>.

<sup>3</sup> Anandya Jusufhidayat, "Buruknya Penanganan Sampah Di Indonesia," *Kompasiana.com*, 2023.

<sup>4</sup> Chanidia Ari Rahmayani and Aminah Aminah, "Efektivitas Pengendalian Sampah Plastik Untuk Mendukung Kelestarian Lingkungan Hidup Di Kota Semarang," *Jurnal Pembangunan Hukum Indonesia* 3, no. 1 (2021): 21, <https://doi.org/10.14710/jphi.v3i1.18-33>.

<sup>5</sup> Cokorda Yudhistira M Putra, "Kebakaran Di 30 TPA Dan Wajah Buruk Pengelolaan Sampah Kota Di Indonesia," *Kompas.com*, 2023, <https://www.kompas.id/baca/nusantara/2023/11/22/komitmen-penanganan-sampah-belum-maksimal>.

<sup>6</sup> *Ibid.*

The Indonesian government has enacted several laws and regulations related to waste management, including Law Number 18 of 2008 on Waste Management, Government Regulation Number 81 of 2012 on the Management of Household and Similar Waste, and various regional laws at the provincial and district/city levels. These regulations provide guidelines and ideal concepts for managing household waste. However, its implementation in the field has not been optimal. For example, even though there is an obligation for every household to sort waste, the fact is that in the field there are still many households that do not do it.<sup>7</sup>

This research aims to explore and develop a social capital-based waste service levy model in the context of handling household waste. Social capital encompasses the social networks, shared norms, and beliefs that enable coordination and collaboration for mutual advantage. It is considered a potential approach to overcome waste management problems that have not been resolved using conventional approaches.<sup>8</sup> Previous research has discussed a lot about waste management, but not much has emphasized the social aspect of capital as the basis for household waste management, such as research conducted by Peni Verawati entitled "Extended Producer Responsibility Policy in Handling Waste Problems in Indonesia Towards a Zero Waste Society,"<sup>9</sup> focuses on the strategic role of business actors or producers, while the research conducted by the author focuses on the strategic role of society. Next, Elly Kristen Purwendah entitled "Community Obligations in Maintaining Environmental Sustainability Through Community-Based Waste Management,"<sup>10</sup> This article analyzes waste management, the role of waste banks in waste management and community-based waste management, where these studies have not proposed a social capital-based retribution model. Therefore, this research offers a new approach by proposing a social capital-based waste service levy model, which uses special plastic bags as a means of paying levies as well as social control to increase the effectiveness of household waste management.

This research is expected to offer a new contribution by proposing a waste service levy model that utilizes social capital. This approach not only looks at technical and regulatory aspects, but also enables the community to take an

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<sup>7</sup> M Puteri Rosalina, "Mengapa Kita Sulit Memilah Sampah?," Kompas.id, 2021, <https://www.kompas.id/baca/riset/2021/02/21/mengapa-kita-hard-memilah-sampah>.

<sup>8</sup> Rusydan Fathy, "Modal Sosial: Konsep, Inklusivitas Dan Pemberdayaan Masyarakat," *Jurnal Pemikiran Sosiologi* 6, no. 1 (2019): 3.

<sup>9</sup> Peni Verawati, "Kebijakan Extended Producer Responsibility Dalam Penanganan Masalah Sampah Di Indonesia Menuju Masyarakat Zero Waste.," *JUSTITIA: Jurnal Ilmu Hukum Dan Humaniora* 9, no. 1 (2022): 191.

<sup>10</sup> Elly Kristiani Purwendah, Rusito, and Aniek Periani, "Kewajiban Masyarakat Dalam Pemeliharaan Kelestarian Lingkungan Hidup Melalui Pengelolaan Sampah Berbasis Masyarakat," *Jurnal Locus Delicti* 3, no. 2 (2022): 124, <https://doi.org/10.23887/jld.v3i2.1609>.

active role in managing household waste. The issue addressed in this research is formulated as follows: firstly, what are the regulations regarding the handling of household waste in Indonesia? then the second is what is the social capital-based waste service levy model for handling household waste? The factual condition of handling household waste in Indonesia currently shows many weaknesses, ranging from low public awareness, lack of supporting infrastructure, to problems in enforcing regulations. In several cases, local governments have tried various waste management methods, but the results have not been optimal. For example, waste bank programs introduced in various large cities still face challenges in community participation and program sustainability.<sup>11</sup>

The social capital-based waste service levy model proposed in this research is expected to be an effective solution in overcoming these problems. By utilizing social networks and norms that exist in society, it is hoped that people can be more actively involved and have a sense of responsibility in managing their household waste. Apart from that, this model also proposes a fair and transparent retribution mechanism, so that it can increase effectiveness and efficiency in waste management. Through this research, it is anticipated that it can play a key role in initiatives aimed at managing household waste in Indonesia, especially in integrating the social capital approach in the waste service levy model. In this way, it is hoped that a cleaner and healthier environment will be created, as well as improving the quality of life of the community.

## **B. RESEARCH METHODS**

This research is normative legal research (legal dogmatic research) with a statutory and conceptual approach. The legislative approach is carried out by reviewing various statutory regulations that are relevant to the research topic,<sup>12</sup> namely Law Number 18 of 2008 concerning Waste Management, Government Regulation Number 81 of 2012 concerning Management of Household Waste and Waste Similar to Household Waste, and Government Regulation Number 12 of 2019 concerning Regional Financial Management. The analysis of this regulation aims to understand the existing legal framework and assess its effectiveness and shortcomings in the context of waste services in Indonesia. Meanwhile, a conceptual approach is taken by exploring the legal concepts underlying environmental protection, such as environmental legal principles, state responsibility theory, and the concept of environmental

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<sup>11</sup> Deradjat Mahadi Sasoko, "Partisipasi Masyarakat Dalam Keberlanjutan Program Bank Sampah: Studi Di Kawasan Padat Penduduk," *Jurnal Studi Interdisipliner Perspektif-Jayabaya Journal of Public Administration* 23, no. 2 (2024): 111.

<sup>12</sup> Peter Mahmud Marzuki, *Penelitian Hukum*, 1st ed. (Jakarta: Kencana Prenada Media Group, 2008), p. 93.

protection, *sustainable development*.<sup>13</sup> Through this approach, research seeks to identify how these concepts are implemented within the existing legal framework and their relevance in the local context.

## **C. DISCUSSION ← 12pt, Tahoma, bold, UPPERCASE**

### **1. Regulations Regarding Household Waste Handling in Indonesia**

Waste management in Indonesia still faces various complex challenges. One of the main problems is the culture of littering which is still prevalent in society. The current waste problem and ecological crisis are rooted in people's less than ecological behavior and lifestyle. One of the manifestations is production patterns and consumption patterns that are very excessive, environmentally unfriendly and consumeristic.<sup>14</sup> This habit not only reflects a lack of environmental awareness, but also shows the need for more intensive education regarding the importance of good waste management.<sup>15</sup> According to research by Yuniarti and Nurhayati, the behavior of littering in Indonesia is caused by a lack of public knowledge about the negative impact of waste on the environment and health.<sup>16</sup>

The legislative framework governing waste management in Indonesia has been articulated with considerable clarity through Law Number 18 of 2008 pertaining to Waste Management (hereinafter referred to as Law 18/2008). This statute, in Article 1, delineates waste as the byproducts of quotidian human activities and/or natural phenomena in a solid state. Concurrently, Article 2 Paragraph (1) categorizes the waste subject to management into three distinct classifications: household waste, waste analogous to household waste, and specific waste. Paragraph (2) further stipulates that household waste encompasses refuse originating from routine domestic activities, with the exception of feces and specific waste. Article 4 elucidates that the overarching objective of waste management is to enhance public health and environmental quality while converting waste into a viable resource.

Chapter VI of Law 18/2008 divides waste management into two main categories, namely the management of household waste and waste similar to household waste, and the management of specific waste. Specifically, the

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<sup>13</sup> Abdulkadir Muhammad, *Hukum Dan Penelitian Hukum*, 1st ed. (Bandung: PT. Citra Aditya Bakti, 2004), p. 43.

<sup>14</sup> Peni Vrawati, "Extended Producer Responsibility Policy in Handling Waste Problems in Indonesia Towards a Zero Waste Society," *JUSTITIA: Journal of Legal Sciences and Humanities* 9, no. 1 (2022): 193.

<sup>15</sup> Lu Sudirman et al., "Realigning Indonesian Waste-to-Energy Policies With SDG 11: Analysis of Legal Compliance and Its Implications," *Jurnal Pembaharuan Hukum* 11, no. 2 (2024):287-290, <http://dx.doi.org/10.26532/jph.v11i2>.

<sup>16</sup> Tri Yuniarti et al., "Pengaruh Pengetahuan Kesehatan Lingkungan Terhadap Pembuangan Sampah Sembarangan," *Jurnal Ilmiah Kesehatan* 9, no. 2 (2020): 78-82, <https://doi.org/10.52657/jik.v9i2.1233>.

management of specific waste is the responsibility of the government (Article 23 of Law 18/2008), while the management of household waste which is the object of this research study is regulated in CHAPTER VI UU 18/2008 starting from Article 19 to Article 22, Article 19 states that the management of household waste and waste similar to household waste consists of reducing waste and handling waste. Waste reduction is regulated in Article 20, which includes limiting waste generation, recycling waste and reusing waste. In this scheme, the central government, regional governments, business actors and the community have a very important role<sup>17</sup> (Article 20 Paragraph (1) to Paragraph (4) of UU 18/2008).

Furthermore, regarding waste handling, it is regulated in Article 22 of Law 18/2008, Article 22 Paragraph (1) explains that waste handling includes several stages, namely as follows:

- a. Sorting involves the systematic categorization and segregation of waste based on its type, quantity, and/or intrinsic properties.
- b. Collection refers to the process of gathering and transferring waste from its sources to provisional storage facilities or integrated waste processing locations; (Article 1 Number 6: Temporary Storage Place (TPS) is defined as a designated area prior to the transportation of waste to recycling, processing, and/or integrated waste processing facilities, Article 1 Number 7: Integrated Waste Processing Place (TPST) is characterized as a location where activities such as waste collection, sorting, reuse, recycling, processing, and final treatment are conducted).
- c. Transportation encompasses the conveyance of waste from its origin and/or from a temporary waste storage facility (TPS) or an integrated waste processing facility (TPST) to the ultimate processing site (TPA).
- d. Waste processing pertains to the modification of the characteristics, composition, and volume of waste.
- e. Final processing involves the secure return of waste or processing residues to environmental media.

In Paragraph 2, Government regulations govern additional waste handling provisions mentioned in paragraph (1) are regulated by government regulations and/or regional regulations in accordance with their authority.

The next regulation is Government Regulation Number 81 of 2012 concerning Management of Household Waste and Waste Similar to Household Waste. Article 1 Number 3 defines waste management as a systematic, comprehensive and sustainable activity which includes reducing and handling

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<sup>17</sup> Tamrin Muchsin and Sri Sudono Saliro, "Peran Pemerintah Desa Dalam Pengelolaan Sampah Perspektif Peraturan Daerah Nomor 2 Tahun 2015 Tentang Pengelolaan Sampah," *Jurnal Justisia : Jurnal Ilmu Hukum, Perundang-Undangan Dan Pranata Sosial* 5, no. 2 (2020): 72, <https://doi.org/10.22373/justisia.v5i2.8455>.

waste. Regarding the obligation to organize waste management, it is regulated in Article 10 Paragraph (2) that everyone is obliged to reduce waste and handle waste. Article 11 Paragraph (2) explains that the reduction of waste is accomplished by:

- a. utilizing materials that are easily broken down by natural processes, recyclable, and/or reusable; and/or
- b. Gather used product and/or packaging waste and return it.

The goal of waste reduction initiatives is to make sure that everyone in society—the government, business community, and the general public—can engage in smart, effective initiatives to limit waste generation, recycle, and reuse waste—a process known as Reduce, Reuse, and Recycle (3R), through smart, efficient efforts.<sup>18</sup>

Additionally, concerning waste management, it is outlined in Article 22 Paragraph (1) of Law 18/2008, which is elaborated upon through PP 81/2012 in Chapter III, particularly Articles 16 to 30. Article 17 Paragraph (2) specifies that there are at least five categories of waste classification, which include waste containing hazardous and toxic substances along with hazardous and toxic waste, biodegradable waste, reusable waste, recyclable waste, and other types of waste. One initiative that can be taken at the household level is waste classification. This waste classification serves as the foundational step that influences the efficiency of the subsequent stages of the waste management system.<sup>19</sup> Besides, in Paragraph (5) the grouped waste must meet the requirements in the form of the number of facilities according to the type of waste grouping, labeling or marking, and the material, shape and color of the container.

Regarding waste collection at TPS, it is regulated in Article 18 Paragraph (4) that TPS and/or TPS 3R (a place for processing waste with the 3R principle (reduce, reuse, recycle to prevent environmental pollution))<sup>20</sup> which must fulfill the following prerequisites:

- a. There are facilities for classifying waste into a minimum of five different categories.
- b. Size and capacity of the location based on requirements.
- c. Accessing the location is simple.

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<sup>18</sup> Purwendah, Rusito, and Periani, "Kewajiban Masyarakat Dalam Pemeliharaan Kelestarian Lingkungan Hidup Melalui Pengelolaan Sampah Berbasis Masyarakat," *Jurnal Pacta Sunt Servanda* 3, no. 2 (2022): 164.

<sup>19</sup> Dipo Gita Ambina, "Tinjauan Pemilahan Sampah Menurut Undang-Undang Nomor 18 Tahun 2008 Tentang Pengelolaan Sampah," *Bina Hukum Lingkungan* Vol. 3. No. 2 (2019): 173, <https://doi.org/10.24970/jbhl.v3n2.13>.

<sup>20</sup> I Made Ode Dwiyan Putra, I Nyoman Gede Sugiarta, and Luh Putu Suryani, "Pengelolaan Sampah Plastik Rumah Tangga Dalam Rangka Pencegahan Pencemaran Lingkungan (Study Di Lingkungan Kelurahan Pedungan Kecamatan Denpasar Selatan Kota Denpasar)," *Jurnal Konstruksi Hukum* 2, no. 1 (2021): 89, <https://doi.org/10.22225/jkh.2.1.2974.86-91>.

- d. Does not cause environmental contamination.
- e. Establish a schedule for pickup and delivery.

Subsequently, the transportation stage to the TPS is regulated in Article 19. Paragraph (1) explains that the person carrying out waste transportation is the district/city government. Paragraph (2) explains that the district/city government, in carrying out waste transportation, provides waste transportation equipment, including for segregated waste which does not pollute the environment and transports waste from TPS and/or TPS 3R to TPA or TPST. Paragraph (3): in transporting waste, the district/city government can provide intermediate transfer stations. The next stage is waste processing, regulated in Article 21 Paragraph (1): Waste processing includes activities; compaction, composting, material recycling, and/or energy recycling. Paragraph (4): The district/city government provides waste processing facilities in residential areas in the form of 3R TPS, intermediate transition stations, TPA and/or TPST.

The final stage is governed by Article 22, Paragraph (1), which states that final waste processing must be conducted through controlled landfill methods, sanitary landfill methods, and/or environmentally friendly technologies. Final waste processing is carried out by the district/city government (Paragraph (2)). Article 23 (1): in carrying out final processing of waste, the district/city government is obliged to provide and operate a TPA. Article 29 Paragraph (1) regulates that in carrying out waste management, the district/city government levies a levy on each person for the services provided. The levy specified in Paragraph (1) is calculated progressively based on the characteristics and volume of the waste. The revenue generated from this levy will be allocated to various activities related to waste management, including waste collection services, emergency response, environmental restoration resulting from waste management efforts, and enhancing the skills of waste management professionals.

Even though the concept of waste management in law is quite good and ideal, its implementation is still far from expectations. The system that is still widely applied is the traditional "collect-transport-dispose" pattern. This system is not only less efficient but also causes various environmental and health problems.<sup>21</sup> According to Ruslan Majid et al. (2020), this traditional method causes excessive accumulation of waste in TPS and TPA, which ultimately results in environmental pollution and health problems for the

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<sup>21</sup> Edy Nurcahyo and Ernawati Ernawati, "Peningkatan Kesadaran Masyarakat Dalam Pengelolaan Sampah Rumah Tangga Di Desa Mabulugo, Kabupaten Buton," *Empowerment: Jurnal Pengabdian Masyarakat* 2, no. 02 (2019): 34, <https://doi.org/10.25134/empowerment.v2i02.1940>.



surrounding community.<sup>22</sup> To understand further, you can pay attention to the data on the number of landfills in Indonesia published by the Ministry of Public Works and Spatial Planning as follows:<sup>23</sup>

Provincial Code	Province	Number of landfills	Total Landfill Area (ha)	Service Coverage (ha)	Landfill capacity (m3/year)
11	Aceh	15	85,8	286.076,00	1.766.394,15
12	North Sumatra	5	25,17	340.479,60	1.108.894,80
13	West Sumatra	7	62,9	139.040,00	177.947,40
14	Riau	1	4,6	26.000,00	677.440,00
15	Jambi	9	35,91	327.004,00	697.881,55
16	South Sumatra	6	32,01	76.625,00	91.961,64
17	Bengkulu	9	12,05	1.311.571,00	630.923,20
18	Lampung	6	21,57	25.500,00	1.784.850,00
19	Bangka Belitung Islands	7	50,16	112.995,00	205.151,95
21	Riau Islands	3	11,4	33.520,00	130.000,00
32	West Java	11	203,14	1.058.883,00	2.750.025,85
33	Central Java	15	31,32	641.013,00	740.535,60
34	DI Yogyakarta	3	18	589.208,00	1.124.350,00
35	East Java	21	133,75	1.295.570,00	1.873.841,90
36	Banten	6	93,4	454.949,00	1.062.908,00
51	Bali	3	38,19	449.291,00	2.116.088,00
52	West Nusa Tenggara	5	22,5	45.200,00	343.431,00
53	East Nusa Tenggara	8	16,18	364.600,00	603.694,69
61	West Kalimantan	6	8,11	160.614,00	141.400,00
62	Central Kalimantan	12	132,99	310.446,80	763.281,80
63	South Kalimantan	13	139,5	301.073,00	951.285,00
64	East Kalimantan	4	75	323.166,00	1.252.156,00
65	North Kalimantan	4	33,89	141.200,00	2.661.740,00
71	North Sulawesi	13	79,26	341.883,00	1.588.271,00
72	Central Sulawesi	6	65,96	173.157,00	604.042,00
73	South Sulawesi	15	42,3	197.590,00	1.128.329,45
74	Southeast Sulawesi	14	83,7	577.066,00	750.076,52
75	Gorontalo	4	19,28	38.763,00	223.518,60
76	West Sulawesi	5	19,55	129.031,00	35.076,48
81	Maluku	12	15,21	330.290,00	2.066.581,00
82	North Maluku	11	47,9	76.075,59	398.201,00
91	Papua	7	67	127.600,00	127.282,00
92	West Papua	5	45	29.779,00	107.198,20
	Indonesia	271	1772,69	10.835.258,99	30.684.758,78

<sup>22</sup> Ruslan Majid et al., "Peningkatan Kesadaran Pengelolaan Sampah Terpadu Berbasis Masyarakat Pesisir Di Kelurahan Lapulu Kota Kendari Tahun 2019," *Jurnal Pengabdian Masyarakat Ilmu Terapan (JPMIT)* 2, no. 1 (2020): 56, <https://doi.org/10.33772/jpmit.v2i1.12149>.

<sup>23</sup> Kementerian PUPR, "Open Data Kementerian Pekerjaan Umum Dan Penataan Ruang," Data PUPR, 2023.

Source: Open Data Ministry of Public Works and Spatial Planning 2023.

Based on available data, there is a striking imbalance between the number of Final Disposal Sites (TPA), total landfill area, service coverage and landfill capacity in various provinces in Indonesia, which can contribute to the problem of waste accumulation. Provinces with a low number of landfills and capacity but with a wide range of services, such as West Kalimantan and West Nusa Tenggara, tend to face a higher risk of waste accumulation. On the other hand, provinces such as Aceh and East Java, even though they have landfills with large capacity, have a very wide service coverage which can lead to accumulation of waste if not managed properly. This disparity indicates the need for a more efficient and balanced waste management strategy, as well as improving landfill infrastructure in areas where capacity is inadequate to prevent more severe waste accumulation problems. Further research and policy should focus on optimizing landfill land use and more evenly distributing capacity to ensure that all regions have adequate capacity to handle the volume of waste generated.

Then related to waste management, Indonesia is currently in a waste management emergency. Limited facilities and infrastructure in waste management is one of the main causes.<sup>24</sup> Good waste management facilities and infrastructure are very important to support the realization of an effective management system. However, many districts/cities do not have adequate facilities, which has a negative impact on waste management services to the community.<sup>25</sup> For example, the volume of waste far exceeds the capacity of waste transportation services from Temporary Disposal Sites (TPS) to TPA due to the lack of a fleet of waste trucks in several areas, so that waste often piles up at TPS.<sup>26</sup>

Apart from that, limited heavy equipment facilities at the landfill mean that the waste processing process still uses the open dumping method,<sup>27</sup> where waste is just piled up without any further treatment. The waste processing process at the landfill should have shifted to the sanitary landfill method, where waste that goes to the landfill is dumped every day, or at least

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<sup>24</sup> Widayanti, Sri Murni, and Mieke Anggraeni Dewi, "Rekonstruksi Pengaturan Pengelolaan Sampah Berkelanjutan Dengan Konsep Ekonomi Sirkular," *Jurnal Ilmiah Hukum Dan Dinamika Masyarakat* 22, no. 1 (2024): 106.

<sup>25</sup> Novianti Carolina and Widodo Triputro, "Efektivitas Pengelolaan Sampah Di Tempat Pemrosesan Akhir Tebedak, Ngabang Kabupaten Landak," *TheJournalish* 5 (2024): 148.

<sup>26</sup> Debora Laksmi Indraswari, "Darurat Pengelolaan Sampah Di Indonesia," *Kompas.com*, 2023, <https://www.kompas.id/baca/riset/2023/07/28/darurat-pengelolaan-sampah-di-indonesia>.

<sup>27</sup> Febrina Heryanti et al., "Tinjauan Hukum Undang-Undang Pengelolaan Sampah Terhadap Pencemaran Lingkungan," *Sang Pencerah: Jurnal Ilmiah Universitas Muhammadiyah Buton* 9, no. 2 (2023): 434, <https://doi.org/10.35326/pencerah.v9i2.3243>.

controlling landfill, where waste is dumped once a week.<sup>28</sup> This process requires heavy equipment such as excavators and bulldozers, which unfortunately are very limited in many areas. According to research by Tiwi Okhtafianny (2023), limited heavy equipment and adequate infrastructure are one of the main obstacles to effective waste management in Indonesia.<sup>29</sup>

The government's commitment to handling waste also still needs to be questioned. There is a term "From TPS to TPS," where the first TPS is a Temporary Disposal Place and the second TPS is a Voting Place. This term reflects that waste management policies are often only used as a tool to attract political support, without any real, sustainable action to solve the waste problem. Often waste management programs in various regions do not run consistently and sustainably due to policy changes that follow changes in political leadership.<sup>30</sup> To overcome this problem, there needs to be a strong commitment from the government and active participation from the community. Education regarding the importance of good waste management must be improved, and adequate infrastructure must be provided. Apart from that, the application of more modern and environmentally friendly waste management technology, such as methods sanitary landfill and recycling, should be encouraged and implemented more widely.

## **2. Social Capital Based Waste Service Retribution Model in the Context of Handling Household Waste**

Indonesia has special regulations related to waste problems, namely Law Number 18 of 2008 concerning Waste Management. However, the existence of this regulation still contains several legal loopholes, rendering it ineffective in addressing the escalating waste problems that accompany the rising population and increased consumption.<sup>31</sup> So looking at the ordinary efforts that the government has made, in fact it has not been able to manage waste optimally, even after seventeen years of the existence of this regulation, we cannot expect it to be able to solve problems in the field. The same thing also happened with PP 81/2012, so extraordinary efforts were needed to be able to resolve extraordinary problems. Therefore, the author presents a solution that can help with problems related to handling household waste through a social capital-based waste service levy model.

<sup>28</sup> Nurlia Sila, "Telaah Kondisi Terkini TPA Di Indonesia: Solusi Atau Ancaman?," 2023, <https://unair.ac.id/telaah-kondisi-terkini-tpa-di-indonesia-solusi-atau-ancaman/>.

<sup>29</sup> Ria Ariani Tiwi Okhtafianny, "Analisis Implementasi Kebijakan Pengelolaan Sampah Di Kota Payakumbuh," *Jurnal Ekonomi Bisnis, Manajemen Dan Akuntansi (JEBMA)* 3, no. 2 (2023): 539.

<sup>30</sup> Praja Firdaus Nuryananda Zacky Alifirano Pandana, "Kerjasama Sister City Antara Pemerintah Kota Surabaya Dan Kota Kitakyushu Sebagai Upaya Pengelolaan Sampah Tahun 2012-2023," *Global Focus* 4, no. 1 (2024): 25.

<sup>31</sup> Maskun Maskun et al., "Tinjauan Normatif Penerapan Prinsip Tanggung Jawab Produsen Dalam Pengaturan Tata Kelola Sampah Plastik Di Indonesia," *Bina Hukum Lingkungan* 6, no. 2 (2022): 188, <https://doi.org/10.24970/bhl.v6i2.239>.

At the beginning of this paragraph, it is important to know what is meant by waste/cleaning service levies. Waste service levies are fees charged to the public as compensation for waste management services provided by the government or an appointed party.<sup>32</sup> This levy aims to support the operation and maintenance of the waste management system so that it can function optimally. In Indonesia, the legal basis governing waste service fees is contained in Law Number 18 of 2008 concerning Waste Management, specifically in Article 24 Paragraph (1) which states that both the central government and regional governments are required to allocate funding for the implementation of effective waste management practices. This funding is derived from both the state revenue and expenditure budget (APBN) and the regional income and expenditure budget (APBD). According to Article 27, Paragraph (1) of Government Regulation Number 12 of 2019, which addresses Regional Financial Management, the APBD is composed of three key components: regional income, regional expenditure, and regional financing. Regional income encompasses various sources, including original regional revenue, regional taxes, regional levies, proceeds from the management of separated regional assets, and other related earnings.

Furthermore, it is known that what is meant by social capital or social capital is the networks, norms and beliefs that exist in society which can be used to achieve common goals. Social capital embodies the social dimensions of life, manifesting through networks, norms, and beliefs that inspire individuals to collaborate in pursuit of common goals. The greater the number of people and the more aligned their values, the higher the level of social capital they cultivate. By building relationships with others and maintaining them over time, people are able to work together to accomplish things they could not do alone. Thus, the better the social capital a community has, the more effective and efficient it will be. Social capital encompasses elements such as values, norms, beliefs, and social networks, which play a crucial role in achieving empowerment objectives.<sup>33</sup>

In the context of waste service fees, the social foundation of capital significantly enhances community participation and engagement. This social capital encompasses elements such as cooperation, trust, and shared norms, all of which empower communities to collaborate effectively in managing waste. Coleman states that social capital can increase system efficiency by

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<sup>32</sup> Muhammad Ghufon Firdaus Adil Siswanto, Feri Firmansyah, "Kegiatan Retribusi Sampah Dalam Pengelolaan Persampahan Pada Dinas Lingkungan Hidup Kabupaten Bondowoso," *GJMI Gudang Jurnal Multidisiplin Ilmu* 2, no. 2 (2024): 287.

<sup>33</sup> Ridwan Arma Subagyo, "Modal Sosial Dalam Pemberdayaan Masyarakat Di Desa Purwosari Kecamatan Purwosari Kabupaten Bojonegoro," *Jurnal Penamas*, 2021, 182, <http://blajakarta.kemenag.go.id/journal/index.php/penamas/article/view/518/218>.

facilitating coordination and cooperation for the common good.<sup>34</sup> The social capital-based waste service levy model in this research proposes an approach where people are required to use special plastic bags provided by the government. These plastic bags are sold in shops without providing a profit for the seller, because they are part of government policy. Cleaning officers will only transport rubbish packaged in special plastic bags. If people do not use the designated plastic bags, their waste will not be transported, which in turn will cause waste to accumulate and cause environmental disturbances. This approach aims to encourage people to pay levies indirectly and increase social control over waste management. Through the mandatory mechanism for using special plastic bags, the government creates an efficient retribution mechanism and integrates social control in waste management. This can increase public awareness and compliance with better waste management.

The social capital-based waste service levy model has great potential to be implemented in Indonesia, considering the high level of social capital in Indonesian society which is characterized by the values of mutual cooperation and togetherness. This policy can strengthen community participation in waste management and increase the effectiveness of the waste service levy system. A study conducted by Hendro Bongga shows that social capital has a significant influence on the success of waste management programs in various regions in Indonesia.<sup>35</sup>

Although this model has great potential, there are several obstacles and challenges that need to be overcome for its implementation in Indonesia. These obstacles include regulatory uncertainty, where the implementation of new policies often faces uncertainty in terms of regulation and law enforcement. Inconsistent regulations and lack of support from local governments can be major obstacles. So that support from political power also determines the success of this policy.<sup>36</sup> Apart from that, limited infrastructure is also a challenge. To support this model, adequate infrastructure is needed, such as the distribution of special plastic bags and efficient waste transportation. Infrastructure limitations in some areas may hinder the implementation of this policy.

Community resistance is also a challenge that needs to be faced. Policy changes often face resistance from the public, especially if they feel that the

<sup>34</sup> James Samuel Coleman, "Social Capital in the Creation of Human Capital," *The American Journal of Sociology* 94 (1988): 98.

<sup>35</sup> Hendro Bongga Ma'dika, Fonny J. Waani, and Evelin J.R. Kawung, "Sistem Pengolahan Sampah Berbasis Modal Sosial Masyarakat Di Pasar 45 Kota Manado," *Journal Ilmiah Society* 3, no. 1 (2023): 3.

<sup>36</sup> Ali Yusran Gea, "Problematics of Legal Politics in the Formation of Legislation in Indonesia," *Jurnal Akta* 11, No. 4 (2024): 1397.

policy burdens or changes existing habits. Intensive education and outreach are needed to overcome this resistance. Coordination between institutions is also very important. Implementing this model requires good coordination between various institutions, including the central government, regional governments and the private sector. Lack of coordination can hamper the effectiveness of these policies. In addition, an effective monitoring and evaluation system is needed to ensure that this policy is running according to the expected objectives. Without proper monitoring, the success of these policies is difficult to measure and improve.

Overall, the social capital-based waste service levy model is an innovative approach that can increase community participation in waste management and ensure the sustainability of the levy system. By utilizing existing social capital, this model can create a more efficient and effective waste management mechanism. Even though there are several obstacles and challenges, with careful planning, good socialization, and support from various parties, this model has great potential to be successfully implemented in Indonesia. Normatively, this model is in line with the provisions of Article 35 Paragraph (1) of Law 18/2008: the community participates in the decision-making, implementation and supervision process in household waste management activities and household-like waste organized by the Government and/or regional governments. Paragraph (2) Letter c, community participation as intended can take the form of carrying out activities for handling household waste and similar household waste carried out independently and/or in partnership with the district/city government. Community participation and social control can run and be in line with the provisions of Article 35 of Law 18/2008, by implementing the social capital retribution model as suggested by the author in this research.

#### **D. CONCLUSION**

Household waste management in Indonesia still faces major challenges, such as low public awareness, lack of infrastructure, and suboptimal implementation of regulations. The traditional "collect-transport-dispose" system that is still dominant has proven to be inefficient in handling the ever-increasing volume of waste. Therefore, a social capital-based approach is an alternative that can increase community participation in waste management through a fairer and more transparent retribution mechanism. The social capital-based retribution model proposed in this research requires the community to use special plastic bags as a levy payment mechanism, thereby encouraging active involvement and a sense of responsibility in waste management. However, there are a number of obstacles to its implementation, such as regulatory uncertainty, limited infrastructure, and community

resistance which requires intensive education and outreach. Therefore, careful planning, sustainable policy support, and good coordination between the government and the community are needed to create a more effective, efficient and sustainable waste management system.

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### **Declaration of Conflicting Interests**

The author wishes to declare that there are no potential conflicts of interest related to the research, authorship, or publication of the article entitled "Retribution for Waste Services as a Social Capital-Based Means of Handling Household Waste".

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