



Littering Behavior In The Perspective Of Legal Sociology In The Special Region Of Jakarta, Indonesia

Lindawati Amsir Saidi ^{1*}, Sri Sudewi Handayani ², Hermanto Siahaan ³

¹ Master of Health Law, Jakarta College of Military Law. Email lindawatizul@gmail.com

² Master of Health Law, Jakarta College of Military Law. Email Dewihandayani79@gmail.com

³ Master of Health Law, Jakarta College of Military Law. Email siahaanhukum@gmail.com

*Corresponding Author Email: lindawatizul@gmail.com

Abstract

Background. Littering is a bad behavior that can harm others and the surrounding environment.

Purpose. Observing the behavior of this unexemplary community will cause the environment to become dirty and appear shabby due to the unpleasant smell, and it is also unappealing to the eye.

Method. The survey method is used to observe people's behavior in managing waste.

Result. Waste that is thrown carelessly can also be a source of disease and even disaster. The opposite will happen if there is no garbage scattered; then the environment around us will look clean and comfortable, and it will feel beautiful to the eye. If we see garbage that is generally in the form of plastic or paper waste, food, and drinks scattered on the side of the road, in parks, or other public places, of course, questions will arise in our minds.

In conclusion, despite regulations prohibiting the disposal of waste in improper places, some individuals still dispose of this garbage in unsuitable locations.

Keywords: Community behavior, littering, sociology of law.



© 2025 The Author(s). This article is licensed under a [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by/4.0/), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source.

INTRODUCTION

Sociologically, law is a crucial social institution. It is comprised of a set of values, rules, and behaviors that address fundamental human needs. Legal culture, as defined by Lawrence M. Friedman, consists of the underlying values that govern the law. These values are abstract ideas about what is considered good (and therefore followed) and what is considered bad (and therefore avoided). According to Soekanto (2010), these values often exist in opposing pairs, which must be brought into harmony.

Lindawati Amsir Saidi

DOI 10.62885/envisci.v1i1.949

A society's legal culture is directly tied to its legal awareness. When people have a high level of legal awareness, it fosters a better legal culture and can shift the public's perception of the law. Essentially, a community's adherence to the law is a key indicator of how well the law is working (Ali, 2007).

Bad behavior of the community related to throwing garbage that is out of place/carelessly, can no longer be tolerated. Even the Indonesian Ulema Council prohibits this bad behavior. This is due to the adverse impact due to garbage scattered on streets, parks or other public places, which can cause the environment to become dirty, smell bad, and unsightly. Not to mention the diseases that can be caused by the garbage and can also be the cause of disasters such as floods. This means that the consequences of waste that are thrown carelessly can have a bad impact not only on nature/the environment, but also on all living things in it.

In Indonesia, littering is prohibited under Law Number 18 of 2008 concerning Waste Management. Specifically, Article 29, Paragraph 1, Letter E states that no one is allowed to throw trash in undesignated areas. The power to enforce penalties for this offense is given to local governments, which can create their own regulations.

The Jakarta Provincial Government has established specific penalties through its local regulations. Regional Regulation (Perda) Number 3 of 2013 on Waste Management, amended by Regional Regulation Number 4 of 2019, outlines the rules.

Additionally, Regional Regulation Number 8 of 2007 on Public Order addresses littering in public spaces like roads, green belts, parks, and rivers. Violators who damage the beauty and cleanliness of the environment can face a jail sentence of 10 to 60 days or fines ranging from Rp 100,000 to Rp 20,000,000.

How can there still be people who behave in this careless garbage dumping, after regulations related to the prohibition on throwing garbage out of place already exist. How does the sociology of law understand the behavior of the community? What is the perspective of legal sociology towards people who behave in the behavior of littering, after regulations related to the prohibition on throwing garbage are out of place.

METHOD

The method used in this study is a survey method to observe people's behavior in disposing of garbage.

DISCUSSION

Roscoe Pound, a prominent legal scholar, conceptualized law as a "tool of social engineering," arguing that its purpose extends beyond merely preserving power to actively shaping society (Rasyidi, 2002). This perspective was echoed by the Indonesian legal expert and former Foreign Minister, Mochtar Kusuma Atmadja. Atmadja contended that using law to guide societal development toward governmental policy is especially vital for developing nations. Unlike developed countries, which possess established legal systems capable of accommodating social change, developing nations lack these mechanisms, making a proactive, engineering-based approach to law essential.

The effectiveness of law as a tool for social engineering is fundamentally linked to a society's legal culture, which reflects the public's **legal awareness**. Higher levels of public legal awareness correlate with a more robust legal culture, influencing how citizens perceive and interact with the law. Ultimately, a society's compliance with legal norms serves as a primary indicator of the law's functionality. Law is not merely a set of written rules but a dynamic social phenomenon shaped by non-legal factors such as societal values, attitudes, and beliefs. When legal culture is disregarded, even well-drafted laws are likely to fail. This failure can manifest as public misunderstanding of legal regulations, a disconnect between legal intent and actual practice, and a preference for traditional behaviors over legal requirements. Therefore, cultivating legal awareness is a critical endeavor that involves socializing the values underpinning legal regulations and ensuring effective legal communication so that the public understands the law's content.

According to Lon Fuller, effective lawmaking is governed by eight principles of legality, including the need for rules to be publicly known, non-retroactive, clear, and consistent. Furthermore, laws should not demand the impossible and must be consistently applied by legal officials (Rahardjo, 2010). However, the implementation of these principles and the ultimate success of any legal system are contingent upon the prevailing legal culture.

Soejono Soekanto defines **law enforcement** as the process of harmonizing legal rules with societal values and translating them into actions to foster social harmony. This process is influenced by four key factors: the quality and consistency of the laws themselves; the availability of adequate legal enforcement facilities; the public's legal awareness and compliance; and, crucially, the mentality and integrity of law enforcement officials, such as police, prosecutors, and judges. It is clear that the success of law enforcement is not solely determined by formal rules, infrastructure, or the mindset of legal professionals. The human

element, specifically the cultural values, attitudes, and behaviors of the public, is the ultimate determinant of a legal system's efficacy. The existence of sound laws and a formal enforcement apparatus does not automatically guarantee justice or the rule of law without a supportive legal culture.

CONCLUSION

In conclusion, the practice of littering, a pervasive and detrimental behavior, should not be considered a societal norm. It is important to note that this behavior is not only socially unacceptable but also runs counter to spiritual values, as articulated by the Indonesian Ulema Council which views cleanliness as an obligatory part of faith and a form of gratitude.

Legally, Indonesia has a clear framework to address this issue. Law Number 18 of 2008 on Waste Management, particularly Article 29, Paragraph 1, Letter E, explicitly prohibits littering. Local governments have the authority to impose sanctions; for example, in Jakarta, Regional Regulation Number 8 of 2007 on Public Order outlines specific penalties, including imprisonment or fines, for individuals who discard waste in public spaces, thereby damaging the environment's aesthetic and cleanliness.

The persistent failure of law enforcement and a public reluctance to comply with these regulations highlight a critical gap between legal frameworks and societal practice. To bridge this divide, it is imperative to enhance public legal awareness. This can be achieved through a concerted effort to socialize the values that underpin these regulations and to improve legal communication. By ensuring that the content of waste management laws is effectively disseminated and understood by the public, it is possible to foster greater compliance and ultimately cultivate a legal culture that supports a clean and healthy environment.

BIBLIOGRAPHY

- Achmad Ali, 2007, *Revealing the Legal Veil*, Jakarta: Prenada Kencana Media Group.
- Lily Rasjidi, 2002, *Fundamentals of Legal Philosophy*, Bandung: PT. Image of Aditya Bakti.
- Mochtar Kusuma Atmadja in Soentandyo Wignosoebroto, 2002, *From Colonial Law to National Hukum : Socio-Political Dynamics and Legal Development in Indonesia*, Jakarta: Rajawali Press.
- DKI Jakarta Regional Regulation Number 4 of 2019 concerning waste management. Jakarta Regional Regulation Number 8 of 2007 concerning public order Satjipto Rahardjo, 2010, Law, Bandung : Alumni

Satjipto Rahardjo, 2002, *Law and Social Change*, Bandung : Alumni,
Soerjono Soekanto, 2010, *Factors Influencing Law Enforcement*, Jakarta: Rajawali Press.
Sugiyanto, Tetty Melina, arief fahmi Lubis. *Advanced Legal Sociology*.
Law Number 18 of 2008 concerning waste management.
<https://nasional.kompas.com/read/2023/01/19/02000011/sanksi-pidana-buang-sampah-Arbitrary?page=all>