



Analysis of Environmental Protection and Management in the Perspective of Law Number 32 of 2009

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Article	Abstract
<p>Keywords: Environmental Protection, Environmental Management, Ecosystems, Natural Resources.</p> <p>Article History Received: Feb 20, 2024; Reviewed: Feb 27, 2024; Accepted: Mar 14, 2024; Published: Mar 30, 2024.</p>	<p>Indonesia in recent decades has experienced a crisis regarding complex environmental problems that are interesting to study. Environmental protection and environmental management are very necessary for the sustainability of human life and the ecosystem in it. Efforts to protect and manage the environment are listed in Article 3 of Law Number 32 of 2009, namely: Protecting the territory of the Unitary State of the Republic of Indonesia from pollution and environmental damage. Ensuring human safety, health and life. Ensuring the survival of living things and the preservation of ecosystems is an increasingly urgent shared responsibility. Maintaining the preservation of environmental functions. Achieving harmony, harmony, and environmental balance. Ensuring the fulfillment of justice for current and future generations. Ensuring the fulfillment and protection of environmental rights as part of human rights. Manage the use of natural resources wisely. Realizing sustainable development. Anticipating global environmental problems. Efforts to plan, utilize, control, maintain, supervise and enforce the law. In Article 1 paragraph (2) of Law Number 32 of 2009, it is stipulated that environmental protection and management efforts consist of six important aspects: planning, utilization, control, maintenance, supervision, and law enforcement. The method used in this research is to use normative legal methods or also known as literature research, analyzing books, journals, and other documents.</p>

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INTRODUCTION

The environment is the most important part of the survival of humanity in the world. We agree that the environment is correlated with the sustainability of humanity on earth. So we should be able to manage the environment so that it can be sustainable and can be enjoyed by the next generation. This environmental management is very necessary because it affects the sustainability of human life. Human life on this earth cannot be separated from the role of the environment. Just as humans are part of the environment, so together with plants, animals, and microorganisms, they become one inseparable link. For this reason, humans must make good use of natural resources, so that the environment remains sustainable. The environment itself is defined as a spatial unit that includes all objects, forces, circumstances, and living beings, including humans and their behavior, which affect each other with nature, survival, and human welfare. and other living beings.

Indonesia in recent decades has experienced a crisis regarding complex environmental problems that are interesting to study. Problems related to the environment require quick and effective solutions. Environmental problems are generally in the form of forest destruction, reduced biodiversity, marine ecosystems that are slow to increase in damage, problems of air and soil pollution, floods, mountainous garbage and reduced water catchment areas. These are a number of problems related to the environment that need to be immediately solved by all elements of the nation. To overcome this, it is felt that efforts to protect and protect the environment in Indonesia are needed to anticipate environmental damage in Indonesia. In addition to this, environmental management efforts are also needed to prevent environmental damage in addition to maintaining environmental sustainability for future generations.

Realizing the need for environmental management for the conservation of harmonious and balanced environmental capabilities to support sustainable development, the need to increase the use of the potential of natural resources and the living environment by converting, rehabilitating and saving use by applying environmentally friendly technology, as well as utilizing natural resources to the maximum of the people's prosperity by paying attention to the preservation of environmental functions and balance, sustainable development, the economic and cultural interests of local communities and the arrangement of space whose use is regulated by law.

METHOD

The method used in this study is to use the normative legal method or also known as literature research, where in this research analyzes legal concepts and regulations related to research and also analyzes books, journals, and other documents needed to conduct this research. The data source used is secondary data, which includes various legal materials, both primary, secondary, and tertiary. It is further explained through descriptive.

RESULTS AND DISCUSSION

The environment is basically the support of human life. The relationship between humans and the environment is inseparable. Humans take what is in nature to meet their life needs. Meanwhile, on the other hand, the environment that is continuously exploited by humans also needs attention. The definition of the environment itself according to Law Number 32 of 2009 concerning Environmental Protection and Management is "The unity of space with all objects, forces, circumstances and living beings, including humans and their behavior, that affect nature itself, survival, and welfare of humans and other living beings." The definition of the environment in this law is holistic and comprehensive because it fully regulates three vital components in ecology, namely biotic, abiotic, and socio-cultural components. The nature that has been used by humans over time will be depleted and it is possible to damage nature itself. This generally happens because humans overuse natural resources without paying attention to the damage that occurs. Environmental problems in Indonesia are caused by several factors, namely: technology; population growth; economics; politics; Environmental problems are increasing day by day so attention is needed to overcome the problem of sustainability, this is because the environment is a very important resource for the survival of mankind, therefore, environmental management needs to be done properly and wisely. The environment of its existence is needed by humans and other creatures divided into 3 parts, namely:

1. A basic necessity for biological survival, living things are always sought to maintain survival not only individually but also as a species.
2. The basic needs for human survival, in contrast to living things on the other hand, humans are not enough to live biologically, but because culture must live humanely.
3. The basic need to choose, the ability to choose is an essential characteristic of living things to be able to maintain their survival, both in plants, animals and humans.

3.1 Definition of Environment

The definition of the environment cannot be separated from ecology, ecosystems, and the carrying capacity of the environment. The term ecology was first used by Haeckel in the 1860s. The term ecology comes from the Greek word *eikos* which means house and *logos* which means science. Literally, ecology means "the household science of living things," which describes the relationship between living things and the environment.

The environment is everything that exists around humans and has a reciprocal relationship. The environment is a system that is a spatial unit between living things and other abiotic components. The interaction between the natural environment and its components forms an ecological system, known as an ecosystem. The environment plays a role as the habitat of living things on earth. The environmental component consists of two types, namely: Biotic component, which is living things that include animals, plants, and humans. Abiotic components are inanimate bodies that include water, soil, rocks, air, and sunlight. All components of the environment are an inseparable unit and form a life system called an ecosystem. Ecosystems, which are the main part of the environment, are very dynamic environments, due to the many components involved in them. Changes in one of the components in the ecosystem will affect the organism's adaptation system to maintain balance. Given that ecosystems are at the center of all activities that provide food and other necessities, the balance between the components is very important that must be well maintained.

Ecosystems, which are the main part of the environment, are very dynamic environments, due to the many components involved in them. If one of these components changes, the organism's adaptive system to maintain balance will change. Because the ecosystem is the center of all activities that provide food sources and other needs for living things, the balance of its components must be well maintained. The balance of the natural environment can occur due to several things, namely the components that participate in the reactions and act according to the conditions of equilibrium, the possibility of energy transfer (energy flow), and the biogeochemical cycle. This balance can be disturbed if there is a decrease in component function or the loss of some elements that result in the disconnection of the ecosystem chain. Unfortunately, this condition is often exacerbated by human intervention that goes beyond the limit to meet needs.

3.2 Environmental Management Problems in Indonesia

Indonesia is a tropical country that has a lot of forests and one of them has even been named the lungs of the world. However, as the earth ages and humans become more greedy, there are many examples of environmental problems in Indonesia that we can find. In general, the causes of environmental problems or damage are divided into two factors, namely natural factors such as mountain eruptions, landslides, floods, earthquakes and other natural disasters. While the second factor is the result of human actions such as cutting down trees without reforestation.

In recent years, Indonesia has been faced with various kinds of environmental problems. If this environmental problem does not receive serious attention, it will have a very terrible impact. Some examples of environmental problems that occur in Indonesia today are as follows.

a. Forest Destruction

The larger the area and number of forests in a country, the greater the quantity and quality of oxygen in that country. Forests, as one of the essential elements of the environment, have many functions, from oxygen providers to animal shelters and water providers. However, recently there have been various examples of environmental problems in Indonesia in the form of forest destruction. There are several causes of forest destruction that occur in Indonesia, for example:

1. Deforestation

In recent years, there have been many cases of deforestation in Indonesia, in fact, in a study published by the international journal PNAS in September 2022, it was stated that out of 26 countries, Indonesia accounts for 58.2% of tropical deforestation caused by mining industry activities.

2. Forest fires

One example of environmental problems in Indonesia is forest fires that continue to increase every year. In fact, from January to July 2022, there were at least 131 cases of forest fires in Indonesia. These forest fires can occur due to two factors, the first is natural conditions that are getting hotter and trees that are starting to dry out so that they are easy to burn. The second factor is the result of irresponsible human actions in order to open up new land.

3. Illegal logging

In 2022, it is still easy to find cases of illegal logging in forests in Indonesia. This is certainly inseparable from the increasing need for wood every year. As a result of one example of environmental problems in Indonesia, such as the quality of oxygen that will decrease and the threat of major floods and flash floods will also become very real.

b. Reduced Biodiversity

Indonesia is very famous for its various kinds of biodiversity. However, today various types of biodiversity are in an unsafe or near-extinct condition. This occurs due to forest destruction, so one example of environmental problems in Indonesia, namely the reduction of biodiversity, deserves the government's attention. This environmental problem is further exacerbated by the practice of poaching of animals that have lost their natural habitat.

1. Flood

Flooding is an environmental problem that still cannot be solved completely. In fact, from the end of 2022 to January 2023, many areas have been flooded. One example of this case is in the Madura region where four districts also experienced flooding at the beginning of this year. One example of environmental problems in Indonesia is caused by high rainfall. However, due to the lower condition of the earth and fewer water reservoirs and increasingly deforested forests, floods are inevitable.

2. Air Pollution Problem

As technology advances, the inevitable impact is the problem of air pollution that causes many living things to suffer. However, air pollution is one of the tough challenges that

is difficult to overcome. This is because in general, pollution problems are caused by the increasing number of private vehicles, factories and forest fires which are not only caused by natural factors but can also be caused by humans. Solving the problem of environmental pollution in Indonesia requires cooperation from all elements of society.

3. Soil Pollution Problem

The problem of land pollution must also receive full attention from the government. Because, if soil pollution continues to occur, the quality of the soil in Indonesia will be poor and various commodities cannot be planted. The habit of people throwing garbage carelessly, especially garbage that is difficult to decompose, also plays a role in this problem. In addition, excessive mining processes are also one of the contributing factors.

4. Waste Is Increasing

The waste problem is one of the problems of the government's homework that has not been solved properly until now. Various efforts have been made to encourage the community to reduce the amount of waste produced. Considering that household waste is one of the most abundant wastes. One example of environmental problems in Indonesia is the volume of waste that is increasing every year. The increasing volume of waste in Indonesia is certainly inseparable from the number of people in Indonesia which also continues to increase every year. In addition, the accumulation of waste in Indonesia is also inseparable from the low public awareness in implementing the 3R's, namely reuse, reduce, and recycle.

5. Damage to Marine Ecosystems

Indonesia has very beautiful marine life and is even one of the attractions for tourists to come to this country. But unfortunately, there are some seas that are not in good condition or are experiencing one example of environmental problems in Indonesia in the form of damage to marine ecosystems. The reason is, there are still many people who throw garbage into the river or sea, causing sea animals to die because they accidentally eat the garbage. In addition, there are still many fishermen who use chemicals in catching their fish.

6. Reduced Water Absorption Area

The reduction of water catchment areas is one example of environmental problems in Indonesia. Water catchment areas are one of the parts of the city that must receive full attention. This is because this part will be able to absorb excess rainwater so that flooding does not occur. Unfortunately, currently in many cities water catchment areas are decreasing, and despite government programs in infrastructure development, they often damage important areas in the city.

7. Drought in Some Areas

Drought is an example of environmental problems in Indonesia that occur every year. In 2022, several areas in NTT will be hit by drought that is severe enough that it will require assistance from the government. One of the causes of drought in 2022 cannot be separated from climate change, which is quite extreme.

8. Contaminated Groundwater

The problem of groundwater pollution in Indonesia has a negative impact on people's lives. In fact, according to the United Nations International Children's Emergency Fund, of the 20,000 household drinking water sources, at least 70% are contaminated with

feces. In addition to being polluted by dirt, groundwater in Indonesia is also polluted by various things, including being polluted by fertilizer residues and pesticides. One of the causes of environmental problems in Indonesia is groundwater pollution, one of which is agricultural and industrial activities.

9. Abrasion

In general, abrasion is a common thing because it is interpreted as a beach condition that is eroded due to sea waves. However, the abrasion that is currently occurring is not only caused by natural factors, but also due to human intervention that takes sand from the beach resulting in abrasion. In addition, the loss of mangrove plants in coastal areas is also one of the factors causing one of the examples of environmental problems in Indonesia in the form of abrasion of coastal areas. For this reason, it is very important to plant mangroves so that the beach remains beautiful and does not experience continuous abrasion.

10. There is still low public awareness in environmental maintenance

One of the environmental problems that have been damaged is the impact of low public awareness in environmental maintenance. Unfortunately, public attention to ecosystem preservation seems to be eroding. So that efforts to build environmentally caring behavior need to be echoed in every element of society for environmental management in running and synergizing for future survival.

In addition to the main problems above, there are also other environmental management problems, including problems originating from internal government sources such as policy failures, implementation failures and ineffective institutional arrangements. Environmental problems are serious problems that must be overcome and must receive more attention, especially in the legal system and environmental governance.

3.3 Law Number 32 of 2009 concerning Environmental Protection and Management

Efforts to preserve the environment are the obligation of every citizen without exception. If the environment is well maintained, the survival of humanity will also be more guaranteed. One of the efforts of the Government of Indonesia in maintaining environmental sustainability is through the enactment of Law Number 32 of 2009 concerning Environmental Protection and Management. Law Number 32 of 2009 contains 127 articles with the main focus on environmental protection and management. Contents of Law Number 32 of 2009 In general, Law Number 32 of 2009 contains systematic and integrated efforts to preserve the environment as well as an effort to prevent pollution and/or environmental damage. This is reflected in Article 1 paragraph (2) of Law Number 32 of 2009 which emphasizes that environmental protection and management is a systematic and integrated effort to preserve environmental functions and prevent pollution and damage.

The environmental law sets the goal of keeping the environment from being damaged and polluted, as well as ensuring the preservation of its functions for the sustainability of the environmental carrying capacity to achieve state goals. Meanwhile, environmental protection and management efforts are listed in Article 3 of Law Number 32 of 2009, namely: Protecting the territory of the Unitary State of the Republic of Indonesia from pollution and/or environmental damage. Ensuring human safety, health and life. Therefore, efforts to plan, utilize, control, maintain, supervise, and enforce the law. Maintaining the preservation of

environmental functions. Achieving harmony, harmony, and environmental balance. Ensuring the fulfillment of justice for current and future generations. Ensuring the fulfillment and protection of environmental rights as part of human rights. Manage the use of natural resources wisely. Realizing sustainable development. Anticipating global environmental problems. Therefore, efforts to plan, utilize, control, maintain, supervise, and enforce the law. Article 1 paragraph (2) of Law Number 32 of 2009 divides efforts to protect and manage the environment into six parts, namely planning, utilization, control, maintenance, supervision, and law enforcement. Here's a brief explanation of the six points:

Efforts to plan for environmental protection and management In Article 5 of Law Number 32 of 2009, it is stated that efforts to plan for environmental protection and management are carried out in three stages, namely: Inventory is very necessary to obtain data and information related to natural resources. Investment is carried out at the ecoregional, island, and national levels. The determination of ecoregions is carried out by considering various aspects, such as landscapes, climate, flora and fauna, socio-culture, economy, and so on. The preparation of the RPPLH (Environmental Protection and Management Plan) is carried out by compiling RPPLH at the national, provincial, and district levels. This arrangement is adjusted to environmental investment. Efforts to utilize resources in Article 12 of Law Number 32 of 2009 state that resource utilization is carried out based on the RPPLH that has been made previously. However, if the RPPLH has not been formed, then its use must pay attention to three aspects, namely the preservation of environmental processes and functions, the preservation of environmental productivity, and the safety of the quality of life and society. Efforts to control pollution and/or environmental damage. In Article 13 of Law Number 32 of 2009, it is stated that the control effort is carried out in three ways, namely prevention, mitigation, and recovery.

Environmental Conservation Efforts in Article 57 of Law Number 32 of 2009, it is described that environmental maintenance is carried out in three ways, one of which is the conservation of natural resources, the conservation of natural resources, and/or the preservation of the function of the environment. atmosphere. Environmental Monitoring and Administrative Sanctions. In Articles 71 to 83 of the same Law, it is explained that environmental supervision is carried out by authorized officials or related parties to environmental protection and management. Not only that, the article also discusses administrative sanctions that will be given if violations are found. Examples include written reprimands, government coercion, environmental permit freezes, or even revocation of environmental permits. Law Enforcement Efforts Law enforcement is implemented in response to violations of the provisions contained in Law Number 32 of 2009. This action can be in the form of a maximum prison sentence of one year and a fine that can reach Rp 1 billion. If there are those who provide false, misleading information or provide incorrect information related to environmental protection and management Environmental conservation is the obligation of every citizen without exception this is done for the survival of humanity and all aspects of the ecosystem in it. Therefore, the government and all elements of society to care about environmental management and maintaining environmental sustainability.

CONCLUSION

Based on the results of the discussion above, it can be concluded that the environment is the most important part of the survival of humanity in the world. We agree that the environment is correlated with the sustainability of humanity on earth. So we should be able to manage the

environment so that it can be sustainable and can be enjoyed by the next generation. Environmental management has a very vital role, because it directly affects the sustainability of human life. Human life on this earth cannot be separated from the role of the environment. Just as humans are part of the environment, so together with plants, animals, and microorganisms, they become one inseparable link. For this reason, humans must make good use of natural resources, so that the environment remains sustainable. The environment itself is a spatial unit that includes various elements, such as objects, forces, circumstances, and living things, including humans and their behavior. All of these factors affect each other, thus having an impact on the survival and well-being of humans, as well as other living things

Environmental Protection and Management Efforts in Article 3 of Law Number 32 of 2009, regulates environmental protection and management which aims to: Protect the territory of the Unitary State of the Republic of Indonesia from pollution and/or environmental damage. Ensuring human safety, health, and life. Ensuring the survival of living things and the preservation of ecosystems. Maintaining the preservation of environmental functions. Achieving harmony, harmony, and environmental balance. Ensuring the fulfillment of justice for current and future generations. Ensuring the fulfillment and protection of environmental rights as part of human rights. Manage the use of natural resources wisely. Realizing sustainable development. Anticipating global environmental problems. Efforts for Protection and Management Article 1 paragraph (2) of Law Number 32 of 2009 groups environmental protection and management efforts into six parts, which include: Planning, utilization, control, maintenance, supervision, law enforcement. Thus, this effort is a fundamental foundation in maintaining and improving the quality of the environment, for the welfare of all living beings.

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