

**A HANDLING PROBLEM ON ILLEGAL DISPOSAL WASTE FOR  
ENVIRONMENTAL HEALTH THROUGH PERDA PEKANBARU CITY  
NUMBER 08 OF 2014 AND ENVIRONMENTAL FIQH**

**THESIS**

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**MALANG**

**2021**

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NUMBER 08 OF 2014 AND ENVIRONMENTAL FIQH**

**THESIS**

Presented to  
Sharia Faculty of State Islamic University of Maulana Malik Ibrahim Malang  
In Partial of the Requirements for the Degree of *Sarjana Hukum* (S.H)

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## **STATEMENT OF THE AUTHENTICITY**

In the name of Allah,

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**“A HANDLING PROBLEM ON ILLEGAL DISPOSAL WASTE FOR  
ENVIRONMENTAL HEALTH THROUGH PERDA PEKANBARU CITY  
NUMBER 08 OF 2014 AND ENVIRONMENTAL FIQH”**

Is truly writer's original work which can be legally justified. If this thesis is proven result of duplication or plagiarism from another scientific work, it as precondition of degree will be stated legally invalid.

Malang, 1<sup>st</sup> June 2021

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Number 08 of 2014 and Environmental Fiqh”

No.	Day/Date	Subject of Consultation	Signature
1.	Wednesday, August 26, 2020	Proposal Guidance	
2.	Friday, September 18, 2020	Proposal Revision	
3.	Monday, October 19, 2020	ACC Proposal Seminar	
4.	Wednesday, November 4, 2020	Chapters I, II, III	
5.	Thursday, January 14, 2021	Revision of Chapters I, II, III	
6.	Monday, April 5, 2021	Chapters IV, V	
7.	Monday, April 19, 2021	Revision of Chapters IV, V	
8.	Friday, May 21, 2021	Abstract	
9.	Thursday, May 27, 2021	Revision Abstract	
10.	Tuesday, June 1, 2021	ACC Abstracts, Chapters I, II, III, IV, and V	

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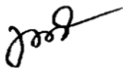

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## AKNOWLEDGEMENT

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Alhamdulillah, all thanks to Allah SWT, for the abundance of grace and His gift, the thesis with the title “A Handling Problem On Illegal Disposal Waste For Environmental Health Through Perda Pekanbaru City Number 08 Of 2014 And Environmental Fiqh” can be completed. Hopefully prayers and greetings will continue to be delegated to our lord, Prophet Muhammad, who has led his people to always be on the right path to reach His blessing. Hopefully we will always be classified as believers and get his intercession at the end of the day. Aamiin.

Through all efforts, assistance, guidance and direction from various parties until the writing of this thesis can be completed, then with all humility allow the author to express his thanks to:

1. Prof. Dr. H.Zainuddin, M.A. as Rector of the State Islamic University of Maulana Malik Ibrahim Malang;
2. Dr.Sudirman, M.A. as Dean of the Sharia Faculty, State Islamic University of Maulana Malik Ibrahim Malang;
3. Musleh Harry, S.H., M.Hum. as the Head of the Constitutional Law Department, Sharia Faculty, State Islamic University of Maulana Malik Ibrahim Malang;
4. Dra. Jundiani, SH., M.Hum. as the supervisory lecturer as well as the author's guardian lecturer during the lecture;

5. All lecturers of the Sharia Faculty of the State Islamic University of Maulana Malik Ibrahim Malang who have delivered teaching, education, and practicing their knowledge sincerely and patiently;
6. Employees and Staff of the Sharia Faculty, State Islamic University of Maulana Malik Ibrahim Malang;
7. All the writer's family, especially the parents and the siblings who kept praying for and providing support in material and non-material terms;
8. Large family in Malang, especially to friends of Constitutional Law class of 2017 State Islamic University of Maulana Malik Ibrahim Malang.



## TRANSLITERATION GUIDENCE

Transliteration is the transfer of the Arabic script into Indonesian (Latin) writing, not translating Arabic into Indonesian. Included in this category are the Arabic names of the Arabs, while the Arabic names of the Arabs are written as the national language spelling, or as written in the book that is the reference. Writing book titles in *footnotes* and bibliography still uses transliteration provisions.

The transliteration used by the Sharia Faculty of the State Islamic University of Maulana Malik Ibrahim Malang uses EYD plus, which is transliteration based on the Joint Decree (SKB) of the Minister of Religion, Education and Culture of the Republic of Indonesia, January 22, 1998, No. 159/1987 and 0543.b/U/1987, as stated in the book *Pedoman Arabic Transliteration (Sebuah Panduan Transliterasi Arab)*, INIS Fellow 1992. In this study there are several terms or sentences that come from Arabic, but are written in Latin . The writing is based on the following rules:

### A. Consonant

ا = Not symbolized	ص = Sh
ب = B	ض = dl
ت = T	ط = th
ث = Ta	ظ = dh
ج = J	ع = ‘ (Facing up)
ح = H	غ = gh
خ = Kh	ف = f
	ق = q

د = D	ك = k
ذ = Dz	ل = l
ر = R	م = m
ز = Z	ن = n
س = S	و = w
ش = Sy	ه = h
	ي = y

Hamzah (ء) which is often denoted by alif, if it is located at the beginning of the word then in transliteration it follows the vowel, not symbolized, but if it is in the middle or at the end of a word, it is denoted by a comma above ('), reversed with a comma (') to replace the symbol ع.

## B. Vowels, Lengths, and Diphthongs

Every writing in Arabic is written in Latin form, the vowel is *fathah* written as "a", *kasrah* with "i", *dhammah* with "u", while the long reading is written in the following way:

Vowels	Lengths	Diphthongs
a = fathah	Â	قال becomes qâla
i = kasrah	î	قيل becomes qîla
u = dhammah	û	دون becomes dûna

Especially for reading ya 'nisbat, it cannot be replaced by “i”, but it is still written as “iy” so that it can describe ya' nisbat at the end. Likewise for

the sounds of diphthong, wawu and ya 'after *fathah* are written with "aw" and "ay". Consider the following example:

Diphthong	Example
aw = و	قول become qawlun
ay = ي	خير become khayrun

### C. Ta 'marbûthah (ة)

Ta' marbûthah (ة) is transliterated with “t” if it is in the middle of a sentence, but if ta' marbûthah is at the end of a sentence, it is transliterated using “h” for example الرسالة المدرسة becomes *al-risala li- mudarrissah*, or if it is in the middle of a sentence consisting of *mudlaf* and *mudlaf ilayh*, it is transliterated using "t" which is connected with the following sentence, for example في رحمة الله becomes *fi rahmatillâh*.

### D. Words of Clothing and Lafadh al-Jalâlah

The article in the form of "al" (ال) in lafadh jalâlah which is in the middle of the leaning sentence (*idhafah*) is then removed. Consider the following examples:

1. Al-Imâm al-Bukhâriy said .....
2. Al-Bukhâriy in the muqaddimah of his book explains .....
3. *Masyâ'Allah kânâ wa mâlam yasyâ lam yakun*
4. *Billâh 'azza wa jalla*

## E. Hamzah

Hamzah is transliterated with an apostrophe. However, that only applies to the hamzah which is located in the middle and at the end of the word. When it is located at the beginning of the word, hamzah is not represented, because in Arabic it is alif.

Example: شيء - syai'un

أمرت - umirtu

النون - an-nau'un

تأخذون - ta 'khudzûna

## F. Writing Words

Basically every word, whether *fi'il* (verb), *isim* or *letter*, is written separately. Only certain words that are written in Arabic letters are usually coupled with other words, because there are Arabic letters or vowels that are omitted, so in this transliteration the writing of the word is also linked with other words that follow it.

Example: وان الله لهو خير الرازقين - wa innalillâha lahuwa khairar-râziqîn.

Although in the Arabic writing system the capital letters are not recognized, they are used in this transliteration as well. The use of capital letters as applicable in EYD, including capital letters are used to write the article, then what is written in capital letters is still the beginning of the personal name, not the beginning of the word surname.

Example: وما محمد إلا رسول = wa maâ Muhammadun illâ Rasûl

ان اول بيت وضع للدرس = inna Awwala baitin wu dli'a linnâsi

The use of capital letters for Allah only applies if in Arabic writing it is so complete and if the writing is combined with other words so that there are letters or vowels omitted, then the capital letters are not used.

Example: نصر من الله وفتح قريب = nasrun minallâhi wa fathun qarîb

الله الامر جميعا = lillâhi al-amru jami'an

For those who want fluency in reading, transliteration guidelines are an integral part of the science of recitation.

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## ABSTRAK

Rizky Nanang Sugianto, 17230054, 2021. *“Penanganan Pembuangan Sampah Ilegal Terhadap Kesehatan Lingkungan Berdasarkan Perda Kota Pekanbaru Nomor 08 Tahun 2014 dan Fiqh Lingkungan”*. Skripsi, Program Studi Hukum Tata Negara, Fakultas Syariah, Universitas Islam Negeri Maulana Malik Ibrahim Malang. Pembimbing: Dra. Jundiani, SH., M.Hum

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**Kata Kunci:** Penanganan Sampah Ilegal, Kesehatan Lingkungan, Fiqh Lingkungan

Lingkungan yang sehat merupakan hak bagi setiap warga negara Indonesia sebagai mana diamanatkan dalam konsitusi negara Indonesia. Masalah utama yang dikaji dalam skripsi ini mengenai pembuangan sampah sembarangan di TPS ilegal wilayah Kecamatan Marpoyan Damai. Jumlah TPS ilegal di Kecamatan Marpoyan Damai mencapai 13 tempat, di mana TPS tersebut muncul karena ada oknum yang sengaja membuang sampah di tempat tersebut. Tujuan pada penelitian ini untuk mengetahui bagaimana penanganan pembuangan sampah ilegal yang dikaji berdasarkan Perda Kota Pekanbaru Nomor 08 Tahun 2014 dan Fiqh Lingkungan.

Jenis penelitian ini merupakan penelitian hukum empiris yang mengkaji ketentuan hukum dan kenyataan yang terjadi didalam masyarakat. Penelitian ini menggunakan pendekatan yuridis sosiologis yaitu dengan menekankan penelitian untuk memperoleh tujuan pengetahuan hukum secara langsung turun ke lapangan dengan menggunakan data primer, data sekunder, dan data tersier.

Hasil penelitian menunjukkan bahwa penanganan masalah TPS ilegal terkendala oleh beberapa faktor. Faktor tersebut meliputi faktor eksternal yang disebabkan oleh kurangnya kesadaran masyarakat dalam menjaga lingkungan dengan membuang sampah pada tempatnya. Kemudian, faktor internal disebabkan oleh pemerintah yang kurang maksimal menangani hal ini. Ditinjau dari fiqh lingkungan, sampah yang menumpuk di TPS ilegal dapat mengancam tujuan syariat *al-maqasid al-khamsah* khususnya ancaman terhadap jiwa.

Kesimpulan dari penelitian ini adalah penanganan pembuangan sampah ilegal di wilayah Kecamatan Marpoyan Damai oleh pemerintah terkait belum terlaksana secara maksimal. Pemerintah Kelurahan hanya mengurus TPS ilegal yang berada di dekat kantor kelurahan, sedangkan pemerintah Kecamatan Marpoyan Damai terkendala jumlah armada pengangkut sampah. Pihak DLHK Kota Pekanbaru selaku instansi yang menangani masalah lingkungan hanya memberikan sanksi administrasi penyitaan KTP kepada pelaku pembuangan sampah ilegal, tanpa memberikan sanksi pidana.

## ABSTRACT

Rizky Nanang Sugianto, 17230054, 2021. *“A Handling Problem On Illegal Disposal Waste For Environmental Health Through Perda Pekanbaru City Number 08 of 2014 And Environmental Fiqh”*. Thesis, Constitutional Law Department, Sharia Faculty, The State Islamic University of Maulana Malik Ibrahim Malang. Supervisor: Dra. Jundiani, SH., M.Hum

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**Keywords:** Illegal Waste Handling, Environmental Health, Environmental Fiqh

A healthy environment is a right for every Indonesian citizen as mandated in the Indonesian constitution. The main problem studied in this thesis is about littering in illegal TPS in Marpoyan Damai District. The number of illegal TPS in Marpoyan Damai Sub-district reached 13 places, where the TPS appeared because there were people who intentionally dumped garbage in those places. The purpose of this study was to find out how to handle illegal waste disposal which was studied based on the Pekanbaru City Regulation Number 08 of 2014 and Environmental Fiqh.

This type of research is an empirical legal research that examines legal provisions and the reality that occurs in society. This study uses a sociological juridical approach, namely by emphasizing research to obtain legal knowledge purposes directly down to the field using primary data, secondary data, and tertiary data.

The results showed that the handling of the problem of illegal TPS was constrained by several factors. These factors include external factors caused by a lack of public awareness in protecting the environment by disposing of waste in its place. Then, internal factors caused by the government that is less than optimal in handling this matter. In terms of environmental fiqh, waste that accumulates in illegal TPS can threaten the objectives of the Shari'a al-maqasid al-khamsah, especially threats to life.

The conclusion of this study is that the handling of illegal waste disposal in the Marpoyan Damai District by the relevant government has not been carried out optimally. The sub-district government only takes care of illegal TPS located near the village office, while the Marpoyan Damai sub-district government is constrained by the number of waste transporting fleets. The Pekanbaru City DLHK as the agency that handles environmental problems only provides administrative sanctions for confiscation of ID cards to perpetrators of illegal waste disposal, without providing criminal sanctions.

## مستخلص البحث

رزقي ناناغ سوغيانطا, 17230054, 2021. "تناول مجرور القمامة إعتباطا في المزبلة غير القانوني عن صحة البيئية بناءً على لائحة مدينة بيكانبارو رقم ٠٨ سنة ٢٠١٤ وفقه البيئة". الرسالة الجامعية, برنامج دراسة القنون الدستوري (السياسة), كلية الشريعة, جامعة مولانا مالك إبراهيم الإسلامية الحكومية بمالانج, تحت الإشراف: جونداني س. ح. م. حوم.

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**الكلمات الأساسية :** تناول مجرور القمامة إعتباطا، صحة البيئية، فقه البيئة.

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البيئة الصحية هي حق لكل مواطن إندونيسي كما هو منصوص عليه في الدستور الإندونيسي. المشكلة الرئيسية التي تمت دراستها في هذه الأطروحة تتعلق بالتخلص من النفايات غير المشروعة في مقاطعة دامي ماربويان. وصل عدد TPS غير القانوني في منطقة ماربويان دامي إلى 13 مكانًا ، حيث ظهر TPS لأن هناك أشخاصًا ألقوا بالقمامة عمدًا في تلك الأماكن. كان الغرض من هذه الدراسة هو معرفة كيفية التعامل مع التخلص غير القانوني من النفايات التي تمت دراستها بناءً على لائحة مدينة بيكانبارو رقم 08 لعام 2014 والفقه البيئي .

هذا النوع من البحث هو بحث قانوني تجريبي يدرس الأحكام القانونية والواقع الذي يحدث في المجتمع. تستخدم هذه الدراسة نهجًا اجتماعيًا قانونيًا ، أي من خلال التأكيد على البحث للحصول على أغراض المعرفة القانونية وصولاً إلى المجال مباشرةً باستخدام البيانات الأولية والبيانات الثانوية والبيانات الجامعية.

نتيجة هذا البحث كانت مقيدة بعدة عوامل. وتشمل هذه العوامل العوامل الخارجية الناجمة عن نقص الوعي العام في حماية البيئة من خلال التخلص من النفايات في مكانها. بعد ذلك ، تتسبب الحكومة في العوامل الداخلية وهي أقل من الأمثل في معالجة هذه المسألة. من حيث الفقه البيئي ، فإن النفايات التي تتراكم في TPS غير القانونية يمكن أن تهدد أهداف الشريعة المقاصد الخامسة ، وخاصة المخاطر على الحياة أظهرت النتائج أن معالجة مشكلة TPS.

استنتاج هذه الدراسة هو أن التعامل مع التخلص غير القانوني للنفايات في منطقة ماربويان دامي من قبل الحكومة المعنية لم يتم تنفيذه بالشكل الأمثل. لا تهتم حكومة المقاطعة الفرعية إلا بـ TPS غير القانوني الواقع بالقرب من مكتب القرية ، في حين أن حكومة منطقة ماربويان دامي الفرعية مقيدة بعدد أساطيل نقل النفايات. لا تقدم DLHK باكنبرو بصفقتها الوكالة التي تتعامل مع

المشكلات البيئية سوى عقوبات إدارية لمصادرة بطاقات الهوية لمرتكبي  
التخلص غير القانوني من النفايات ، دون تقديم عقوبات جنائية.

# CHAPTER I

## INTRODUCTION

### A. Background of the Problem

A good and healthy environment is the right of everyone. Article 28H paragraph (1) of the 1945 Constitution of the Republic of Indonesia states that "Everyone has the right to live in physical and spiritual prosperity, have a place to live, and have a good and healthy living environment and the right to obtain health services." If the environment is excellent and clean, public health will also be good, and vice versa; if the environment is terrible, it will also negatively impact public health.

Environmental health is an essential factor in people's social life, and even health is one of the elements in achieving community welfare. According to WHO environmental (*World Health Organization*), *health* is a balance between humans and the environment to guarantee the healthy condition of humans<sup>1</sup>. One that affects environmental health quality is *Environmental Pollution*, which includes air pollution, water pollution, and soil pollution<sup>2</sup>. Environmental pollution is the process of entering or entering living things, substances, energy, and/or other components into the human environment so that it exceeds the predetermined

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<sup>1</sup>Yoni Hermawan, dan Komara Nur Ikhsan, "Pengaruh Penyuluhan Kesehatan Lingkungan Terhadap Tingkat Pengetahuan dan Pelaksanaan Kesehatan Lingkungan SMP Negeri Tambaksari Kec. Tambaksari, Kab. Ciamis", *Jurnal Bumi Lestari*, Volume 13, Nomor 1, (2013): 166, <https://ojs.unud.ac.id/index.php/blje/article/view/6528>

<sup>2</sup>Arif Sumantri, *Kesehatan Lingkungan, Cetakan 4*, (Depok: Kencana, 2017), 174.

environmental quality standards.<sup>3</sup> The living thing, substance, or energy in question is the residue of a certain environment. Business or activity in the form of rubbish or waste.

As a developing country with more than 260 million people, environmental problems in Indonesia are very complex, especially in big cities. This is due to, among others, urbanization of the population, landfills, provision of clean water facilities, air pollution, disposal of industrial and household waste, natural disasters or evacuation, as well as urban planning and government policies on environmental management.<sup>4</sup>

Garbage is one of the significant environmental problems in Indonesia, the large pile of waste everywhere evidences this. Garbage disposed of improperly is a severe problem and a social, economic, and cultural issue. It is said to have become a culture because people often see people throwing garbage at will, sometimes trash cans are readily available, but people don't seem to see them. The perpetrators of illegal dumping of waste do not even know their gender, age, or employment status.

Every year, it is ensured that the volume of waste will continue to increase in line with community consumption. Indonesian people produce around 2.5 liters of waste per day, or about 625 million liters of the total

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<sup>3</sup>Pasal 1 ayat 14 Undang-Undang Republik Indonesia Nomor 32 Tahun 2009 Tentang Perlindungan dan Pengelolaan Lingkungan hidup

<sup>4</sup>Arif Sumantri, *Kesehatan Lingkungan*, 8.

population.<sup>5</sup> This condition will continue to increase according to environmental conditions. According to KLHK and the Ministry of Industry in 2016, the amount of waste generation in Indonesia has reached 65.2 million tons per year with 261.1 million people.<sup>6</sup>

In 2019, the amount of waste was calculated the amount of waste to reach 67 million tonnes, increasing about 3 million tonnes from the previous year.<sup>7</sup> Meanwhile, the amount of national waste generation in 2020 will reach 67.8 million tons.<sup>8</sup> Based on these data, It can be seen that the generation of waste from year to year has increased. If efforts are not made to address waste immediately, a few years later, waste production in Indonesia could be more than double the current year.

It is undeniable that waste will always exist as long as life's activities are still ongoing. Population growth and changes in public consumption patterns will have a social impact in increasing the production of increasingly mixed waste, both in terms of volume, type, and characteristics of the waste. Almost all cities in Indonesia are still experiencing problems in handling and managing waste, one of which is Pekanbaru City.

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<sup>5</sup>Roni Habibi, dan Kurnia Sandi, *Aplikasi Bank Sampah Istimewa Menggunakan Framework Codeigniter dan DBMS MYSQL*, Cetakan 1, (Bandung: Kreatif Industri Nusantara, 2020), 12.

<sup>6</sup>Pramudya Ajeng Safitri, Windah Sartika Purba, dan Mochammad Zulkifli, *Statistik Lingkungan Hidup Indonesia 2018*, (Jakarta: Badan Pusat Statistik Indonesia, 2018), 3.

<sup>7</sup>Baby Dinata, dan Tim Upload DIY Jogja, *Upload DIY Jogja Bagiku*, (Yogyakarta: Stiletto Indie Book, 2020), 44.

<sup>8</sup>Aldzah Fatimah Aditya, "KLHK: Jumlah Sampah Nasional 2020 Mencapai 67,8 Juta Ton," *IDN Times*, 17 Juni 2020, diakses 4 Oktober 2020, <https://www.idntimes.com/news/indonesia/aldzah-fatimah-aditya/klhk-jumlah-sampah-nasional-2020-mencapai-678-juta-ton/1>

Pekanbaru City is the capital city of Riau Province, an area of 632.26 Km<sup>2</sup>, the 4<sup>th</sup> largest population in Sumatra Island.<sup>9</sup> Administratively, Pekanbaru City consists of 15 districts.<sup>10</sup> One of the main problems faced by the City with the nickname "City of Sorcerers" is the problem of solid waste, this is evidenced by the fact that there is still garbage scattered in certain places. The factors that give rise to these problems include the limited number of TPS (Temporary Shelters), the community is not disciplined about the schedule for garbage disposal, and the limited number of vehicles for transporting garbage.<sup>11</sup>

**Table 1.1**  
**Waste Data in Pekanbaru City Period 2016-2019**  
(Source: Indonesian Environmental Statistics Report 2017-2020)

Year	Waste Production Per Day	Volume of Waste Carried	Organic	Waste Inorganic Waste	Total TPS
2016	745.19 ton	332.54 ton	186 , 22 tonnes	146.32 tonnes	20
2017	764.19 tonnes	362.28 tonnes	202.88 tonnes	159.40 tonnes	17
2018	1,106.19 tonnes	715.81 tonnes	400.85 tonnes	314.96 tonnes	17
2019	-	804 tonnes	450, 24 tons	353.76 tons	63

Processed from secondary data

Based on the data in the table above, it can be seen that the daily waste production of Pekanbaru City has increased from year to year, which is dominated by organic waste. The highest increase was in 2018, which

<sup>9</sup>Anonim, *Potensi dan Peluang Investasi Kota Pekanbaru*, (Pekanbaru: Dinas Penanaman Modal dan Pelayanan Terpadu Satu Pintu), 8.

<sup>10</sup>Peraturan Daerah Kota Pekanbaru Nomor 2 Tahun 2020 tentang Penataan Kecamatan

<sup>11</sup>Anonim, *Penyusunan Laporan Kerja (RENJA) Tahun 2020*, (Pekanbaru: Dinas Lingkungan Hidup dan Kebersihan, 2020), 35.



increased by 342 tons from the previous year, while the lowest growth was in 2017, which only increased by 2.6% or around 19 tons from 2016. The volume of transported waste was only half of the total daily waste production. This is what makes the waste problem in Pekanbaru City still challenging to solve. In addition, the number of TPS (Temporary Disposal Sites) available is not proportional to the amount of waste production. Even though in 2019 Pekanbaru City already had 63 official TPS's, the available TPS were not able to accommodate the waste generated due to the increasing population.

The waste problem in Pekanbaru City also occurs because this city only has one TPA (Final Processing Site), namely the Muara Fajar TPA, which is located in Rumbai District, Pekanbaru City.<sup>12</sup> If the existing waste is not managed correctly, it will accumulate more and more and impact the health of the surrounding environment. In the January-September 2020 period, the Law Enforcement Task Force (Satgas Gakkum) of the Pekanbaru City Environment and Sanitation Service netted 251 residents who littered carelessly or not in their designated places and hours.<sup>13</sup>

Disposing of garbage has become a prohibition in every region, as implemented by the Government in Pekanbaru City. Pekanbaru City has a particular regulation regarding waste, namely Regional Regulation (Perda)

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<sup>12</sup>Vivi Listya Fitri, "Child Scavenger in TPA Muara Fajar Kecamatan Rumbai Kota Pekanbaru," *JOM FISIP*, Volume 4, Nomor 2, (2017): 3, <https://www.neliti.com/id/publications/130893/pemulung-anak-di-tpa-muara-fajar-kecamatan-rumbai-kota-pekanbaru>

<sup>13</sup>Antara, "DLHK Pekanbaru Jaring 251 Warga yang Buang Sampah Sembarangan," *GoRiau.com*, 3 Oktober 2020, diakses 4 Oktober 2020, <https://www.goriau.com/berita/baca/dlhc-pekanbaru-jaring-251-warga-yang-buang-sampah-sembarangan.html>

Number 08 of 2014 concerning Waste Management. Article 66 paragraph (1) of the Perda states that everyone is prohibited from littering carelessly on roads, parks, or public places; throwing garbage into rivers, ponds drain; disposing or piling up trash in public facilities dispose of waste to the TPA without permission. The regulations have been made, but in the field, there are still frequent complaints from the public who do not want to comply with these regulations. The community argued that they did not want to obey the rules because it was the waste produced by them themselves and did not want to be regulated regarding the time for garbage disposal.<sup>14</sup>

A lot of garbage is still found mounting at several points, this is because there are still rampant illegal polling stations. It is said to be unlawful because the TPSs do not have a permit and are not the places where trash should be disposed of, for example, roadsides, rivers, vacant land, and others. In Marpoyan Damai District, there are 13 illegal polling stations, namely TPS Jembatan Kartama; TPS Rawa Indah; TPS Depan Alfamart; TPS Rambutan; TPS Pasar Dupa; TPS Adira; TPS Gulama 1; TPS Gulama 2; TPS Bakti; TPS SMK Pertanian; TPS Gabus; TPS Duyung 1; and TPS Duyung 2.<sup>15</sup> The total population of Marpoyan Damai Subdistrict reached 131,550 people in 2019, and this figure has increased by 0.11% from 2018. The population density

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<sup>14</sup>Nofan Serwanto, Wawancara, (Pekanbaru, 1 Maret 2021)

<sup>15</sup> Data Sekunder dari Dinas Lingkungan Hidup Kebersihan Kota Pekanbaru tahun 2020.

reaches 4,416 people/km<sup>2</sup><sup>16</sup> Seeing the large population, causes the volume of waste produced also increasing.

The problem of garbage piling up in several locations in Marpoyan Damai District has become a persistent problem. The pile of rubbish becomes a portrait of waste management failure. In fact, this sub-district already has 3 official TPS, namely the TPS Pasar Pagi Arengka on Soekarno-Hatta street, TPS Ampera Rika on Soekarno-Hatta street, and TPS PT. Sampoerna at Arifin Ahmad street.<sup>17</sup> However, due to the lack of awareness and concern for the community itself, garbage piles are everywhere. In addition, the inherent nature of disposing of garbage in an illegal place is still ingrained in one's heart, seeing one spot of the garbage pile, others also throwing away at that point. The garbage problem in Marpoyan Damai District is also a complaint of residents and motorbike riders who pass through the area.

Disposal of waste by irresponsible persons is very detrimental to the community. Not only is it detrimental in terms of the environment with unpleasant smells and sights, but it can also have an impact on health by causing illness. Mrs. Murniati explained:

*“Dampak yang paling pasti itu baunya, bahkan baunya sampai ke warung saya ini. Selain itu, sangat mengganggu para pejalan kaki terutama anak-anak yang berangkat ke sekolah atau ke masjid. Mereka takut melintasi tumpukan sampah itu, padahal jalan tersebut merupakan akses utama menuju sekolah dan masjid. Orang-orang*

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<sup>16</sup>Rudiarman, *Kecamatan Marpoyan Damai dalam Angka 2020*, (Pekanbaru: Badan Pusat Statistik Kota Pekanbaru, 2020), 21.

<sup>17</sup>Anonim, “Ada 107 TPS Ilegal, Dewan Desak DLHK Pekanbaru Segera Tertibkan,” *Berita Riau*, 7 Oktober 2020, diakses 25 Desember 2020, <https://www.beritairiau.com/berita-10849-ada-107-tps-ilegal-dewan-desak-dlhk-pekanbaru-segera-tertibkan.html>

*yang berkendara kencang juga menyebabkan sampah-sampah tersebut terbang berserakan.*<sup>18</sup>

The explanation above shows that the existence of piles of illegal garbage on the side of the road is very disturbing for people who carry out their daily activities. The discarded waste is wrapped in sacks or plastic bags and scattered. The condition of the mixed waste is difficult to separate between organic and non-organic waste. If the pile of garbage on the side of the road is not immediately addressed, it can cause other impacts such as the declining quality of the environment, flooding when the rainy season arrives, and so on.

**Figure 1.1**  
**Piles of Illegal TPS Garbage in Marpoyan Damai District**



Not only do health science and law science require protecting the environment, but from a religious perspective also oblige it. Allah says in Surah Al-A'raf (7): 56, which reads:<sup>19</sup>

<sup>18</sup> Murniati, Wawancara, (Kelurahan Tengkreng Barat, Kec. Marpoyan Damai, 31 Maret 2021)

وَلَا تُفْسِدُوا ۚ فِي الْأَرْضِ بَعْدَ إِصْلَاحِهَا وَادْعُوهُ خَوْفًا وَطَمَعًا ۚ إِنَّ رَحْمَتَ اللَّهِ قَرِيبٌ مِّنَ الْمُحْسِنِينَ (٥٦)

*"And do not make mischief on earth , after (Allah) fix it and pray to Him with fear (not accepted) and hope (will be granted). Indeed, Allah's mercy is very close to those who do good.*

The verse clearly states that humans do not do any earth damage. Islam, as a religion of *rahmatan lil alamin* has never taught its followers about environmental destruction. Islam always tells its people to do good, which is to protect the environment from balancing living things on earth. Therefore, Al-Qur'an has become the primary reference in Islam, so that humanity should permanently preserve the environment and provide solutions to save it.<sup>20</sup>

The Discourse of *Fiqh* Environmental, which positions humans as one unit (*unity*) from the environment itself, is very interesting to use as a legal analysis knife on solid waste. Efforts to overcome environmental problems that occur at this time are not always only about technical, economic, political, and socio-cultural issues, but rather solutions from various perspectives, including the perspective of *fiqh*.

Even though regulations regarding waste management are in place, their implementation is still far from expectations. The garbage problem

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<sup>19</sup>Q.S. Al-A'raf (7) ayat 56

<sup>20</sup>Maryadi, *Nilai-Nilai Pendidikan Lingkungan dalam Al-qur'an Surah Al-A'raf ayat 56 (Telaah Tafsir Al-misbah)*, Skripsi: UIN Raden Patah Palembang, 2016, 3.

seems to have never been appropriately resolved. The community still commits many violations due to a lack of awareness of cleanliness. Apart from the community itself, the Pekanbaru City Government, especially Marpoyan Damai District, is also considered slow in overcoming this problem.

Based on the results of preliminary studies and several phenomena described, the authors are interested in digging deeper into the waste problem in Marpoyan Damai District, Pekanbaru City. So the authors will conduct regulatory-based research and reviewed from the context of the Islamic religion with the title **“A Handling Problem On Illegal Disposal Waste For Environmental Health Through Perda Pekanbaru City Number 08 of 2014 And Environmental Fiqh”**.

## **B. Limitation of the Problem**

To avoid the discussion so that it does not spread everywhere, the debate in this study focuses on handling illegal waste disposal, which impacts environmental health in the Marpoyan Damai District area, Pekanbaru City based on Perda No. 08/2014 and analyzed with studies *fiqh* environmental.

## **C. Problem Formulation**

Based on the background that has been described, the problems to be discussed in this study are as follows:

1. How is the handling of illegal waste disposal on environmental health in the Marpoyan Damai District based on the Pekanbaru City Regulation Number 08 of 2014?
2. How is the handling of illegal waste disposal on environmental health that occurs in the Marpoyan Damai District area in terms of *Fiqh* environmental?

#### **D. Research Objectives**

Based on the formulation of the problem above, the objectives of this study to be achieved are as follows:

1. To explain and examine the handling of illegal waste disposal in Marpoyan Damai District based on Pekanbaru City Regulation Number 08 of 2014.
2. To analyze the law *Fiqh* environmental against illegal waste disposal, which impacts environmental health in the Marpoyan Damai District, Pekanbaru City.

#### **E. Research Benefits**

This research is expected to provide benefits both theoretically and practically. The benefits referred to are:

##### **1. Theoretical Benefits**

This research is expected to contribute to the development of science, especially regarding the handling of the problem of illegally disposed waste. In addition, this research is also likely to be used as a basis and

reference for future studies on the same topic, especially those related to waste management.

## 2. Practical Benefits Practically

This research can be useful as follows:

### a. Author

For the author himself, this research is a requirement in obtaining a law degree. Still, it can also be helpful to add to the scientific treasury of constitutional and environmental health sciences.

### b. Community

For the community, this research is expected to add insight into the importance of maintaining the health of the surrounding environment and making people aware of the dangers caused by the illegal dumping of garbage.

### c. Government

For the government and related agencies, this research is expected to consider the waste problem that occurs in Marpoyan Damai District, Pekanbaru City, and make regulations regarding solid waste.

## F. Operational Definition

To avoid misunderstandings and differences in interpretation related to the terms in the title of this study, an operational definition is needed which is appropriate with the title *"A Handling Problem On Illegal Disposal Waste For Environmental Health Through Perda Pekanbaru City Number 08 of 2014 And Environmental Fiqh"*.



## 1. Handling of Illegal Waste Disposal

Handling is a process, method, act of handling, handling (a case).<sup>21</sup>

According to the Big Indonesian Dictionary, disposal means the process, method, act of throwing away.<sup>22</sup> Meanwhile, illegal means illegitimate, not according to the law.<sup>23</sup> If the words dumping and illegal are associated with garbage, it means that disposing of garbage is not according to the law.

## 2. Environmental Health

Environmental Health is an effort to prevent disease and/or health problems from environmental risk factors to create a healthy environmental quality from physical, chemical, biological, and social aspects.<sup>24</sup>

## 3. Environmental Fiqh Environmental

Fiqh is Islamic provisions derived from detailed arguments about human behavior towards the environment to create benefit and keep damage away.<sup>25</sup> This is in line with the *maqasid al-syari'ah* (purpose of religious law) which is formulated in *kulliyat al-khams*, namely *hifzu al-nafs* (protecting the soul), *hifzu al-aql* (protecting the mind), *hifzu al-mal* (protect property), *hifzu al-nasb* (protect descendants), *hifzu al-din* (protect

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<sup>21</sup>Antonius P.S. Wibowo, *Penerapan Hukum Pidana dalam Penanganan Bullying di Sekolah, Cetakan 1*, (Jakarta: Universitas Katolik Indonesia Atma Jaya, 2019), 5.

<sup>22</sup><https://kbbi.kemdikbud.go.id/entri/pembuangan> Diakses 5 Oktober 2020

<sup>23</sup><https://kbbi.kemdikbud.go.id/entri/ilegal> Diakses 5 Oktober 2020

<sup>24</sup>Pasal 1 ayat (1) Peraturan Pemerintah Republik Indonesia Nomor 66 Tahun 2014 Tentang Kesehatan Lingkungan

<sup>25</sup>Maufur, Norhaidi Hasan, dan Syaifudin Zuhri, *Modul Pelatihan Fiqh dan HAM, Cetakan 1*, (Yogyakarta: LKiS Yogyakarta, 2014), 216.

religion). Maintaining environmental sustainability is a demand to protect the five objectives of sharia. Thus, all behaviors that lead to the destruction of the environment are synonymous with acts that threaten the soul, intellect, property, lineage, and religion.<sup>26</sup>

### **G. Systematics of Writing**

Systematics of writing is the sequence of chapters in a study to facilitate understanding and analysis in this research report. The systematic writing in this study, as follows:

#### **CHAPTER I INTRODUCTION**

Writing in the introductory chapter consists of the background of the problem, problem limitations, problem formulation, research objectives, research benefits, operational definition, and systematics of writing.

#### **CHAPTER II LITERATURE REVIEW**

This chapter is a collection of previous research and theoretical studies used as an analytical knife in answering and describing the object of research in the problem formulation.

#### **CHAPTER III RESEARCH METHODS**

This chapter discusses the research methods used by the author, which consist of type of research, research approach, research location, types and sources of data, data collection methods, and data processing methods.

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<sup>26</sup>Mariatul Istiani, dan Muhammad Roy Purwanto, "Fiqh Bi'ah dalam Perspektif Al-Qur'an", *Jurnal Mahasiswa FIAI-UII, at-Thullab*, Volume 1, Nomor 1 (2019), 31, <https://journal.uii.ac.id/thullab>

## **CHAPTER IV RESEARCH RESULTS AND DISCUSSION**

This chapter contains a presentation on the research results by describing the data obtained and its analysis.

## **CHAPTER V CONCLUSION**

It is a chapter that contains conclusions and suggestions. A conclusion is not a summary of a study but a brief answer from a formulation of a predetermined problem. While suggestions are proposals or recommendations, they were addressed to relevant parties on the issues researched by the author.

## CHAPTER II

### LITERATURE REVIEW

#### A. Previous Research

Previous research is information about research that has been done by previous researchers.<sup>27</sup> This aims to help the author in positioning the research as well as showing the originality of the research. The following are research related to the author's research, including:

1. Fernanda Rizal, (2012), *Persepsi Masyarakat terhadap Pelayanan Retribusi Sampah dalam Meningkatkan Kebersihan Ditinjau Ekonomi Islam (Studi Kasus Perumahan di Kecamatan Tampan)*, Sultan Syarif Kasim State Islamic University, Riau. This study discusses the community's perception of garbage collection services in improving the cleanliness of housing in Tampan District reviewed from the Islamic economy. This type of research is empirical research, which takes place on existing housing in the District of Tampan. At the same time, the nature of this research is observational research by a survey. The results of the study showed that the community's perception of garbage collection services in improving cleanliness in Tampan District housing is not good, especially the services performed directly by the sub-district.

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<sup>27</sup>Fakultas Syariah UIN Malang, *Pedoman Penulisan Skripsi Tahun 2019*, 24.

This is because there are often delays in transportation by garbage collection workers.

2. Superman (2017), *Perilaku Ibu Rumah Tangga Membuang Sampah Sembarangan di Kelurahan Tangkerang Barat Kecamatan Marpoyan Damai*, Riau University. This study aims to find out why housewives throw garbage indiscriminately and the causal factors of waste disposal indiscriminately. The research uses qualitative methods with approach accidental sampling. The results of the study revealed that the perpetrators of this indiscriminate dumping of garbage are, on average married women. However, because they still have a sense of habit or laziness, they also throw garbage indiscriminately even though they actually also feel disturbed by the garbage piled up on the side of the road. The habit of throwing garbage indiscriminately is made in the afternoon, and there are also those in the morning, where most of them are housewives who have a high school education.
3. Margareta H, (2019), *Pelaksanaan Peraturan Daerah Kota Pekanbaru Nomor 08 Tahun 2014 Tentang Pengelolaan Sampah (Studi Kasus Peran Bank Sampah Bukit Hijau Berlian di Kecamatan Tampan)*, Sultan Syarif Kasim Riau University. This study discusses the role of waste banks as a real solution in waste management in Pekanbaru City. This type of research is empirical research that takes place in the Bukit Hijau Berlian waste bank, Tampan District. The results showed that the implementation of Regulation Number 08 of 2014 in the Bukit Hijau Berlian garbage

bank was not implemented well. This is due to the lack of maximum performance performed by the relevant parties. In addition, the lack of intention of the community as a producer of waste in conducting management is also a factor in this regulation has not been implemented as it should.

**Table 2.1**  
**Similarities and Differences Regarding Results between Scientific Works**

Number	Name	Title	Equation	Difference
1.	Fernanda Rizal/ Sultan Syarif Kasim State Islamic University, Riau / 2012	<i>Persepsi Masyarakat terhadap Pelayanan Retribusi Sampah Dalam Meningkatkan Kebersihan Ditinjau Ekonomi Islam (Studi Kasus Perumahan di Kecamatan Tampan)</i>	The study has some commonality to environmental health.	Fernanda did not discuss legal aspects because it used islamic economic analysis, while this study dealt with legal aspects.
2.	Superman/ Riau University/ 2017	<i>Perilaku Ibu Rumah Tangga Membuang Sampah Sembarangan di Kelurahan Tangkerang Barat Kecamatan Marpoyan Damai</i>	Both doing research in the Marpoyan Damai district	The difference in the study is that superman discussed the factors behind the disposal of illegal garbage, while the study discussed the treatment and effect of the

				disposal of illegal garbage
3.	Margareta H./ Sultan Syarif Kasim State Islamic University, Riau / 2019	<i>Pelaksanaan Peraturan Daerah Kota Pekanbaru Nomor 08 Tahun 2014 Tentang Pengelolaan Sampah (Studi Kasus Peran Bank Sampah Bukit Hijau Berlian di Kecamatan Tampan)</i>	Have a common denomination in the ordinance of new pekanbaru city number 08 in 2014 on garbage management	The difference, margareta discussed the role of the garbage bank, while the study discussed law enforcement of illegal disposal

Based on some of the previous studies above, the most basic difference lies in the discussion of the research. Fernanda Rizal does not include legal aspects in his research, because it focuses on Islamic economics. Meanwhile, Superman discusses the factors behind housewives littering, even though they have the same research location with this study. Margareta H. also uses Pekanbaru City Regulation Number 08 of 2014, but there is a difference with this study, namely Margareta discusses the role of waste banks through the regulation.

## **B. Theoretical Study**

### **1. Waste Management Concept**

#### **a. Definition of Waste Management**

Waste has many meanings in terms of science. However, in principle, waste is a material that is wasted or disposed of from

sources of human and natural activities that do not have economic value. The form of waste can exist in any phase of matter, namely solid, liquid and gas.<sup>28</sup>

According to Law Number 18 of 2008 concerning Waste Management, waste management is a systematic, comprehensive and sustainable activity which includes waste reduction and handling.<sup>29</sup> Waste reduction consists of from restrictions on waste generation; recycling of waste; and waste reuse. Meanwhile, waste management consists of waste sorting; collection and transfer of waste to a temporary shelter or waste processing site; transport of waste to the final processing site; processing that changes the characteristics, composition and amount of waste; and waste final processing.

The purpose of waste management is to improve public health and environmental quality and make waste a resource. To achieve this goal, waste management is carried out by taking into account responsibility, sustainability, usefulness, justice, awareness, togetherness, safety, security and economic value.<sup>30</sup>

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<sup>28</sup> Tim Penulis PS, *Penanganan dan Pengelolaan Sampah*, (Jakarta: Penebar Swadaya, 2008), 6.

<sup>29</sup> Entatarina Simanjuntak, dkk, *Lessons Learned Pola Investasi Infrastruktur Bidang Pekerjaan Umum Berbasis Komunitas*, (Jakarta: Pusat Kajian Strategis Kementerian Pekerjaan Umum, 2015), 11.

<sup>30</sup> Nenny Makmun, dkk, *Sahabat Sampah*, (Jakarta: Bhuana Ilmu Populer, 2019), 24.



Waste management must be supported by the real action of all parties. There are several simple actions that can support waste management, including<sup>31</sup>:

- 1) Sorting waste into 4 parts, namely the categories of food waste, plastic waste, paper waste, and glass waste;
- 2) Replacing the trash, this is intended to reduce garbage piling up;
- 3) Dispose of garbage at the right time, because organic waste decomposes and smells faster.
- 4) Carry out processing and reuse. Even though it seems useless, in fact, discarded household waste can still be reused.

b. Handling of Illegal Waste Disposal

There are many things that must be considered if you keep littering. Garbage disposed of illegally can have various impacts, including<sup>32</sup>:

- 1) On health
  - a) Poor waste management will become a breeding ground for disease vectors
  - b) Accidents occur, for example injuries by sharp objects such as iron, glass
  - c) Psychosomatic disorders such as shortness of breath, insomnia, stress

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<sup>31</sup> I Nyoman Anom Fajaraditya Setiawan, "Era Kekinian Publikasi Open Journal Systems dan Perancangan Identitas Visual," Jurnal Bali Membangun Bali, Volume 1, Nomor 1 (2020), 31, <http://ejournal.baliprov.go.id/index.php/jbmb/article/view/104>

<sup>32</sup> Budiman Chandra, *Ilmu Kedokteran Pencegahan & Komunitas*, (Jakarta: EGC, 2009), 72.

## 2) Towards the environment

- a) Environmental aesthetics becomes unsightly
- b) The process of decomposing waste by microorganisms will produce certain gases that cause a bad smell
- c) Disposal of garbage into waterways will cause disturbed flow and shallow drains
- d) When the rainy season will cause flooding and water pollution

In Article 4 of Regional Regulation No. 08 of 2014 Pekanbaru mentioned waste management should be held with the principles of integrity; accountability; transparency; efficiency; effectiveness; and legal certainty. To realize waste management, local governments are tasked with facilitating, developing and implementing efforts to reduce, handle and utilize waste<sup>33</sup>.

TPS efforts to reduce the volume of waste, such as sorting out recyclable waste by scavengers, are actually used as a means of income. Composting is possible for perishable waste. However, this business still leaves waste that must be managed which requires high costs and a large area of land. Handling of remaining waste in TPS by burning in open places and natural decay can cause new problems for the environment, namely soil pollution; water; and air.<sup>34</sup>

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<sup>33</sup> Pasal 5 huruf (c) Peraturan Daerah Kota Pekanbaru Nomor 8 Tahun 2014 tentang Pengelolaan Sampah

<sup>34</sup> Yadi Hartono, *Pengelolaan dan Pemanfaatan Sampah Berbasis Rumah Tangga*, Cetakan 1, (Batu: Literasi Nusantara, 2020), 58.

## 2. Environmental Health Concept

### a. Definition Environmental Health

To achieve a healthy life, society always interacts with four factors, namely: environmental factors, individual and community behavior, health services, genetic factors<sup>35</sup>. When viewed from the public's interest in interacting with the environment, there are still many environmental problems that must be resolved immediately. Most people do not know that environmental problems around them can adversely affect their health and overall survival.

Environmental health science is a multidisciplinary science that studies the dynamics of the interactive relationship between a group of people or society with various changes in the components of the human environment that are thought to cause health problems in society and studies the prevention and prevention efforts.<sup>36</sup> Article 1 paragraph (1) Government Regulation Number 66 of 2014 concerning Environmental Health states "Environmental health is an effort to prevent disease and/or health problems from environmental risk factors to realize the quality of a healthy environment from the physical, chemical, biological, and social aspects.

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<sup>35</sup> Adelia Tika Trisyananda, *Analisis Perilaku Kesehatan Masyarakat dalam Melakukan Sanitasi Berbasis Penghijauan*, (Kediri: STIKes Surya Mitra Husada), 2, <https://osf.io/qw4spdiakses> 24 september 2020

<sup>36</sup> Arif Sumantri, *Kesehatan Lingkungan*, 5.

Meanwhile, the scope of environmental health is housing, disposal of human waste (feces), provision of clean water, garbage disposal, waste disposal, livestock houses (pens), and so on.<sup>37</sup>

#### b. Indicators of Environmental Health Quality

Development in Indonesia is getting faster and faster. The pace of development has an inevitable negative impact on the quality of the environment. To determine whether there is environmental damage or pollution, the indicators used are environmental quality standards. Government Regulation Number 66 of 2014 concerning Environmental Health, states:

*Article 7: "The quality of a healthy environment is determined through the achievement or fulfillment of Environmental Health Quality Standards and Health Requirements"*

*In Article 8 paragraph (1): "Environmental Health Quality Standards and Requirements Health is determined in environmental media which includes: a. Water, b. Air, c. Land, d. Food, e. Facilities and buildings, f. Vectors and animals carrying disease"*

Environmental health quality standards and health requirements used in the discussion of this thesis only includes water, air, and land.

##### 1) Water

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<sup>37</sup> Adelia Tika Trisyananda, *Analisis Perilaku Kesehatan Masyarakat dalam Melakukan Sanitasi Berbasis Penghijauan*, 2.

Water is a natural resource that is indispensable for the lives of many people, even all living things including animals and plants need water. Therefore, water sources must be protected so that humans and other living creatures can still use them properly. According to WHO, every person in developed countries needs water between 60-120 liters/day. Meanwhile, in developing countries, including Indonesia, each person needs water between 30-60 liters/day.

Water has certain quality requirements, depending on the designation of the water to be used. Water intended for drinking has physical, chemical, radioactive and microorganism requirements that have a certain amount. Indicators that become physical water requirements include:<sup>38</sup>

- a) Level of employment. The color of polluted water is usually different from its normal color (clear and clear).
- b) Odorless. Smelly water can be caused by the process of breaking down organic matter in the water.
- c) Tasteless. Water that is not fresh indicates the presence of certain substances in the water.
- d) Changes in temperature, water must not have a significant difference in temperature with the surrounding air. In

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<sup>38</sup> Muhammad Ikhtiar, dan Della Andayanie, *Analisis Kualitas Lingkungan*, (Makassar: Social Politic Genius, 2017), 8.

Indonesia, the temperature of drinking water is ideally  $\pm 3^{\circ}\text{C}$  from the air temperature.

Water pollution can be caused by various things. Organic waste such as sewage water can cause an increase in the demand for oxygen to those who receive it, which can lead to reduced oxygen and has a negative impact on the entire ecosystem.

## 2) Air

Air is a basic human need that needs serious attention. Air is a mixture of various gases mechanically and is not a chemical compound. Air can be polluted by natural sources and human activities. Broadly speaking, air pollution is divided into:

- a) Primary pollution, is pollution caused directly by air pollution sources such as carbon monoxide which is the result of combustion.
- b) Secondary pollution is pollution formed from the reaction of primary pollutants in the atmosphere. The formation of ozone in photochemical smog is an example of secondary air pollution.

By using the parameters for the concentration of pollutants and the duration of contact between pollutants or pollutants and the

environment (air), WHO has determined four levels of pollution, as follows:<sup>39</sup>

- a) Pollution of the first level, namely pollution that does not cause harm to humans.
- b) Second level pollution, namely pollution that starts to cause harm to humans such as irritation of the senses.
- c) Pollution of the third level, namely pollution that can cause disease.
- d) The fourth level of pollution, namely pollution that has caused acute illness and death for humans, animals and plants.

### 3) Land

Land is a natural resource that is very functional in the survival of living things, not only as a place for plants to grow, but also as a provider of important resources and a foothold. According to Craig "land is an accumulation of minerals that have no or weak bonds between particles, which are formed due to weathering of rocks".<sup>40</sup> Not unlike water and air, soil also experiences a decrease in quality, if it has decreased its quality, the land can no longer provide support for human life optimally.

Among water and air resources, land is the resource with the most difficulty to set a quality standard. This is because soils have

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<sup>39</sup> Arif Sumantri, *Kesehatan Lingkungan*, 178.

<sup>40</sup> Muhammad Ikhtiar dan Della Andayanie, *Analisis Kualitas Lingkungan*, 43.

enormous variations in their composition. In developed countries, the preparation of soil quality standards is based on several approaches, including:

- a) Preparation of standards in accordance with the function of the land.
- b) Preparation of standards by reference from uncontaminated soil.
- c) Impact oriented standards creation.<sup>41</sup>

Land pollution is usually caused by several things. Among them are:<sup>42</sup>

- a) Domestic Waste, namely waste generated by various human activities such as trade, institutions and the tourism sector. Domestic waste is divided into two, namely solid domestic waste (such as plastic) and liquid domestic waste (such as detergent, oil, paint). Both both having an impact so great damage because it can not be decomposed by microorganisms.
- b) Industrial Waste, namely waste produced by existing industrial industries, ranging from small to large scale industries. Usually, the waste produced is liquid waste, such as a motorbike washing place, a laundry place, and so on.
- c) Agricultural waste, namely the remains of chemical fertilizers used to help the agricultural process, but can cause pollution to the land.

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<sup>41</sup> Arif Sumantri, *Kesehatan Lingkungan*, 217.

<sup>42</sup> Muhammad Ikhtiar dan Della Andayanie, *Analisis Kualitas Lingkungan*, 50.



### 3. Environmental Fiqh Concept

#### a. Definition of Environmental Fiqh

The science of *fiqh* is one of the Islamic sciences that is needed by its people in living life. The science of *fiqh* is basically a real and detailed explanation or explanation of the values of Islamic teachings contained in the Al-qur'an and As-Sunnah.<sup>43</sup> Before explaining the relationship between *fiqh* and the environment, we will first explain a general description of the science of *fiqh* it self.

In the language of *fiqh al-fahmu* (understanding) derived from the word (فقه - يفقه - فقها). While the term *fiqh* was science practical syara 'law is taken from detailed *arguments (tafshili)*.<sup>44</sup> The word environment in Arabic is known as *al-Bi'ah* which comes from the word *ba'a* - *yaba'u* (return to a quiet place).<sup>45</sup> While the environment is unity with all things space, power, state and living creatures, including human beings and behavior that affect nature itself over the lives and welfare of human beings and other living creatures. So the meaning of *fiqh* environment is a set of rules of Islam derived from the proposition-detailed detail on human behavior

<sup>43</sup> Ali Yafie, *Merintis Fiqh Lingkungan*, (Jakarta: Yayasan Amanah, 2006), 157.

<sup>44</sup> Jamaludin Abdurrahim bin Hasan al-Asnawi, *Nihayatul usul Fi Syahri Minhaj al Wusbu 'ila Ilmi al-Ishul*, Juz I, (Beirut: Dar Ibnu Hazm, 1999), 16.

<sup>45</sup> Dwi Runjani Juwita, *Fiqh Lingkungan Hidup Dalam Perspektif Islam*, jurnal El Wasathiya, Volume 5, Nomor 1 (2017): 29. Yang dikutip dari kitab karya "Al-Imam Al-Alamah Abi Al-Fadl Jamal al-Din Muhammad Ibnu Makram Inu Manzur Al-Afriki Al-Masri, *Lisan al-Arab*, (Beirut: Dar al-Sadir, 1992), 78.

"<http://ejournal.kopertais4.or.id/mataraman/index.php/washatiya/article/view/3025>

towards the surrounding environment in order to create benefit and keep away from damage.

Understanding environmental problems and their handling It needs to be put on a moral foundation to support all the efforts that have been made and fostered so far, but in reality it has not been able to overcome environmental damage that already exists and is still ongoing. *Fiqh* Environmental seeks to make people who believe in understanding the problem of the environment is his responsibility and is a mandate from the Almighty so that it is always maintained and protected<sup>46</sup>.

Believing humans are required to be able to function their faith by believing that environmental care is part of faith itself. This is a concrete manifestation of the status of humans as caliphs on earth, carrying out the mandate and responsibility for environmental security and safety. The environment must be preserved and protected from damage that threatens its own life<sup>47</sup>.

#### b. Legal Basis

Basis The legal basis is the sources of Islamic norms contained in the al-Qur'an and As-Sunnah. The Companions have agreed that these two sources are the unquestionable basis of Islamic teachings. *Fiqh* Environmental in the view of Islamic teachings is a necessity

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<sup>46</sup> Ali Yafie, *Merintis Fiqh Lingkungan*, 161.

<sup>47</sup> Ali Yafie, *Merintis Fiqh Lingkungan*, 162.

because it has been explained in the al-Qur'an and Sunnah implicitly or explicitly. There are many verses in the al-Qur'an that reveal about the environment, these verses are general in nature and are still open to be developed through *ijtihad* towards *fiqh* a more applicable<sup>48</sup>.

Allah says in Surah al-Anbiya (21): 30, which read:

أَوَلَمْ يَرَ الَّذِينَ كَفَرُوا أَنَّ السَّمَوَاتِ وَالْأَرْضَ كَانَتَا رَتْقًا فَفَتَقْنَاهُمَا ۖ  
وَجَعَلْنَا مِنَ الْمَاءِ كُلَّ شَيْءٍ حَيٍّ ۖ أَفَلَا يُؤْمِنُونَ

*"And whether the disbelievers do not know that the heavens and the earth were both previously unified, then We separate them between the two. And we made water into everything that is alive. So why don't they have faith."*

This verse requires us to keep clean water sources as life support. Any behavior that threatens the availability of clean water is tantamount to bringing life to death. Quraish Shihab said that based on the results of research in cytology "water is the most important component in the formation of cells which are the building units of every living thing, both animals and plants".<sup>49</sup> In Surat Al Araf (7): 56, Allah says:

وَلَا تُفْسِدُوا ۚ فِي الْأَرْضِ بَعْدَ إِصْلَاحِهَا وَادْعُوهُ خَوْفًا وَطَمَعًا ۚ إِنَّ  
رَحْمَتَ اللَّهِ قَرِيبٌ مِّنَ الْمُحْسِنِينَ (٥٦)

<sup>48</sup> Dwi Runjani Juwita, *Fiqh Lingkungan Hidup Dalam Perspektif Islam*, 30, <http://ejournal.kopertais4.or.id/mataraman/index.php/washatiya/article/view/3025>

<sup>49</sup> M. Quraish Shihab, *Tafsir al-Mishbah, Kesan dan Keserasian al-Qur'an*, (Jakarta: Lentera Hati, 2006), 445.

*"And do not cause damage to the earth, after (Allah) has repaired it and pray to Him with feelings of fear (not accepted) and hope (will be granted). Indeed, Allah's mercy is very close to those who do good."*

This verse prohibits us from committing destruction on earth. According to the study of ushul fiqh, when there is a prohibition to do something, it means that we are ordered to do the opposite. As the meaning of the above verse, namely the status of the prohibition of destroying nature is haram, it shows that the order to preserve it is mandatory.<sup>50</sup>

In formulating *fiqh* environmental, there are three methods of istibat, namely deduction, induction, and a combination of the two. The deduction method is carried out by reasoning the Qur'an and/or hadith as a source of legal values and norms which form the formulation of *fiqh*. The induction method is carried out by analyzing environmental facts which are then stipulated by the theory of *maslahah mursalah* and at the same time it can also be done by reasoning texts which is strengthened by analysis of environmental facts. In addition, the implementation of *fiqh* environmental will be

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<sup>50</sup> Imam Tahjuddin Abdul wahab bin as-Subky, *Jam'ul Jawami*, (Singapur: Sulaiman Mar'I, tt), 390.

effective if the formulation is produced through collective *ijtihad* which is then formalized into a regional law or regulation.<sup>51</sup>

c. Environmental Maintenance concept in Islam

Islam is a complementary religion to pre-existing religions, so Islam must be able to answer various problems and challenges that arise in society. These challenges can be in the form of monotheism, *jinayah* or *muamalah* issues.<sup>52</sup> One of the challenges that often occurs lately is the problem of environmental pollution. Ali Yafie explains in his book entitled "Starting the Environment" about the basic principles of obligations in maintaining the environment, including:<sup>53</sup>

- 1) *Hifdzul Nafs* is the main obligation.
- 2) The life of the world is not a goal, but only a deposit towards an eternal afterlife.
- 3) Production and consumption must be in accordance with the standards of proper human needs (*had al-kifayah*). Exceeding the standard limit is prohibited.
- 4) Harmony and balance of nature (ecosystem) absolutely must be upheld. Disturbing and destroying ecosystems is the same as destroying life entirely.

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<sup>51</sup> Sukarni, *Fikih Lingkungan Hidup Perspektif Ulama Kalimantan Selatan*, (Kementrian Agama 2011), 39.

<sup>52</sup> Dwi Runjani Juwita, *Fiqh Lingkungan Hidup Dalam Perspektif Islam*, 34, <http://ejournal.kopertais4.or.id/mataraman/index.php/washatiya/article/view/3025>

<sup>53</sup> Ali Yafie, *Merintis Fiqh Lingkungan Hidup*, 163.

- 5) All beings are noble (muhtaram). Anyone is prohibited from exploiting all kinds of creatures that cause their life to be disturbed.
- 6) Humans are agents of the management of the universe who determine the sustainability of life. All of his actions will be held accountable both in this world and in the hereafter.

Yusuf Qardhawi emphasized that environmental care is an effort to create benefit and prevent harm. This is in line with the objectives of religious law, namely: *hifdzul nafs* (nurturing the soul), *hifdzul aql* (maintaining reason), *hifdzul maal* (maintaining wealth), *hifdzul nasb* (maintaining descendants), and *hifdzul inen* (maintaining religion).<sup>54</sup> Moreover, destruction of the environment is also contrary to the rules *fiqhiyah*, including:

- 1) لا ضرر ولا ضرار (not should be doing kemudharatan to self and others).<sup>55</sup>
- 2) الضرر لا يزال بالضرر (simplicity cannot be eliminated by something that brings the same harm).
- 3) يتحمل الضرر الأدنى لدفع الضرر الأعلى (It is permissible to do lighter mudharat to overcome bigger mudharat).
- 4) يتحمل الضرر الخاص لدفع الضرر العام (It is permissible to do specific harm to avoid general harm).

<sup>54</sup> Yusuf Qardhawi, *Ri'ayatul al-Bi'ah Fi al-Syariah Al-Islamiyah*, 44.

<sup>55</sup> Mukhsin Nyak Umar, *Kaidah Fiqhiyyah dan Pembaharuan Hukum Islam*, Cetakan 2, (Banda Aceh: Yayasan WDC, 2014), 32.

5) ضرار بارتكاب أخفهما ن روعى أعظمهما اذ تعارض مفسدتا (If

there is a conflict between two dangerous things, then it is permissible to do something that is less dangerous).

6) درء المفساد مقدم على جلب المصالح (Resisting damage takes precedence over attracting benefit).<sup>56</sup>

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<sup>56</sup>Mukhsin Nyak Umar, *Kaidah Fiqhiyyah dan Pembaharuan Hukum Islam*, 101.

## CHAPTER III

### RESEARCH METHODS

The research method is a scientific way in order to obtain valid data to understand, solve problems.<sup>57</sup> Therefore, the research method is a very important factor, the success of research depends on the method used.

#### A. Types of Research

In legal science, there are two types of research, namely normative law research and empirical law research. Empirical research is legal research that includes the identification of law and research on the effectiveness of the law, as well as the implementation of legal norms.<sup>58</sup> Or in other words, research is conducted on the actual situation and the situation that occurs in society with the intention to know and find the facts and data needed. After the collection of the required data then lead to the identification of the problem and then end with the solution of the problem or solution.<sup>59</sup>

This type of research is empirical research that is research on the handling of illegal waste disposal in Marpoyan Damai District, Pekanbaru City, based on Regulation Number 08 of 2014 on Waste Management and Environmental Fiqh.

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<sup>57</sup>Jonaedi Efendi, dan Johnny Ibrahim, *Metode Penelitian Hukum Normatif dan Empiris*, Cetakan 2 (Depok: Prenadamedia Group), 3.

<sup>58</sup>Peter Mahmud marzuki, *Penelitian Hukum*, (Jakarta: Prenada Media Grup, 2005), 128.

<sup>59</sup>Bambang Waluyo, *Penelitian Hukum dalam Praktek*, (Jakarta: SinarGrafika 2002), 15.



## **B. Research Approach**

This study uses the method of sociological juridical approach. This sociological juridical approach is used to examine problems that occur in society or their application in reality, then relate them to the applicable laws and regulations. It can be used as a guide to analyzing the legal symptoms that arise, and then the results of the juridical discussion will be directed to the sociological aspect.<sup>60</sup>

Juridically, this study focuses on legal studies related to the enforcement of illegal waste disposal, while sociologically, this study is oriented to the people of Marpoyan Damai District.

## **C. Research Location**

In determining the research location, it is necessary to consider substantially and deepen the focus of the problem to be researched. So the researcher chose the research location in Marpoyan Damai District, Pekanbaru City, to obtain data and information. The reason why researchers chose the research location in Marpoyan Damai District is that according to data from the Department of Environment and Hygiene of Pekanbaru City, Marpoyan District is one of the areas included in zone 1, the zone with the highest waste volume of 137,001 tons in 2020. In addition, Marpoyan Damai District also has the most garbage dump points in zone 1, where there are 13 points.

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<sup>60</sup>Bambang Waluyo, *Penelitian Hukum dalam Praktek*, 20.

#### **D. Types and Data Sources**

Data sources used in this study consist of three types, as follows:

##### **1. Primary Data**

Primary data is data that is directly obtained from the source either through interviews, observations, or reports in the form of unofficial documents which are then processed by researchers.<sup>61</sup> The primary data used in this research is in the form of interviews with related agencies and the people of Marpoyan Damai District.

##### **2. Secondary Data**

Secondary data is data obtained through literature study in the form of written materials such as books, laws and regulations and data from the agency or institution where the research is related to the problems discussed in the research.<sup>62</sup> In this study, books that are secondary data sources include books on waste management and waste disposal, as well as environmental jurisprudence, and also Pekanbaru Regional Regulation Number 08 of 2014.

##### **3. Tertiary Data**

Tertiary legal materials are legal materials that can provide additional explanations of primary legal material and secondary legal material. The tertiary legal material is the internet media.

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<sup>61</sup>Aminuddin, *Pengantar Penelitian Hukum*, (Jakarta: Raja Grafindo, 2006), 30.

<sup>62</sup>Ronny Hanitijo Soemitro, *Metode Penelitian Hukum dan Jurimetri, Cetakan 4*, (Jakarta: Ghalia Indonesia, 1990), 53.

## **E. Data Collection Methods**

Researchers obtain accurate and authentic data because it is done by collecting data sources of both primary data and secondary data that are adapted to the research approach. Data collection techniques used in this study are:

### **1. Interview**

An interview is a question and answer process in research that takes place orally where two or more people face facing listen directly to the information or statements presented by the source. The purpose of the interview is to obtain information orally in order to achieve the goal of obtaining accurate information from a competent source, namely:

- a) Mr. Abrori Desrian Saputra, S.IP as Head of Handling, Final Processing of Waste DLHK Pekanbaru City;
- b) Mr. Nofan Serwanto, S.IP, as the representative of Waste Management DLHK Pekanbaru city;
- c) Mr. Junaedy, S.Sos, M.Si, as the Head of Marpoyan Damai District;
- d) Residents who reside around the illegal garbage dump in Marpoyan Damai District.

### **2. Observation**

It is the collection of data by recording carefully and systematically. This stage is carried out in illegal temporary shelters (TPS) in the area of Marpoyan Damai District.

### 3. Documentation

Documentaries are collections of both material and visual matter.

The technique is often referred to as a complementary data gathering technique. This particular technique is performed in order to analyze the subject of a researcher's research.<sup>63</sup>

## F. Data Processing Methods

Data processing that will be carried out in this study will pass the following stages:

1. Editing (*mengedit*), namely the process of re-examining the data that has been obtained. It was starting from the truth, clarity, and synchronization of the data obtained with the object of research. This aims to minimize if there is an error in the data that has been obtained.
2. Classification and grouping (*Mengklasifikasi*), namely the process of grouping the data that has been obtained to make it easier to read the required data and analyze the data. This stage aims to match the data obtained with the object of research and sort some data that if it is not used.
3. Verification (*Memverifikasi*), which is the process of checking the correctness of the data obtained so that the results of this research can be accounted for in front of examiners or the academic field.

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<sup>63</sup>Kadarudin, *Penelitian di Bidang Ilmu Hukum (Sebuah Pemahaman Awal)*, Cetakan 2, (Semarang: Formaci, 2021), 204.

4. Analysis (*Menganalisa*), namely the process of analysis in a study conducted by examining all data from the research instrument in the form of documents, notes, records, and the results of observations that have been carried out.
5. Conclusion (*Menyimpulkan*), namely the final process of a study. The conclusion is the result of the analysis in the form of an answer to the problem formulation that the author has made. Conclusions are made to provide an opportunity and information to readers in order to know exactly the end result of this research.

After the data is collected, then the analysis is carried out using a qualitative descriptive analysis method (analysis of data that cannot be calculated). All data collected from primary legal materials, secondary legal materials, and tertiary legal materials will be processed and analyzed systematically. The legal material obtained is then examined, linked from one data to another, then understood and interpreted from the perspective of the researcher to be processed into information data.<sup>64</sup>

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<sup>64</sup> I Made Pasek Diantha, *Metode Penelitian Hukum Normatif dalam Justifikasi Teori Hukum*, Cetakan 2, (Jakarta: Prenada Media Group, 2017), 200.

## CHAPTER IV

### RESEARCH RESULTS AND DISCUSSION

#### A. Overview of Research Location

##### 1. Marpoyan Damai District

Marpoyan Damai District is one of 15 sub-districts in Pekanbaru City, Riau Province, which is located between  $0^{\circ} 51' - 0^{\circ} 53'$  North Latitude and  $102^{\circ} 44' - 101^{\circ} 45'$  East Longitude. Marpoyan Damai District was formed based on Pekanbaru City Regional Regulation Number 3 of 2003 concerning the Establishment of Marpoyan Damai District, Tenayan Raya District, Payung Sekaki District, and Rumbai Pesisir District. The area of Marpoyan Damai Subdistrict is 29.79 km<sup>2</sup> with an area of each village as follows:

- |                                |                        |
|--------------------------------|------------------------|
| a. Tengkreng Tengah Village    | : 4.64 km <sup>2</sup> |
| b. Tengkreng Barat Village     | : 5,35 km <sup>2</sup> |
| c. Maharatu Village            | : 6.92 km <sup>2</sup> |
| d. Sidomulyo Timur Village     | : 7,19 km <sup>2</sup> |
| e. Wonorejo Village            | : 1.35 km <sup>2</sup> |
| f. Perhentian Marpoyan Village | : 4.34 km <sup>2</sup> |

The boundaries of Marpoyan Damai District are:

- |         |                                 |
|---------|---------------------------------|
| a. East | : Bordering Bukit Raya District |
| b. West | : Bordering Tampan District     |

- c. North : Bordering Sukajadi District
- d. South : Bordering Kampar Regency

Administratively, Marpoyan Damai District consists of 6 villages; 77 RW; and 331 RT, with the number of households in 2019 as many as 31,495.

**Table 4.1**  
**Amount of Rukun Tetangga (RT) and Rukun Warga (RW) by Sub-district in Marpoyan Damai District of 2019**

No.	Sub-district	Amount RT	Amount RW
1	Tengkareng Tengah	91	21
2	Tengkareng Barat	54	12
3	Maharatu	39	10
4	Sidomulyo Timur	64	15
5	Wonorejo	30	8
6	Perhentian Marpoyan	53	11
<b>Total</b>		<b>331</b>	<b>77</b>

Source: Marpoyan Damai Sub-district Office

The population is an important factor in an area for the nation-building process. For this reason, the level of population development is very important to know in determining development steps. The population of Marpoyan Damai District has increased by 0.11% from 2018, with a population density of 4,416 people / km<sup>2</sup>.

**Table 4.2**  
**Total Population by Sub-district and Gender in Marpoyan Damai District of 2019**

No.	Sub-district	Male	Female	Total
1	Tengkareng Tengah	18.252	16.168	34.420

2	Tengkareng Barat	11.095	7.661	18.756
3	Maharatu	6.200	5.349	11.549
4	Sidomulyo Timur	14.643	12.274	26.917
5	Wonorejo	8.507	11.736	20.243
6	Perhentian Marpoyan	9.669	10.470	20.139
<b>Total</b>		<b>68.366</b>	<b>63.658</b>	<b>132.024</b>

Source: Marpoyan Damai Sub-district Office

From the data table above, it can be seen that the total population in Marpoyan Damai District in 2019 is 132,024 people. The male population is 68,366, and the female population is 63,658. The ratio of the population of men and women is quite different, with a difference of 4,708 people. Like other areas in general, every year Marpoyan Damai District also experiences population growth which makes this sub-district densely populated. To find out the population density of Marpoyan Damai District, it can be seen in the following table:

**Table 4.3**  
**Population Density by Sub-district in Marpoyan Damai District of 2019**

No.	Sub-district	Area (km <sup>2</sup> )	Population	Population Density
1	Tengkareng Tengah	4,64	34.420	7.418
2	Tengkareng Barat	5,35	18.756	3.505
3	Maharatu	6,92	11.549	1.668
4	Sidomulyo Timur	7,19	26.917	3.743
5	Wonorejo	1,35	20.243	14.994
6	Perhentian Marpoyan	4,34	20.139	4.640
<b>Total</b>		<b>29,79</b>	<b>132.024</b>	<b>4.431</b>

Source: Lurah Office in Marpoyan Damai District



Based on the population density table above, it can be seen that the larger the area, the population cannot be known, and each region has a different population. As an example of each area in the table above, the largest sub-district is Sidomulyo Timur, with an area of 7.19 km<sup>2</sup>, and the largest population is in Tengkreng Tengah Village with 34,420 people. However, the highest population density is in Wonorejo village, with a population density of 14,994 people/km<sup>2</sup>. Based on this, it can be concluded that the widest area does not guarantee to have the largest population and has the highest population density.

## **2. Department Environmental and Sanitation Service (DLHK) of Pekanbaru City**

Environmental and Sanitation Office of Pekanbaru City assists the Mayor in carrying out government affairs in the environment and cleanliness and other assistant tasks. The basis for the formation of Environmental and Sanitation Service is the Pekanbaru City Regulation Number 9 of 2016 concerning the Formation and Composition of Regional Apparatus for the City of Pekanbaru and Regulation of the Mayor of Pekanbaru Number 103 of 2016 concerning Position, Organizational Structure, Duties, and Functions as well as work procedures of the Environmental Service and Cleanliness of Pekanbaru City.

**a. Duties and Functions****Duties**

Environment and Hygiene Department of the Pekanbaru City has the task to assist the Mayor in conducting government affairs in the environment, hygiene, and sub forestry affairs and other assistant duties.

**Functions**

- 1) Formulation of technical policies in the field of environment and hygiene;
- 2) Formulation of work plans, programs and environmental and hygiene activities;
- 3) Implementation of activities which are the main tasks of the Environment and Sanitation Service;
- 4) Policy formulation, technical preparation and planning, providing guidance and counseling in the field of environment and hygiene;
- 5) To provide public services and technical services in the environmental and hygiene sectors;
- 6) Implementing forestry affairs, sub-affairs conservation of living natural resources and their ecosystems;
- 7) Determination and ratification of official texts in accordance with their authority;
- 8) Fostering Technical Implementing Units within the scope of the service;

- 9) Fostering, supervising and controlling the implementation of activities in the environmental and hygiene sectors;
- 10) Development of employees within the Environment and Sanitation Service;
- 11) Official financial management;
- 12) Implementation of other tasks given by the leadership in accordance with their duties and functions.

**b. Vision and Mission**

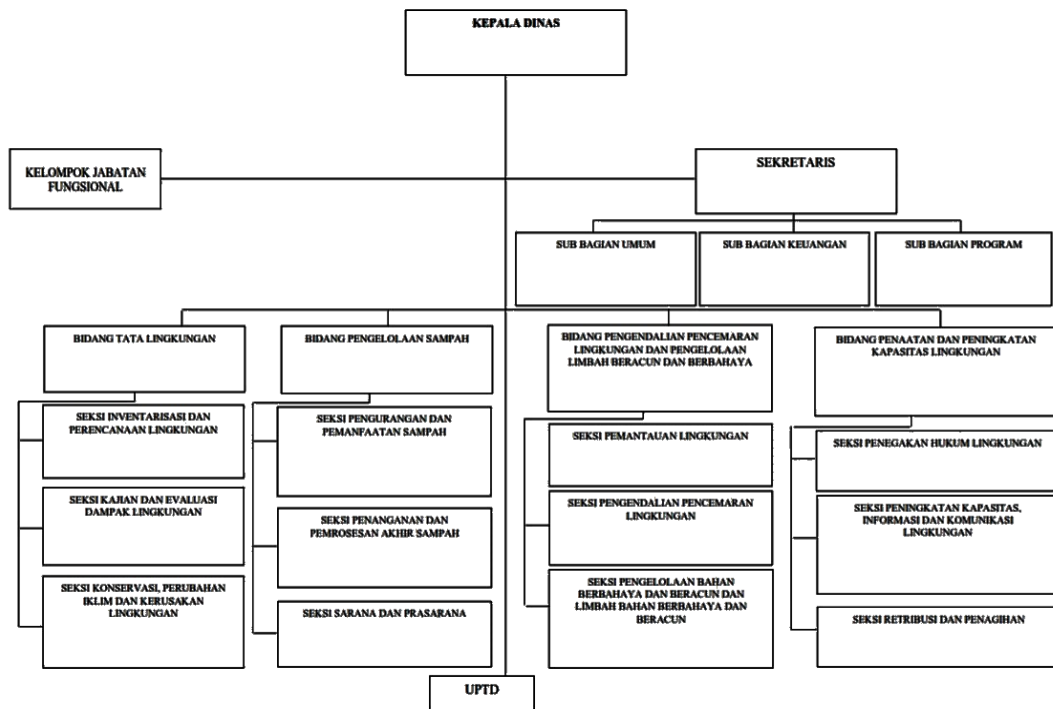
**Vision**

"The Realization of the City of Pekanbaru with a Civilized Environment"

**Mission**

- 1) Improve the quality and quantity of human resources in supporting and managing the environment
- 2) Creating a clean environment free of waste based on environmentally friendly technology
- 3) Optimizing the control of environmental pollution and destruction
- 4) Conserving natural resources and implementing climate change mitigation and adaptation

**c. Organizational structure**



## B. The Handling of Illegal Waste Disposal On Environmental Health That Occurred In The Marpoyan Damai District Based On The Pekanbaru City Regulation Number 08 of 2014

### 1. Illegal Waste Disposal in Marpoyan Damai District

The environment is an absolute part of human life. It is said that because humans seek food, drink, and fulfill other needs sourced from environmental products. The environment is a unitary space with all objects, power, circumstances, and living things including humans and their behavior that affect nature, the continuity of life, and the welfare of humans and other living creatures.<sup>65</sup> Problems that occur in the environment can be polluted, damaged, depleted of the environment, and others.

<sup>65</sup> Pasal 1 ayat (1) Undang-Undang Republik Indonesia Nomor 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup

Environmental pollution is a universal problem that must be resolved immediately because it involves health, safety and human life. This environmental pollution arises due to the behavior of a group of humans who neglect to take care of the earth irresponsibly and create environmental damage. Environmental destruction is an action that results in a decrease in the quality of the environment due to human factors and natural factors, such as disasters. However, of the many factors that cause environmental damage, illegal waste disposal is one of the biggest factors. This condition certainly affects the surrounding environment.

Waste that is not managed properly can harm many parties. Therefore, the government has issued various policy regulations governing waste management to prevent people from illegally dumping their waste. People's habit of disposing of illegal waste is a culture that is difficult to overcome, but the government also seems insensitive and responsive to see the piles of garbage scattered in many locations. Environmental cleanliness is one of the benchmarks for people's quality of life. People who prioritize environmental cleanliness are considered to have a higher quality of life compared to those who do not prioritize cleanliness. One aspect that shows the cleanliness of the urban environment is garbage.<sup>66</sup> Whether or not an environment is clean depends on how people manage and deal with the waste they produce.

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<sup>66</sup> Istiqomah Wibowo, "Pola Perilaku Kebersihan: Studi Psikologi Lingkungan Tentang Penanggulangan Sampah Perkotaan," *Makara Sosial Humaniora*, Volume 13, Nomor 1 (2009): 38, <http://repository.ui.ac.id/contents/koleksi/2/2803b30b2cbb66037fea8c077a9da4599d4309f6.pdf>

There are not a few impacts caused by illegal waste disposal in the Marpoyan Damai District. The impact of this disposal is pollution. Pollution can be through air, water, soil, or other organisms that cause disease. Air pollution is the highest impact felt by the community. An indicator of air pollution that is felt by the community is an unpleasant odor, especially a large pile of organic waste. The smell caused by piles of illegal garbage is very disturbing to the surrounding community and road users. Mrs. Murniati explained:

*“Dampak yang paling pasti itu baunya, bahkan baunya sampai ke warung saya ini. Selain itu, sangat mengganggu para pejalan kaki terutama anak-anak yang berangkat ke sekolah atau ke masjid. Mereka takut melintasi tumpukan sampah itu, padahal jalan tersebut merupakan akses utama menuju sekolah dan masjid. Orang-orang yang berkendara kencang juga menyebabkan sampah-sampah tersebut terbang berserakan.”<sup>67</sup>*

The explanation above shows that the existence of piles of illegal garbage on the side of the road is very disturbing for people who carry out their daily activities. The discarded waste is wrapped in sacks or plastic bags and scattered. The condition of the mixed waste is difficult to separate between organic and non-organic waste. If the pile of garbage on the side of the road is not immediately addressed, it can cause other impacts such as the declining quality of the environment, flooding when the rainy season arrives, and so on.

To create a healthy environment free from elements that can cause health problems such as waste that is not processed according to the

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<sup>67</sup>Murniati, Wawancara, (Kelurahan Tengkreng Barat, Kec. Marpoyan Damai, 31 Maret 2021).

requirements, it can be done by handling and reducing waste. The waste problem in Marpoyan Damai Sub-district is actually not entirely the responsibility of the government, it must start from the people themselves. Therefore, reciprocity is needed between the community as the producer and the government as the waste manager. If people do not have awareness about waste, then the government needs to take actions that can increase this awareness. Likewise, if the public already has awareness, then the government must also balance it. One way that can be done to compensate for this is by increasing legal Temporary Shelters (TPS), and placing trash cans in strategic places.

According to Article 1 point 6 of the Law of the Republic of Indonesia Number 18 of 2008 concerning Waste Management, TPS (Temporary Shelter) is a place before waste is transported to a recycling, processing, and/or integrated waste processing site. Based on this, the existence of TPS is very important for all parties, especially the community in maintaining cleanliness. Availability of TPS in each area, both at the district/city, sub-district, to village/kelurahan levels is very much needed to help deal with the waste problem.

The habit of littering in illegal TPS is almost done by all levels of society, this is certainly very concerning. This bad behavior is increasingly due to the lack of public facilities as a means of cleaning that is easily accessible by the community. The locations of illegal TPS in Marpoyan Damai District are mostly on the edge of roads and vacant land. The waste

in the illegal TPS is generally in the form of household waste that is not managed properly. This condition creates an unpleasant sight for anyone who sees it.

Currently, there are only 3 legal polling stations in Marpoyan Damai District, namely TPS Pasar Pagi Arengka; TPS Ampera Rika; and TPS PT. Sampurna. As for the illegal TPS, there are 13 TPS, namely TPS Jembatan Kartama; TPS Rawa Indah; TPS Depan Alfamart; TPS Rambutan; TPS Pasar Dupa; TPS Adira; TPS Gulama 1; TPS Gulama 2; TPS Bakti; TPS SMK Pertanian; TPS Gabus; TPS Duyung 1; and TPS Duyung 2. These illegal TPS are generally small in scale, located on the side of the road. Based on the results of an interview with Mr. Nofan Serwanto, in Pasar Pagi Arengka there are legal TPS and illegal TPS. Legal TPS are located in the market which is managed by the market, while illegal TPS are beside the market and are waste from the market and the local community.

The cause of the emergence of many illegal TPS in Marpoyan Damai District is due to the lack of legal TPS whose existence is difficult to reach by the community and also the lack of attention from the government regarding waste management. According to the researcher's observations, there are only a few trash cans in strategic places, many houses do not provide trash cans in front of the house. People choose to dispose of their waste illegally on the grounds that they do not know about



legal TPS, and are lazy to dispose of them at legal TPS because they are far from home.

Public awareness is the key to the problem of illegal waste disposal in Marpoyan Damai District. The community is not orderly waste disposal schedule as determined by the government through laws and regulations is one of the factors that piles of illegal waste are increasing. In addition, the community also likes to dispose of waste in places that are not supposed to be, even though legal TPS are already available. According to the community, the people who dumped their garbage in illegal TPS were other residents who passed around the Marpoyan Damai sub-district road.

*“Di bilang masyarakat setempat tidak mungkin sampahnya sampai sebanyak itu. Yang membuang sampah sembarangan di sini bukan warga sini, kadang orang lewat mengendarai motor bawa sampah kemudian di buang disitu. Mereka keseringan buang sampah sembarangan tengah malam, karena kalau sidang sudah pasti di marahi warga sini.”<sup>68</sup>*

Mrs. Erni, who was forced to close her shop due to illegal polling stations, also explained the same thing.

*“Jarak tempat ibu jualan sarapan pagi sama tumpukan sampah itu cuma 10 meter, tapi ya gitu karena banyak sampah dan para pelanggan keganggu sama tumpukan itu makanya sekarang tutup. Rata-rata yang buang juga bukan warga sini, tapi orang luar. Orang-orang kaya yang rumahnya tidak mau kotor buang seenaknya. Biasanya mereka pakai mobil pribadi, kadang juga motor dan setelah melempar sampah terus pergi gitu aja. Pernah saya dapati orang pakai mobil buang sampah di situ, saya tegur orangnya malah balik nanya: “emang ini tanah ibu?” Saya jawab: “Iya, kalau tidak bapak ambil sampahnya saya lempar lagi ke bapaknya”. Akhirnya itu orang*

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<sup>68</sup>Murniati, Wawancara, (Kelurahan Tengkreng Barat, Kec. Marpoyan Damai, 31 Maret 2021).

*pergi dan buang agak jauh, tapi masih buang sampah bukan di tempat semestinya.”<sup>69</sup>*

Based on the statement above, it can be seen that there are irresponsible people who deliberately throw garbage in illegal TPS, causing a very strong smell. Piles of garbage that are not transported immediately can have serious impacts. However, after the pile of garbage is removed, there will be endless piles of other garbage. Therefore, there must be awareness from unscrupulous people who deliberately throw garbage in illegal TPS, because the people around the disposal will feel the impact of the smell.

An environment with clean conditions free from piles of garbage is everyone's dream. However, it is not easy to eliminate the culture of disposing of waste in illegal TPS and create a healthy environment. Therefore, the participation of the community who sometimes does not care about environmental health problems is very necessary.

Community participation in creating a healthy environment can be carried out through:<sup>70</sup>

- a. Planning, implementation, monitoring, assessment, and supervision;
- b. Providing assistance with facilities, experts, and finance;
- c. Support for environmental health research and development activities;
- d. Providing guidance and counseling as well as disseminating information; and
- e. Contribution of thoughts and considerations in relation to the determination of policies and / or implementation of environmental health.

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<sup>69</sup>Erni Yulis, Wawancara, (Kelurahan Tengkreng Barat, Kec. Marpoyan Damai, 1 April 2021).

<sup>70</sup> Pasal 58 ayat (2) Peraturan Pemerintah Republik Indonesia Nomor 66 Tahun 2014 tentang Kesehatan Lingkungan.

The existence of illegal TPS and poor waste management are suitable and attractive means for organisms such as flies and insects to breed. Waste that is not handled properly will have a negative impact. The impact of illegal dumping of waste cannot be underestimated, because it will have an impact on humans themselves and also on the environment. It is undeniable that every day humans produce waste. As a source of waste, the community must be able to manage waste properly and correctly, or at least in the simplest way by disposing of waste in a designated place. By disposing of waste in the right place and according to its type, it will be easier to choose the type of waste that can be recycled.

Proper waste collection is the responsibility of each waste-producing industry or household. Therefore, there needs to be a special place to collect garbage. From each place it must be transported to the Temporary Shelter (TPS) and then to the Final Shelter (TPA). Garbage is not only waste, but also can bring benefits with alternative recycling methods that can improve the community's economy. Awareness of disposing of waste in its place needs to be familiarized from an early age on each individual. This is done to raise awareness of health and environmental hygiene.

The impact of illegal waste disposal is that it can hinder the creation of a good and healthy environment.<sup>71</sup> Therefore, the people of Marpoyan Damai Subdistrict have hope regarding the existence of illegal TPS in their area. The community hopes that the government will immediately deal with the waste problem by closing all illegal TPS and hope that there will be no more people who throw garbage in illegal TPS because it can interfere with the comfort and aesthetics of the Marpoyan Damai District environment.

## **2. Handling Illegal Waste Disposal by the Government Based on Pekanbaru City Regulation Number 08 of 2014**

The act of disposing of illegal waste that causes pollution and has an impact on environmental health is an act that has violated the rights of many people. The government issues laws and regulations as legal instruments to protect Indonesia's nature which is starting to be damaged by human actions. The attitude of concern for nature, especially for the community environment, was carried out by the Pekanbaru City government by issuing Pekanbaru City Regional Regulation Number 08 of 2014 concerning Waste Management. Through the Regional Regulation, the government hopes that the community can manage waste properly and correctly, so as not to damage the environment and cause disease.

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<sup>71</sup> Aseptianova, dan Eka Haryati Yuliany, "Penerapan Perilaku Hidup Bersih Sehat Penduduk terhadap Cara Pengelolaan Sampah Rumah Tangga", *Jurnal SOLMA*, Volume 09, Nomor 1 (2020): 69, <http://dx.doi.org/10.29405/solma.v9i1.3212>

Marpoyan Damai District is one of the sub-districts in Pekanbaru City, Riau Province which is rapidly increasing in population. The results of the population census in 2019 were recorded as 131,550 people. The male population is 68,366 people, the female population is 63,658 people with a population growth of 0.11%.<sup>72</sup> The increase in population followed by an increase in production and consumption as well as other activities causes the amount of waste produced to also increase. Garbage in Marpoyan Damai District is transported and disposed of to the Muara Fajar Final Disposal Site (TPA) located in Rumbai District, Pekanbaru City or at 25 km from Marpoyan Damai District.

Pekanbaru City is in the process of transporting waste in collaboration with private companies and dividing it into 3 zones, namely Zone 1 which includes Marpoyan Damai, Payung Sekaki, and Tampan sub-districts which are transported by PT. Godang Tua Jaya; Zone 2 covers the sub-districts of Sail, Senapelan, Sukajadi, Bukit Raya, Tenayan Raya, Limapuluh, and Pekanbaru Kota which are transported by PT. Samhana Indah; and Zone 3 includes Rumbai and Rumbai Pesisir sub-districts which are transported by the Pekanbaru City Environment and Hygiene Service (DLHK).

The volume of transported waste in zone 1 which also includes Marpoyan Damai District continues to increase. Based on data from the Pekanbaru City Environment and Hygiene Service (DLHK), which was

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<sup>72</sup> Rudiarmanto, *Kecamatan Marpoyan Damai dalam Angka 2020*, 21.

compiled in the waste management section, it was stated that the volume of waste transported in 2019 was 135,413 tons or 370.92 tons per day. Then in 2020 it increased to 137,001 tons or 374.09 tons per day.

Marpoyan Damai District is one of the sub-districts in Pekanbaru City which has high community activities. The existence of cafes or stalls owned by residents, plus the density of settlements clearly adds to the garbage problem in this sub-district. The lack of infrastructure in the community of Marpoyan Damai District is generally motivated by a lack of coordination between RT/RW and local governments such as sub-districts and sub-districts. As a result of this lack of coordination, the quality of the community's environment is decreasing. For example, the village head is not responsive in dealing with residents' complaints, even though it has been conveyed repeatedly.

*“Permasalahan sampah disini tidak jelas. Dari pihak kelurahan tidak ada penanganan sama sekali, pihak kelurahan juga tidak peduli dengan sampah yang bertumpuk di tepi jalan. Mereka cuma mengurus yang ada di dekat kantor lurah saja. Masyarakat juga tidak tahu mau lapor kemana masalah sampah, melapor ke pihak kelurahan pun tidak ada tanggapan.”<sup>73</sup>*

This was also stated by Mr. Masli as the head of security for RT 4 RW 4, Tengkreng Barat Village:

*“Sering disampaikan aspirasi ke kelurahan ketika rapat, tanggapan dari pihak kelurahan cuma iya-ya saja tanpa ada aksi.”<sup>74</sup>*

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<sup>73</sup>Azwar, Wawancara, (Kelurahan Tengkreng Barat, Kec. Marpoyan Damai, 5 April 2021).

<sup>74</sup>Masli, Wawancara, (Kelurahan Tengkreng Barat, Kec. Marpoyan Damai, 5 April 2021).

The kelurahan's indifference in dealing with waste has also made the point of piles of illegal waste to increase. The village head and village officials should care about the environment, especially in places that are included in their territory and not be picky. The kelurahan must have a real contribution to make in overcoming the waste problem, because the problem of garbage piling up in illegal TPS has been going on for years and there has been no resolution so far.

Marpoyan Damai sub-district does not have permanent cleaning staff, generally they only work as freelance daily workers (THL). Waste management, especially those generated by households, is only collected and then transported by officers by driving a garbage transport vehicle every 2 days. The capacity of the garbage carriage which sometimes overloads makes garbage also scattered on the road during the transportation process. The community itself does not know where the garbage that has been taken from residents' homes is disposed of, what they know is that the community pays and then the waste is transported.

The people of Marpoyan Damai Sub-district are burdened with a waste retribution of Rp. 10,000/month per house paid to the local RT. However, not all RTs apply this levy because there are some residents who don't trust the garbage collector and lack of socialization about the retribution. Some residents think that garbage retribution is illegal. In addition, when people have paid for the garbage, it has not been transported for days until it rots. Because of this, there are some people

who do not want to pay the retribution and choose to burn their own waste, even though burning garbage is not a proper waste management. However, burning garbage itself is a form of not supporting the existence of illegal TPS.

Some people want the addition and construction of new legal TPS (approved by the government), so that the discarded waste can be reused or recycled according to its characteristics. If this can be implemented, at least it can reduce environmental pollution caused by piles of garbage. For this reason, regulations in the form of banners that read "It is forbidden to throw garbage here" are obeyed by all levels of society and do not only function as writing. According to residents around the illegal TPS, the banners were installed by the land owners whose land was used as illegal TPS, not by the relevant government. Even so, these regulations must still be implemented as an effort to maintain cleanliness.

With the increase in population, the amount of waste also increases. Population growth also has an impact on the demand for land for housing and other things. The amount of available land remains constant, but the demand for land is actually increasing. As is the case with land requests for TPS. The Pekanbaru City Environment and Hygiene Service (DLHK) has difficulty in overcoming the proliferation of illegal TPS. DLHK has tried to build new TPS and close illegal TPS, but there are still many obstacles, as stated by Mr. Nofan Serwanto, S.IP as the representative for waste management of DLHK Pekanbaru City:



*“Ada program, kita yang menyediakan material atau bahan baku dan masyarakat yang menentukan titiknya. Syarat lahan yang dijadikan titik TPS ialah hibah, hal ini dilakukan untuk menghindari masalah di kemudian hari. Masalahnya, masyarakat sangat sulit menghibahkan sedikit lahannya.”<sup>75</sup>*

Based on Article 27 paragraph 4 of Pekanbaru City Regulation Number 08 of 2014 concerning Waste Management, TPS provided by the Regional Government must meet the following technical requirements:

- a. The availability of sorting facilities to increase the active role of the community in handling waste through 3R;
- b. Easy to reach by waste transport officers and / or garbage transporters;
- c. Pay attention to aesthetics and the environment;
- d. Taking into account the volume of waste;
- e. Prevent leachate infiltration into soil, springs, and waterways or drainage bodies;
- f. Controlling impacts caused by flies, rodents and other insects or animals;
- g. Reducing the appearance of unpleasant odors;
- h. Points are above the space belonging to the road and the road benefit space, except on roads regulated by a Mayor Regulation; and
- i. Taking into account the health impacts of the community and the surrounding environment.

Based on the requirements above, the location of illegal TPS clearly does not meet these elements because the location is on the side of the road which is a lane of community activity and does not take into account all aspects. Meanwhile, the DLHK encountered problems in making TPS, such as landowners not willing to give up their land to be used as TPS, the selection of points determined by the community to be used as new TPS too close to settlements, and the community appointing a new TPS location but covering the existing facilities.

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<sup>75</sup>Nofan Serwanto, Wawancara, (Pekanbaru, 1 Maret 2021).

Meanwhile, the legal TPS in Marpoyan Damai Sub-district are privately owned, not those set by the government. The legal TPS include Pasar Pagi Arengka TPS (owned by the market), Ampera Rika TPS (owned by Perum), and PT Sampoerna TPS (privately owned). Because the legal TPS was not built and determined by the government, the location did not meet the technical requirements for the establishment of TPS as mandated in Article 27 paragraph 4 of the Pekanbaru City Regional Regulation Number 08 of 2014 concerning Waste Management. For example TPS PT. Sampoerna. The legal TPS location does not pay attention to environmental aesthetics, does not take into account the volume of waste that can be accommodated, and other requirements.

The number of illegal TPS in Marpoyan Damai District shows the bad behavior of the community in managing waste. The behavior of people who still throw garbage in illegal places is actually not only a problem faced in Marpoyan Damai District, but a problem that still exists in Indonesia. The behavior of littering is caused by a lack of knowledge about the environment. The knowledge in question can include waste, the impact it causes, proper processing methods, and other knowledge that will certainly direct the mindset about the good and bad of an action.

The government has a responsibility in overcoming public problems, for example the problem of waste management. The government, through the relevant agencies or through the kelurahan, should seek good waste management in Marpoyan Damai District. Waste

management in Marpoyan Damai District refers to Pekanbaru City Regional Regulation Number 08 of 2014 concerning Waste Management. Waste management referred to in this Regional Regulation is an activity that includes waste reduction and handling.<sup>76</sup>

As for Article 14 paragraph (1) Pekanbaru City Regional Regulation Number 08 of 2014 concerning Waste Management, it explains that the waste reduction in question includes the following activities:

- a. Limitation of waste generation;
- b. Waste recycling; and/or
- c. Reuse.

Meanwhile, regarding waste handling, it is stated in Article 15, which includes:

- a. Waste sorting;
- b. Garbage collection;
- c. Garbage transport;
- d. Waste processing; and
- e. Final waste processing.

Waste segregation is carried out by providing garbage collection containers. DLHK Pekanbaru City has provided a waste sorting container according to its type. However, the waste sorting has not been effective, because people are lazy to do the sorting independently. For the waste

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<sup>76</sup> Pasal 1 angka 16 Peraturan Daerah Kota Pekanbaru Nomor 08 Tahun 2014 tentang Pengelolaan Sampah

collection stage, DLHK Pekanbaru City appointed several people who were tasked with doing this work. Generally, these officers go to residents' homes one by one to pick up the garbage that has been placed in the container. As for the transportation process, it is carried out using a dump truck type of garbage transporting vehicle. Where the transportation is usually carried out every day at 7 a.m by officers. Waste processing in Pekanbaru City is not yet optimal. This is because no prior sorting was carried out, so that it was mixed and the waste that could still be processed was carried to the Muara Fajar Final Processing Site (TPA). Final Processing Site which is abbreviated as TPA is a place to process and return waste to environmental media.

If all the policy regulations that have been issued by the government are strictly implemented, of course the war on waste will be resolved. The government's efforts to socialize to continue to protect the environment continue to be encouraged. Strict penalties have also been stated in the regulations. In Pekanbaru City Regulation Number 08 of 2014 concerning Waste Management, there are two forms of law enforcement, namely administrative sanctions and criminal sanctions. The administrative sanction is in the form of a written warning; temporary suspension of activities; site closure; license revocation; government

coercion; and/or forced money.<sup>77</sup> This sanction puts more emphasis on waste management actors who cause environmental pollution.

Criminal acts against environmental pollution caused by waste are regulated in Article 66 of Pekanbaru City Regulation Number 08 of 2014 concerning Waste Management, which regulates the prohibition of everyone to:

- 1) Everyone is prohibited from:
  - a. Littering in roads, parks, or public places;
  - b. Dispose of garbage into rivers, ponds, drainage areas, river boundaries / drainage areas and there;
  - c. Dispose of waste to the TPA without permission;
  - d. Burning household waste that does not comply with the technical requirements for solid waste management;
  - e. Burning waste other than those generated by households that do not comply with the technical requirements for processing waste;
  - f. Throwing away, piling up, storing garbage on roads, green lanes, parks, rivers, forests, rivers, protected forests, public facilities and other places of the like;
  - g. Dispose of trash from vehicles to places that are prohibited;
  - h. Dispose of garbage outside the designated disposal place / location;
  - i. Managing waste that causes environmental pollution and / or damage;
  - j. Transporting garbage with open means of transport;
  - k. Use the space belonging to the road or the benefit space of the road as a permanent TPS location;
  - l. Disposing of garbage into or into the reservoir boundary area which is a source of clean water / drinking water or is a reserve for a regional source of clean water / drinking water;
  - m. Dispose of trash in protected forests.

The Pekanbaru City Environment and Sanitation Service (DLHK) in providing sanctions or criminal threats against perpetrators of

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<sup>77</sup> Pasal 69 ayat (2) Peraturan Daerah Kota Pekanbaru Nomor 08 Tahun 2014 tentang Pengelolaan Sampah

environmental pollution caused by garbage is regulated in Articles 71-74 of Pekanbaru City Regional Regulation Number 08 of 2014 concerning Waste Management which reads:

Article 71:

- 1) Every person who violates the provisions in Article 66 letters a, b, c, g, h, i, j, k, will be subject to criminal sanctions in the form of a fine of Rp. 2,500,000;
- 2) Every person who violates the criminal provisions in Article 66 letters d and m will be subject to criminal sanctions in the form of a fine of Rp. 10,000,000;
- 3) Every person who violates the criminal provisions in Article 66 letter e will be subject to criminal sanctions in the form of a fine of Rp. 300,000;
- 4) Every person who violates the criminal provisions in Article 66 letter f will be subject to criminal sanctions in the form of a fine of Rp. 10,000,000.

Article 72:

Every person who violates the provisions in Article 66 letter k, shall be punished with imprisonment of up to 6 months and / or a maximum fine of Rp. 5,000,000.

Legislation strictly regulates the perpetrators of environmental pollution caused by garbage. However, the reality that happened in the Marpoyan Damai Subdistrict that the application of criminal sanctions did not go well. This is evidenced by the small number of sanctions given, especially to actors who throw garbage at illegal TPS, even the perpetrators seldom get criminal sanctions in the form of imprisonment for their actions. So far, the Pekanbaru City Environment and Sanitation Service (DLHK) has imposed administrative sanctions in the form of warnings and confiscation of KTPs and is obliged to redeem them at the DLHK Kota Pekanbaru office by paying fines starting at Rp. 50,000 - Rp.

2,500,000 depending on the weight and type of waste dumped by the perpetrator.<sup>78</sup>

This is what causes the presence of illegal TPS in Marpoyan Damai District to increase. The imposition of sanctions mandated in laws and regulations is aimed at implementing environmental law in order to be obeyed by the community. Sanctions are also made as an instrument of law enforcement so that legal objectives can be achieved. The indecisiveness of law enforcement causes environmental pollution to be difficult to overcome. This is what happened in Marpoyan Damai District. Environmental pollution resulting from illegal TPS is very concerning. Piles of garbage in illegal TPS continue to grow every day until it widens to the road.

As an effort to raise public awareness and concern for the environment, the Pekanbaru City Environment and Hygiene Service (DLHK) has disciplined people who still dispose of illegal waste through hand-catching (OTT) operations. The OTT activity was carried out as an effort to provide a deterrent effect for irresponsible people.

*“Dulu ada program Operasi Tangkap Tangan selama 2 bulan. 2 bulan sosialisasi, 2 bulan penerapan. Banyak yang tertangkap dan sudah dikenai sanksi, tapi tetap saja masih banyak yang melanggar. Mereka berdalih tidak mengetahui peraturan tentang sampah. Sudah tidak mau baca, tidak mau dengar, tidak mau juga melihat. Begitulah oknum-oknum itu”<sup>79</sup>*

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<sup>78</sup>Nofan Serwanto, Wawancara, (Pekanbaru, 1 Maret 2021).

<sup>79</sup>Nofan Serwanto, Wawancara, (Pekanbaru, 1 Maret 2021).

The Hand Catch Operation (OTT) activity was disbanded, because after an evaluation based on the Perda and Perwako the right to take action against the perpetrators of littering is the Satpol PP.

*“Keberadaan Satgas Gakkum (Satuan Tugas Penegakan Hukum) sampah tidak maksimal dan dibubarkan. Sebenarnya keberadaan satgas ini salah, karena yang berhak menindak itu satpol PP, bukan DLHK. Makanya satgas kami bubarkan.”<sup>80</sup>*

The government through related agencies, namely the Department of Environment and Cleanliness (DLHK) of Pekanbaru City has socialized Perda Number 08 of 2014 concerning Waste Management. After the Perda was issued, the DLHK immediately carried out socialization in 2 ways, namely:

- a. Direct socialization. Direct socialization was carried out by directly visiting every sub-district office in Pekanbaru City. Furthermore, the sub-district will socialize it to the government under it, such as urban villages, RT / RW, and the community as the primary target.
- b. Indirect socialization. This socialization was carried out through the official website of DLHK Pekanbaru City via TV, radio, and printed newspapers or newspapers.

However, these Regional Regulations are not fully implemented by the community. This is evidenced by the fact that there are still many who dispose of waste at illegal TPS and do not comply with the set disposal hours. The hours of waste disposal for the people of Pekanbaru City are regulated in the Pekanbaru City Regional Regulation Number 4 of 2000

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<sup>80</sup> Abrori Desrian Saputra, Wawancara, (Pekanbaru, 6 April 2021).



concerning Cleanliness Retribution. In Article 5 of the regulation, it is stated that the collected waste is disposed of and placed in/at the TPS neatly from 19.00 WIB to 05.00. However, this rule is not implemented by the community. Instead they take out the trash in the morning.

*“Kita berangkat menyisir sampah mulai jam 05.30 WIB. Sewaktu kita lewat, tidak ada itu sampah di jalan. Setelah kita lewat, jam 08.00 WIB masyarakat sibuk menyapu. Jam 08.30 WIB mereka tumpuk itu sampah di depan TPS. Dianggap kerja kita yang tidak bagus, sedangkan masyarakat tidak mau mengikuti aturan.”<sup>81</sup>*

People who dispose of their waste not according to the provisions have the excuse that they do not know and have never heard of the regulation. Apart from not being obedient, the public also blamed the government, in this case DLHK, for not socializing regulations on waste management. Implementing the regulations that have been established is everyone's obligation, and the community has an equally important role in helping to make the waste management program a success.

The waste problem in Marpoan Damai District faced by the Pekanbaru City Environment and Hygiene Service (DLHK) is endless. In addition to external factors with the lack of public awareness in disposing of waste in the proper place and the producers of waste sources not following existing regulations, internal factors also emerged. Internal factors faced by DLHK Pekanbaru City in dealing with waste are the lack of a fleet or waste transport vehicles and the lack of operational funds, especially for transportation fuel.

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<sup>81</sup>Nofan Serwanto, Wawancara, (Pekanbaru, 1 Maret 2021).

Based on the results of interviews with the waste management section of the Pekanbaru City Environment and Hygiene Service (DLHK), 70% of the Pekanbaru City DLHK State Budget funds are devoted to the field of waste management. However, these funds are still considered insufficient. Because, apart from fuel costs, these funds are also used to repair fleets that suddenly fail. In 2020, the Pekanbaru City Environment and Hygiene Service (DLHK) has a limited fleet of waste transporters, namely 19 units with details of 17 dump trucks and 2 L-300 cars. All the waste transport fleets are spread over 15 sub-districts in Pekanbaru City. The limited number of vehicles for transporting waste makes the waste in remote areas not transported properly, including in Marpoyan Damai District. This is also an obstacle for the Marpoyan Damai sub-district in the problem of transporting waste.

*“Kami pernah tanya ke dinas ada berapa mobil yang disiapkan untuk melakukan pengangkutan sampah di daerah kami. Mereka tidak bisa jawab, katanya disuruh tunggu dulu nanti masih ada rapat masalah itu. Pihak kecamatan sama DLHK juga berencana mengadakan Bin Container, yaitu bak container yang bisa dilepas pasang.”<sup>82</sup>*

Based on this, it is appropriate for the Pekanbaru City Environment and Hygiene Service (DLHK) to add a fleet of garbage collectors and routinely check the condition of garbage vehicles, so that the garbage in Pekanbaru City, especially Marpoyan Damai District can be transported evenly. In addition, the Bin Container program must also be realized by placing it at strategic points in Pekanbaru City.

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<sup>82</sup> Junaedy, Wawancara, (Kecamatan Marpoyan Damai, 20 April 2021).

**C. The Handling of Illegal Garbage Disposal nn Environmental Health That Occurs In The Marpoyan Damai District Area In Terms of *Fiqh* Environmental**

**1. The Postulates of Human Behavior on the Environment**

Along with the times, environmental problems have also increased. Environmental problems are now a global issue that is in the spotlight of almost all levels of society. This environmental problem arises along with various kinds of human activities that cause damage to natural resources, pollution, and cause natural disasters. Humans treat the environment that Allah SWT has given without good ethics. Unconsciously, humans have polluted a lot to damage the environment that Allah SWT has given, for example, such as throwing garbage in illegal TPS that pollute community settlements.

The environment is a human need in maintaining life. Therefore, the environment and humankind become an inseparable whole. The quality of human beings greatly affects the quality of the surrounding environment. Because of this, it is the responsibility of maintaining and preserving the environment that is the obligation of all people, because the function of humans on earth as caliphs is in charge of protecting the environment from destruction and damage. Al-Qur'an Surah Al-Baqarah verse 30:

وَإِذْ قَالَ رَبُّكَ لِلْمَلٰٓئِكَةِ اِنِّىْ جَاعِلٌ فِى الْاَرْضِ خَلِیْفَةً ۗ قَالُوْۤا اَتَجْعَلُ فِیْهَا  
مَنْ یُّفْسِدُ فِیْهَا وَیَسْفِكُ الدِّمَآءَ ۚ وَنَحْنُ نُسَبِّحُ بِحَمْدِكَ وَنُقَدِّسُ لَكَ ۗ قَالَ  
اِنِّىْۤ اَعْلَمُ مَا لَا تَعْلَمُوْنَ

*"And (remember) when your Lord said to the angels, "I want to make a caliph on earth." They said, "Are you going to make people who spoil and shed blood there, while we glorify you and sanctify your name?" He said, "Truly, I know what you do not know. "*

Surah Al-Baqarah verse 30 above provides an explanation of human obligations to protect the environment is also closely related to the position of humans as caliphs on earth which in Arabic is interpreted as God's representative on earth. So humans have the responsibility to manage the earth as well as possible as a mandate from Allah SWT. Humans are the main factor causing environmental damage, therefore Allah SWT has warned him in Q.S al-A'raf verse 56:

وَلَا تُفْسِدُوْۤا فِى الْاَرْضِۙ بَعْدَ اِصْلَاحِهَا وَاذْعُوْهُ خَوْفًا وَّطَمَعًا ۗ اِنَّ رَّحْمَتَ  
اللّٰهِ قَرِیْبٌ مِّنَ الْمُحْسِنِیْنَ

*"And do not do mischief on the earth after (created) well. Pray to Him with fear and hope. Verily, Allah's mercy is very close to those who do good."*

From the verse above, it can be concluded that humans are required to do good and not to damage anything. The damage referred to in this case includes damage to the soul, mind, property, religion, and

descendants. These five things are the goals of the existence of the Shari'a, not only Islamic Shari'a but also the Shari'a of other religions which aim to uphold the honor of mankind.

Preservation of a healthy living environment will affect everything, for example the food eaten by God's creatures and including humans. Therefore, Allah commands His people to eat halal and good food as Allah SWT says in Q.S An-Nahl verse 114:

فَكُلُوا مِمَّا رَزَقَكُمُ اللَّهُ حَلَالًا طَيِّبًا ۚ وَاشْكُرُوا نِعْمَتَ اللَّهِ إِن كُنْتُمْ إِيَّاهُ تَعْبُدُونَ

*"Then eat what is lawful and good from the sustenance that Allah has given you; and be grateful for the favor of Allah, if you worship only Him."*

The verse above provides information that Allah SWT created this world for the good and benefit of all His creatures. This earth must always be conserved wisely and use everything that exists for good. The sustenance that Allah SWT has sent should be grateful for with full enjoyment. One form of gratitude is to protect the environment. Because a healthy environment is the dream of all mankind. Humans are often not aware that they have caused damage to the environment because they do not practice religious teachings according to sharia, namely Islamic law.

The problem of waste that causes various kinds of impacts is not only a problem for the people of Marpoyan Damai District, but is a

general problem that must be resolved together with all parties, including the government. In Q.S ar-Rum verse 41 Allah says:

ظَهَرَ الْفَسَادُ فِي الْبَرِّ وَالْبَحْرِ بِمَا كَسَبَتْ أَيْدِي النَّاسِ لِيُذِيقَهُمْ بَعْضَ الَّذِي  
عَمِلُوا لَعَلَّهُمْ يَرْجِعُونَ

*"Corruption has appeared on land and in the sea due to the actions of human hands, so that Allah may feel for them some of the (results of) their actions, so that they return (to the right path)".*

The verse above has provided an overview of the damage that has occurred in the world due to irresponsible human activities. Seeing this, people should be aware of the impact of their actions. Humans must be able to weigh and think carefully about the actions they will do so as not to damage the environment or harm others.

Seeing the magnitude of the impact caused by littering in illegal TPS in Maroyan Damai District, Islam as a religion Rahmatan lil 'Alamin does not just stand still. Islam must help create a clean and healthy environment for the benefit of the people. The piles of garbage on many roadsides in Marpoyan Damai Sub-district that cause harm must be removed. Prophet Muhammad SAW forbade his people to cause misery that affects others.

لَا ضَرَرَ وَلَا ضِرَارَ (رواه ابن ماجه)

*"You must not cause suffering to yourself and you must not cause suffering to others."* (H.R. Ibn Majah)

## 2. Creating Benefit

Islam always teaches and invites its people to behave cleanly and get rid of dirt, as is the case with garbage which is an unwanted dirty material. Islamic law prohibits littering because it causes danger, especially if the garbage is dumped in a public place which disturbs many people.

Yusuf Qardhawi emphasized that the core of environmental problems is a matter of morality. Efforts that can be made to overcome these environmental problems are not merely technical, economic, political, legal, and socio-cultural issues. Instead, efforts are needed to solve it from various perspectives, one of which is the fiqh perspective.<sup>83</sup> Environmental fiqh (fiqh al-bi'ah) are Islamic provisions that are sourced from detailed arguments about human behavior towards the environment in order to realize the benefit of the people for the purpose of keeping away from damage.<sup>84</sup>

In the context of environmental fiqh, overcoming waste disposal in illegal TPS is included in al-maqasid al-khamsah, especially preserving the soul (hifdzul nafs). Because the protection of the soul includes protection of reason, protection of property, protection of offspring, and protection of religion. Illegal waste disposal can threaten human life due

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<sup>83</sup> Nur Fadhilah, dan Ni'matun Naharin, "Perempuan dan Konservasi Lingkungan: Studi Bank Sampah Berlian Malang Jawa Timur," *Al-Tahrir*, Volume 17, Nomor 2: (2017), 278, <https://moraref.kemenag.go.id/documents/article/25457176814294252>

<sup>84</sup> Mariatul Istiani, dan Muhammad Roy Purwanto, "Fiqh Bi'ah dalam Perspektif al-Qur'an," 30.

to its impact. Therefore, humans must be able to take care of their souls with simple things such as not littering, in order to be able to carry out other commands of Allah SWT.

Apart from being included in the *maqasid sharia* category, overcoming illegal waste disposal is also included in the *maslahah mursalah* category, as an effort to realize the common good of the people. Disposing of illegal waste can bring harm by the emergence of various kinds of hazards such as air pollution, water pollution, soil pollution, to cause disease outbreaks. To overcome this danger, effective waste management is needed, so that the soul and all its aspects can be protected as the application of *maslahah dharuriyat*. *Maslahah dharuriyat* is a *maslahah* related to basic human needs in this world and in the hereafter.

Al-Ghazali, one of the leaders of the Shafi'i school, provides requirements for the use of *maslahah mursalah* as a legal argument. First, the benefit that is used as the basis for determining is *maslahah dharuriyat*. That is, the existing benefit or damage is benefit or damage that can threaten the existence of human life. Second, the benefit is the benefit of *qath'i* (obvious). That is, the benefit is believed to be *maslahah*, not based on mere conjecture. Third, the benefit is *kulli* (general), not



individual. It can be individual as long as the benefit is in accordance with maqasyid sharia.<sup>85</sup>

Based on al-Ghazali's opinion, the law of *maslahah mursalah* in dealing with illegal waste disposal which has an impact on environmental health in Marpoyan Damai District can be applied. First, the handling must be done quickly because too much garbage can threaten the existence of mankind due to its impact. Second, the problem with solid waste management is that it can create a healthy environment. Third, if the waste is managed properly, many people will feel the effects, not only the people around the TPS.

Proper and regular waste management can provide great benefits for oneself, others, future generations, to the benefit of the environment. A well-maintained nature will certainly have a good impact on humans, because it is from nature that humans fulfill their needs. In addition, managing waste is also a noble worship activity to Allah SWT.

The Pekanbaru City Government has tried to provide benefits to the community in the form of providing facilities regarding waste, such as trash cans and transportation of waste carriers. However, these facilities are still considered very lacking and limited in number. Therefore, this is what makes many people still litter in illegal places.

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<sup>85</sup> Imron Rosyadi, dan Muhammad Muinudinillah Basri, *Usul Fikih Hukum Ekonomi Syariah*, (Surakarta: Muhammadiyah University Press, 2020), 151.

### **3. Distanced from Damage**

Preventing damage is everyone's responsibility. One of the important things that must be protected from damage is nature and the environment. Destroying the environment is a disgraceful act because it will have an impact in the future. Garbage that accumulates is a serious threat to all creatures, especially mankind. Because humans and the environment always live side by side on the same earth. Environmental disasters occur not only caused by nature, but also by human behavior that causes destruction, pollution, and damage. Environmental damage caused by waste at a certain point can be felt by others at different points. Therefore, the problem of illegal waste disposal that occurs especially in Marpoyan Damai District is closely related to humans who forget themselves. Forget about his dignity as a caliph in charge of protecting the earth from all damage.

Every Muslim is obliged to keep the environment clean, use items that can still be used for the benefit, and avoid various diseases. Therefore, it is illegal to dispose of garbage illegally. The government and individual communities are obliged to carry out waste management to avoid harm to all creatures on earth. One way of managing waste that can be done to prevent environmental damage is the recycling method.

Recycling waste into useful goods for humans to improve the welfare of their people is punishable by fardhu kifayah.<sup>86</sup>

In an effort to overcome illegal waste in Marpoyan Damai District, various kinds of waste management can be carried out depending on the ability of the party to manage it (both the government and the community). In waste management, it must also be considered about the advantages and disadvantages, lest the management cause mafsadah (damage). As far as the management method can overcome the waste problem and does not create a lot of harm, then it needs to be continued. One way of management that can be done in overcoming the problem of waste is by reusing it. Organic and non-organic waste can be a source of income if it is processed into something useful. For example, organic waste in the form of rotten fruit can be processed into compost. In addition, non-organic waste such as paper and wood can be processed into handicrafts which of course have economic value.

People in Marpoyan Damai Sub-district immediately throw away items that are considered unused, even though these items can actually still be recycled if they are properly sorted. The government as a party that protects the community also does not provide these recycling facilities for the community, even though recycling waste can prevent the negative impacts that occur and provide benefits for the community

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<sup>86</sup> Fatwa MUI Nomor 41 Tahun 2014 tentang Pengelolaan Sampah Untuk Mencegah Kerusakan Lingkungan

itself. In the community itself, there is no recycling activity as a solution to the waste problem, as a result the volume of waste generated every day continues to increase. Therefore, the direct act of disposing of waste without sorting is an act of waste even though Allah SWT has prohibited wasteful or wasteful acts. This prohibition is conveyed by Allah SWT in the Qur'an Surah Al-Isra 'verse 27:

إِنَّ الْمُبَذِّرِينَ كَانُوا إِخْوَانَ الشَّيْطَانِ ۖ وَكَانَ الشَّيْطَانُ لِرَبِّهِ ۖ كَفُورًا

*“Verily, those who are wasteful are brothers of Satan, and Satan is very disapproving of his Lord.”*

The various ways of managing waste are one form of implementing *maslahah tahsiniyah*. This is in accordance with the purpose of *maslahah tahsiniyah* itself, which should exist to beautify life. Reusing waste is not an activity that must be fulfilled, but this activity needs to be carried out in order to provide perfection and beauty in human life. If the waste problem can be handled properly, then the reuse of waste will not be a problem.

The act of polluting the environment by illegally disposing of garbage is *haram*, this is because it causes more harm than benefit. In addition to being unlawful, this act is also a criminal act that harms the rights of others, so that the perpetrator can be subject to criminal penalties (*fiqh jinayah*). Therefore, littering at illegal TPS is prohibited.

Everyone is certainly familiar with the slogan "throw out the trash in its place!". Although the slogan continues to be promoted in every place and every activity, in fact it is just a writing that has no form. Therefore, to avoid the impact of illegal waste disposal getting worse, self-awareness must be grown not to damage the environment that Allah SWT has created by obediently disposing of garbage in its place.

Handling illegal waste disposal requires an active role from all parties. Without everyone's awareness, the waste problem would be impossible to solve. Socialization, invitations, and calls to protect the environment by not littering should continue to be encouraged. Religious figures also have an important role. An example of a simple role that can be done is to provide an understanding to raise public awareness regarding good waste management to maintain ecosystems and a responsible lifestyle through a religious approach. Through these religious activities, it is hoped that the community will be more concerned with waste management.

## CHAPTER V

### CLOSING

#### A. Conclusion

After the presentation of the discussion in chapters one to four with reference to the formulation of the problem, it can be concluded:

1. The handling of the problem of illegal waste disposal in Marpoyan Damai District based on Pekanbaru City Regulation Number 08 of 2014 concerning Waste Management has not been running properly. This is due to the government's lack of concern, especially the urban village in handling waste in their respective areas. Apart from the kelurahan and Marpoyan Damai sub-district, the Pekanbaru City Environment and Hygiene Service (DLHK) also encountered obstacles in terms of handling. These barriers are divided into two, namely internal and external barriers. These internal factors include the lack of a garbage collection fleet, the lack of operational funds for waste, and the difficulty of finding land to add to the construction of legal TPS. While external factors arise from people who throw garbage in any place, and are not disciplined in their waste disposal schedule.
2. In Islamic law there is no prohibition that specifically prohibits illegal dumping of garbage. However, the illegal dumping of waste that occurs in Marpoyan Damai Sub-district can be categorized as destruction on earth

which is unlawful. The ban was based on the impact of the illegal TPS. Garbage that accumulates in illegal TPS threatens the purpose of the Shari'a al-maqasid al-khamsah, namely threatening life, mind, property, religion, and offspring. In environmental fiqh, the handling of illegal waste can be categorized as *maslahah mursalah*, because it is related to the benefit of many people.

## **B. Suggestion**

Participation and synergy between the community and the government are needed to deal with dumping waste in illegal TPS, which impacts environmental health in the Marpoyan Damai District.

1. For the community not to throw garbage in illegal TPS, littering carelessly can have many negative impacts. The community should place the garbage in a particular container and then throw it at the legal TPS according to the garbage disposal schedule set by the Pekanbaru City Government, which is 7 p.m – 5 a.m.
2. The government of sub-district and district Marpoyan Damai should pay more attention to the people's aspirations and immediately solve the problem of illegal TPS waste. In handling it, one should not be choosy because the illegal TPS is still within its territory. For the Department of Environment and Sanitation (DLHK) of Pekanbaru City as an agency related to environmental issues in Pekanbaru City, it should be more active in terms of monitoring and fostering waste managers. In addition, Pekanbaru City DLHK must also increase the number of waste

transporting fleets because the current number of fleets cannot accommodate garbage which is expanding every day.



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## APPENDIXES



TPS legal PT. Sampurna



TPS illegal in bakti street Tengkareng Barat sub-district



Interview with the Headman Marpoyan Damai District



Interview with the Headman Tangkerang Barat sub-district





Interview with the community around the TPS illegal



Interview with the Department of Environment and Sanitation of Pekanbaru City





## PEMERINTAH KOTA PEKANBARU BADAN KESATUAN BANGSA DAN POLITIK

JL. ARIFIN AHMAD NO. 39 TELP. / FAX. (0761) 39399 PEKANBARU

### SURAT KETERANGAN PENELITIAN

Nomor : 071/BKBP-SKP/894/2021



- a. Dasar : 1. Undang-Undang Republik Indonesia Nomor 14 Tahun 2008 Tentang Keterbukaan Informasi Publik.  
2. Undang-Undang Republik Indonesia Nomor 25 Tahun 2009 Tentang Pelayanan Publik.  
3. Peraturan Pemerintah Republik Indonesia Nomor 18 Tahun 2016 Tentang Perangkat Daerah.  
4. Peraturan Menteri Dalam Negeri Nomor 3 Tahun 2018 Tentang Penerbitan Surat Keterangan Penelitian.  
5. Peraturan Daerah Kota Pekanbaru Nomor 9 Tahun 2016 Tentang Pembentukan dan Susunan Perangkat Daerah Kota Pekanbaru.
- b. Menimbang : Rekomendasi dari Kepala Dinas Penanaman Modal dan Pelayanan Terpadu Satu Pintu Provinsi Riau, nomor 503/DPMPSTP/NON IZIN-RISSET/39648 tanggal 15 Maret 2021, perihal pelaksanaan kegiatan Penelitian Riset/Pra Riset dan pengumpulan data untuk bahan Skripsi.

#### MEMBERITAHUKAN BAHWA :

1. Nama : RIZKY NANANG SUGIANTO
2. NIM : 17230054
3. Universitas : SYARIAH UIN MAULANA MALIK IBRAHIM MALANG
4. Jurusan : HUKUM TATA NEGARA
5. Jenjang : S1
6. Alamat : JL. FLAMBOYAN KEL. LANGGINI KEC. BANGKINANG KOTA-KAMPAR
7. Judul Penelitian : PENANGANAN PEMBUANGAN SAMPAH ILEGAL TERHADAP KESEHATAN LINGKUNGAN BERDASARKAN PERDA KOTA PEKANBARU NOMOR 08 TAHUN 2014 DAN FIQH LINGKUNGAN
8. Lokasi Penelitian : KANTOR KECAMATAN MARPOYAN DAMAI KOTA PEKANBARU

Untuk Melakukan Penelitian, dengan ketentuan sebagai berikut :

1. Tidak melakukan kegiatan yang menyimpang dari ketentuan yang telah ditetapkan yang tidak ada hubungan dengan kegiatan Riset/Pra Riset/ Penelitian dan pengumpulan data ini.
2. Pelaksanaan kegiatan Riset ini berlangsung selama 6 (enam) bulan terhitung mulai tanggal Surat Keterangan Penelitian ini dibuat.
3. Berpakaian sopan, mematuhi etika Kantor/Lokasi Penelitian, bersedia meninggalkan photo copy Kartu Tanda Pengenal.
4. Melaporkan hasil Penelitian kepada Walikota Pekanbaru c.q Kepala Badan Kesatuan Bangsa dan Politik Kota Pekanbaru, paling lambat 1 (satu) minggu setelah selesai.

Demikian Rekomendasi ini dibuat untuk dipergunakan sebagaimana mestinya.

Pekanbaru, 17 Maret 2021

Kepala Badan Kesatuan Bangsa dan Politik  
Kota Pekanbaru



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#### Tembusan

- Yth : 1. Wakil Dekan Bidang Akademik Fakultas Syariah Universitas Islam Negeri Maulana Malik Ibrahim Malang di Tempat.  
2. Yang Bersangkutan.



## PEMERINTAH KOTA PEKANBARU BADAN KESATUAN BANGSA DAN POLITIK

JL. ARIFIN AHMAD NO. 39 TELP. / FAX. (0761) 39399 PEKANBARU

### SURAT KETERANGAN PENELITIAN

Nomor : 071/BKBP-SKP/2021/42



- a. Dasar : 1. Undang-Undang Republik Indonesia Nomor 14 Tahun 2008 Tentang Keterbukaan Informasi Publik.  
2. Undang-Undang Republik Indonesia Nomor 25 Tahun 2009 Tentang Pelayanan Publik.  
3. Peraturan Pemerintah Republik Indonesia Nomor 18 Tahun 2016 Tentang Perangkat Daerah.  
4. Peraturan Menteri Dalam Negeri Nomor 3 Tahun 2018 Tentang Penerbitan Surat Keterangan Penelitian.  
5. Peraturan Daerah Kota Pekanbaru Nomor 9 Tahun 2016 Tentang Pembentukan dan Susunan Perangkat Daerah Kota Pekanbaru.
- b. Menimbang : Rekomendasi dari Kepala Dinas Penanaman Modal dan Pelayanan Terpadu Satu Pintu Provinsi Riau, nomor 503/DPMTSP/NON IZIN-RISET/36414 tanggal 6 Januari 2021, perihal pelaksanaan kegiatan Penelitian Riset/Pra Riset dan pengumpulan data untuk bahan Skripsi.

#### MEMBERITAHUKAN BAHWA :

- |                      |   |
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| 1. Nama              | : RIZKIY NANANG SUGIANTO  |
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| 3. Fakultas          | : SYARIAH UNIVERSITAS ISLAM NEGERI MAULANA MALIK IBRAHIM  |
| 4. Jurusan           | : HUKUM TATA NEGARA   |
| 5. Jenjang           | : S1  |
| 6. Alamat            | : JL. FLAMBOYAN KEL. LANGGINI KEC. BANGKINANG KOTA-KAMPAR   |
| 7. Judul Penelitian  | : A HANDLING PROBLEM ON ILLEGAL DISPOSAL WASTE FOR ENVIRONMENTAL HEALTH THROUGH PERDA PEKANBARU NOMOR 08 TAHUN 20014 AND ENVIRONMENTAL FIQH |
| 8. Lokasi Penelitian | : DINAS LINGKUNGAN HIDUP DAN KEBERSIHAN KOTA PEKANBARU  |

Untuk Melakukan Penelitian, dengan ketentuan sebagai berikut :

1. Tidak melakukan kegiatan yang menyimpang dari ketentuan yang telah ditetapkan yang tidak ada hubungan dengan kegiatan Riset/Pra Riset/ Penelitian dan pengumpulan data ini.
2. Pelaksanaan kegiatan Riset ini berlangsung selama 1 (satu) tahun terhitung mulai tanggal Surat Keterangan Penelitian ini dibuat.
3. Berpakaian sopan, mematuhi etika Kantor/Lokasi Penelitian, bersedia meninggalkan photo copy Kartu Tanda Pengenal.
4. Melaporkan hasil Penelitian kepada Walikota Pekanbaru c.q Kepala Badan Kesatuan Bangsa dan Politik Kota Pekanbaru, paling lambat 1 (satu) minggu setelah selesai.

Demikian Rekomendasi ini dibuat untuk dipergunakan sebagaimana mestinya.

Pekanbaru, 7 Januari 2021

a.n. Kepala Badan Kesatuan Bangsa dan Politik  
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- Yth : 1. Wakil Dekan Bidang Akademik Fakultas Syariah Universitas Islam Negeri Maulana Malik Ibrahim Malang di Malang.  
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## CURRICULUM VITAE



### A. Identity

Name	: Rizky Nanang Sugianto	
Gender	: Male	
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## B. Resume of Education

No	Attainment of Education	Institution of Education	Major	Graduation
1	SD	SDN 006 Langgini	-	2011
2	SMP	MTS PP. Assalam Naga Beralih	-	2014
3	SMA	MAS PP. Assalam Naga Beralih	Religion	2017
4	S1	UIN Maulana Malik Ibrahim Malang	Constitutional Law	2021