

Implementation of The Principle of Decentralization by The Cirebon Regency Government in Environmental Management (A Case Study of The Kubangdeleg Solid Waste Management Facility)

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ABSTRACT

Decentralisation in environmental management at the regional level is often positioned as a solution to align policies with local needs. However, in practice, the effectiveness of its implementation still gives rise to various problems. This study aims to examine how the principle of decentralisation is implemented in the management of the Kubangdeleg Tempat Pemrosesan Akhir Sampah (TPAS), or Final Waste Processing Site, in Cirebon Regency, while also identifying the factors that influence its effectiveness. The approach employed is a juridical-empirical approach with a descriptive-analytical orientation, which not only examines legal norms but also explores how these norms operate in practice through interviews and field observations. The results show that although the authority for environmental management has been formally delegated to the regional government, this has not been accompanied by the capacity to build a sustainable management system. TPAS management continues to operate in a reactive pattern focused on handling waste volume, rather than on systemic management. A clear gap therefore exists between what is expected by legal norms and what occurs on the ground. This condition is influenced by limited institutional capacity, weak environmental governance, insufficient inter-agency coordination, and minimal community involvement. Consequently, decentralisation in the management of the Kubangdeleg TPAS has not yet fully transitioned from the administrative to the substantive stage. This research confirms that strengthening regional capacity and improving governance are key to bridging this gap.

INTRODUCTION

Decentralization is one of the fundamental pillars of the Indonesian state system, which aims to bring public services closer while increasing the effectiveness of local government administration (Ferrazzi, 2022; Ibrahim, 2024; Kristanto et al., 2026; Mudhoffar et al., 2025; Pudjono et al., 2026; Putra et al., 2024; Setiawan et al., 2022). Normatively, this principle is constitutionally legitimized in the 1945 Constitution of the Republic of Indonesia, which affirms the recognition of regional autonomy as part of the design of a unitary state (Indonesia, 1945) Further strengthening is outlined in Law Number 23 of 2014 concerning Regional Government, which grants regions broad authority to regulate and manage government affairs, including in the environmental sector (Wicaksono, 2022). From a theoretical perspective, decentralization is not only interpreted as the distribution of administrative authority, but also as a mechanism to increase

policy responsiveness to local needs and strengthen local government accountability in the implementation of public affairs (Azis et al., 2015). This view aligns with the thinking of Harmono and Dwijaya, who assert that decentralization essentially aims not only to distribute authority from the central government to the regions, but also to encourage the realization of participatory, responsive, and sustainable development-oriented regional governance. Within this framework, the success of regional autonomy is largely determined by the ability of local governments to effectively manage their authority and involve the community in the governance process (Harmono & Dwijaya, 2025). Furthermore, in recent developments, decentralization is also seen as an instrument to strengthen the quality of regional governance oriented towards participation and sustainable development (Suryawati et al., 2025).

In the context of environmental management, decentralization is expected to create policies that are more adaptive to the ecological and social conditions of local communities. The national legal framework, Law Number 32 of 2009, emphasizes that local governments have the responsibility for comprehensive environmental protection and management, from the planning stage to supervision (Mukhlis et al., 2025). At the regional level, this responsibility is also strengthened through Cirebon Regency Regulation Number 6 of 2016 concerning Environmental Protection and Management. This regional regulation serves as the legal basis for the Cirebon Regency Government in carrying out its functions of planning, utilization, control, maintenance, supervision, and enforcement of environmental law. The existence of this regional regulation indicates that Cirebon Regency has adequate legal instruments to support the implementation of decentralized authority in the environmental sector. Furthermore, Government Regulation Number 22 of 2021 emphasizes the role of regions in ensuring environmental sustainability through more operational control instruments (Sitorus et al., 2022). However, in practice, the implementation of this authority often does not align with the expected normative objectives, especially when faced with limited institutional capacity and regional resources (Ruhayat et al., 2022). This condition indicates that the success of decentralization is determined not only by the regulatory aspect, but also by institutional readiness in implementing the granted authority (Mansyur et al., 2024).

Normatively, the authority of regional governments in environmental management has a strong legal basis in Law Number 32 of 2009 concerning Environmental Protection and Management. Article 63 paragraph (3) emphasizes that district/city governments have the duty and authority to determine regional environmental policies, provide guidance and supervision of business actors' compliance, and implement environmental protection and management in accordance with their authority. In addition, Article 65 paragraph (1) emphasizes that everyone has the right to a good and healthy environment as part of human rights. This provision shows that environmental management is not only an administrative obligation of regional governments, but also a form of fulfilling the community's constitutional right to a healthy environment.

One sector that most clearly demonstrates the tension between norms and practices is waste management. Law Number 18 of 2008 explicitly mandates that waste management must be carried out systematically, comprehensively, and sustainably (Number, 2018). In fact, the technical standards for managing Final Waste Processing Sites (TPAS) have been directed to transform from

an *open dumping system to a sanitary landfill* , as stipulated in Regulation of the Minister of Environment and Forestry Number P.10 of 2020 (Kamaruddin et al., 2022). However, the reality in various regions shows that waste management is still dominated by a reactive technical approach, thus failing to substantively address the demands for environmental sustainability (Nugroho et al., 2023) . In a broader context, this issue also shows that waste management has not been fully positioned as part of a sustainable development system based on good environmental governance (Al Fariz, 2024) .

These issues become even more complex when linked to the quality of environmental governance at the regional level. The *good environmental governance approach* emphasizes that successful environmental management is determined not only by the existence of regulations but also by the quality of their implementation through the principles of transparency, accountability, and public participation (Mustaghfiroh et al., 2020). More broadly, environmental governance is understood as the process of interaction between the state, society, and non-state actors in managing environmental resources sustainably (Suhardiman et al., 2025). Therefore, the issue of waste disposal site management cannot be understood solely as a technical issue, but rather as a reflection of the quality of regional governance in implementing the principle of decentralization.

Empirically, this situation can be observed in the management of the Kubangdeleg Landfill (TPAS) in Cirebon Regency. As the primary regional waste processing facility, this TPAS faces various issues, ranging from the use of *open dumping methods* , limited facilities and infrastructure, to environmental impacts directly felt by the surrounding community. This situation indicates a clear gap between the normative framework established by regulations and implementation practices in the field. Similar findings were also revealed in research highlighting the role of local governments in waste management at the local level, which still faces various capacity limitations (Siagian et al., 2025). Furthermore, the importance of legal synchronization in the implementation of environmental policies is also emphasized in studies showing that regulatory asymmetry can hinder the effectiveness of policies at the regional level (Salah et al., 2025)

Based on this description, it is clear that the main problem in environmental management at the regional level lies not in the absence of regulations, but rather in weak implementation influenced by various structural and non-structural factors. Within the framework of decentralization, this condition reflects an imbalance between the authority granted and the capacity of local governments. Therefore, this research is important to examine in more depth how the principle of decentralization is implemented in the management of the Kubangdeleg Landfill and the factors that influence its effectiveness. Furthermore, this study also seeks to provide a conceptual contribution in understanding decentralization not only as a distribution of administrative authority, but as a process that demands quality governance capable of bridging the gap between *das sollen* and *das sein* in environmental management practices (Dwijaya & Harmono, 2025). This approach is also in line with the view that the success of regional autonomy is largely determined by the quality of governance and the integration of effectively implemented policies (Sudrajat et al., 2023).

METHOD

This research employs a juridical-empirical approach combined with a descriptive-analytical method. The juridical-empirical approach was chosen because this study focuses not only on the legal norms codified in legislation, but also examines how these norms are implemented in practice on the ground. In this context, law is understood not merely as law on the books, but as law in action that interacts with social reality. Through the descriptive-analytical approach, this study seeks to systematically describe the legal framework relating to decentralisation and environmental management, while simultaneously analysing the gap between normative provisions and the practice of TPAS management at the regional level.

The data sources in this study consist of legal materials and empirical field data. The legal materials include primary legal materials in the form of laws and regulations relevant to decentralisation and environmental management, as well as secondary legal materials comprising scientific literature such as books and journals that support the research analysis. Empirical data were obtained through interviews with parties directly involved in TPAS management, including local government agencies, technical managers, and members of the local community. In addition to interviews, field observations were conducted to obtain a factual account of TPAS management conditions and the resulting environmental impacts, ensuring that the data gathered is not only normative but also contextual.

Data were collected through document studies, interviews, and observations, and subsequently analysed using a qualitative approach. The analysis was conducted by examining the relationship between applicable legal norms and empirical findings from the field, as well as identifying the factors that influence the effectiveness of policy implementation. The analytical process was carried out interpretively, emphasising the meaning of the data obtained, thereby producing a comprehensive understanding of the dynamics of decentralisation principles in environmental management. This research method is therefore expected to provide a thorough and in-depth account of the gap between *das Sollen* and *das Sein* in TPAS management practices at the regional level.

RESULTS AND DISCUSSION

Implementation of the Principle of Regional Government Decentralization in the Management of the Kubangdeleg TPAS, Cirebon Regency

The implementation of the principle of decentralization in environmental management is essentially a concrete manifestation of the delegation of authority from the central government to regional governments within the framework of regional autonomy. In the context of positive law, this authority has been affirmed through Law Number 23 of 2014 which places environmental affairs as part of concurrent government affairs that are the responsibility of the region. Normatively, this construction indicates that regional governments have sufficient space to formulate policies and implement environmental management in accordance with the characteristics of their regions (Hadita, 2020). However, when drawn into empirical practice, the delegation of this authority is not necessarily directly proportional to the effectiveness of

implementation in the field. This authority is also strengthened by the provisions of Article 12 paragraph (2) letter e of Law Number 23 of 2014 which places the environment as a mandatory government affair that is not related to basic services. Thus, regional governments have a constitutional and administrative responsibility to ensure the implementation of effective environmental protection and management in their regions.

In the context of Cirebon Regency, the implementation of this authority also gained legitimacy through Cirebon Regency Regional Regulation Number 6 of 2016 concerning Environmental Protection and Management (Cirebon Regency Regulation No. 6 of 2016). This regional regulation regulates various aspects of environmental protection and management that are the responsibility of the regional government, starting from planning, utilization, control, maintenance, supervision to environmental law enforcement. Thus, normatively, the Cirebon Regency Government has a sufficient legal basis to implement decentralized authority in environmental management, including in the management of the Kubangdeleg Final Waste Processing Site (TPAS).

From a theoretical perspective, decentralization should not only be understood as the distribution of administrative authority, but also as a process that demands the readiness of institutional capacity and technical capabilities of local governments. Azis emphasized that the success of decentralization is highly dependent on the alignment between the authority granted and the regional capacity to implement it (Azis, 2015) . In the context of the management of the Kubangdeleg Landfill, field findings indicate that formally the local government has exercised its authority through the Environmental Agency as the regional agency responsible for waste management. However, substantively, the implementation of this authority still faces various limitations that impact the suboptimal environmental management.

This condition can be seen from the management pattern of TPAS which is still dominated by a reactive technical approach. Waste management is more focused on transportation and disposal activities, without being balanced with an integrated and sustainable processing system. In fact, normatively, waste management has been regulated to be carried out systematically and sustainably as mandated in Law Number 18 of 2008. This mismatch between norms and practices indicates a significant gap between *das sollen* and *das sein* , which is a main indicator of the ineffective implementation of the principle of decentralization in environmental management at the regional level.

Furthermore, when analyzed within the framework of environmental governance, this condition reflects that the implementation of decentralization has not been fully accompanied by the application of *good environmental governance principles* . Mustaghfiroh and colleagues emphasize that the success of environmental management is largely determined by the quality of governance, including transparency, accountability, and public participation (Mustaghfiroh et al., 2020). In the context of the Kubangdeleg Landfill, management still tends to be administrative and technocratic, with relatively limited community involvement in the decision-making process. This indicates that the decentralization implemented has not been able to encourage the formation of inclusive and participatory governance.

Furthermore, the implementation of decentralization can also be seen in the extent to which local governments are able to integrate policies across sectors. In practice, landfill management still tends to be positioned as the sectoral responsibility of the Environmental Agency, without strong integration with other sectors such as health, regional planning, and community empowerment. This condition aligns with the findings of Gaza Palestin and colleagues, who showed that weak policy synchronization is a major obstacle to policy implementation at the regional level (Gaza Palestin et al., 2025). As a result, the resulting policies tend to be partial and unable to comprehensively address the complexity of environmental problems.

From a broader perspective, this situation indicates that decentralization in the management of the Kubangdeleg Landfill is still at the administrative stage, limited to the delegation of authority without being accompanied by strengthening the capacity and quality of governance. Mansyur (2024) stated that without adequate institutional capacity support, decentralization has the potential to only result in administrative burdens for local governments. This is reflected in practice in the field, where local governments focus more on managing daily operations than on developing a sustainability-oriented management system.

Thus, it is understandable that the implementation of the principle of decentralization in the management of the Kubangdeleg Landfill has not yet fully achieved the substantive effectiveness expected in the normative framework. While the authority held by the regional government has been formally exercised, it has not substantively produced environmental management quality that meets established standards. This situation emphasizes that decentralization cannot simply be understood as the delegation of authority, but must be accompanied by strengthening institutional capacity, policy integration, and the application of good environmental governance principles to bridge the gap between legal norms and practice on the ground.

Factors Influencing the Effectiveness of Implementing the Principle of Decentralization in the Management of Kubangdeleg TPAS

The effectiveness of implementing the principle of decentralization in environmental management cannot be separated from various interrelated factors, both structural and non-structural. In the context of the management of the Kubangdeleg Landfill, research findings indicate that although authority has been decentralized to local governments, its implementation still faces various obstacles that hinder the achievement of optimal management. This condition confirms that the success of decentralization is determined not only by normative aspects, but also by the ability of regions to manage their resources. From a regional autonomy perspective, Sudrajat (2023) emphasizes that the quality of governance is a key determining factor in the success of policy implementation at the local level. Therefore, an analysis of the factors influencing effectiveness is crucial to understanding the root of the problems that arise.

One of the most dominant factors is the limited institutional capacity and resources of local governments. In the management of the Kubangdeleg Waste Disposal Site (TPAS), these limitations are evident in the minimal budget support, limited facilities and infrastructure, and the suboptimal quality of human resources involved in waste management. This condition results in

TPAS management remaining conventional and unable to adopt more modern and sustainable management systems. This finding aligns with research by Nugroho and colleagues, which shows that limited local government capacity is a major factor hampering the implementation of waste management policies (Nugroho et al., 2023) . From a more critical perspective, this condition suggests that decentralization without capacity building will only result in administrative burdens without being followed by improvements in management quality.

In addition to capacity, the quality of environmental governance is also a crucial factor. In the context of the Kubangdeleg Landfill (TPAS), the principles of transparency, accountability, and public participation have not been optimally implemented. TPAS management tends to be top-down with limited community involvement, resulting in policies that do not fully reflect the needs of affected communities. Mustaghfiroh and colleagues emphasize that low public participation is a major cause of waste management failures in various regions (Mustaghfiroh et al., 2020). This demonstrates that environmental management issues are not only related to technical aspects but also to the quality of the relationship between the government and the community in the policy process.

Another equally important factor is weak inter-agency coordination and a lack of policy integration at the regional level. In practice, landfill management is still viewed as a sectoral responsibility under the Environmental Agency, without strong synergy with other related agencies, such as the health sector and regional planning. This situation results in policies that tend to be partial and unable to comprehensively address the complexity of the problem. Gaza Palestin and colleagues show that policy asymmetry is a major obstacle to policy implementation at the regional level (Gaza Palestin et al., 2025) . Thus, weak coordination indicates that decentralization has not been accompanied by the strengthening of integrated governance.

On the other hand, social factors also have a significant influence on the effectiveness of policy implementation. Field findings indicate that communities around the Kubangdeleg Landfill experience various environmental impacts, such as unpleasant odors, air pollution, and declining groundwater quality. However, the community's response to these conditions tends to be passive, with limited involvement in the policy-making process. This situation indicates a gap in the relationship between the government and the community, where the community is positioned more as an object of policy than an active subject. Siagian and colleagues also emphasized in their research that community involvement is a crucial factor in determining the success of waste management at the regional level (Siagian et al., 2025) . Without adequate participation, the resulting policies have the potential to lose social legitimacy.

In addition to these factors, the gap between policy and technical implementation is also a fundamental issue affecting the effectiveness of landfill management. Normatively, landfill management has been directed to use a more environmentally friendly *sanitary landfill system*. *However, in practice, management is still dominated by open dumping or semi-controlled dumping methods that do not comply with established standards.* This situation indicates that the formulated policies have not been fully implemented effectively in the field. Al Fariz emphasized that successful waste management depends heavily on the integration of policy, technical capacity, and

good governance (Al Fariz, 2024). Thus, the gap between policy and implementation indicates problems in policy design and implementation at the regional level.

From a broader perspective, all of these factors indicate that the implementation of decentralization in environmental management still faces complex and multidimensional challenges. Suhardiman and colleagues emphasize that environmental governance is the result of interactions between various actors that require effective coordination and collaboration (Suhardiman et al., 2025). However, in practice, these interactions have not been optimal, resulting in the resulting policies being unable to achieve the desired goals. Therefore, the effectiveness of decentralization is determined not only by the delegation of authority but also by the ability of local governments to build inclusive, integrated, and sustainable governance.

Thus, it can be concluded that the effectiveness of implementing the principle of decentralization in the management of the Kubangdeleg Landfill is influenced by various interrelated factors, ranging from institutional capacity, governance quality, policy coordination, and social dynamics. The complexity of these factors indicates that environmental management issues cannot be resolved through a single approach but rather require a comprehensive and integrated strategy. This also confirms that effective decentralization requires not only authority but also capacity readiness and quality governance capable of bridging the gap between norms and practices on the ground.

CONCLUSION

1. The implementation of the decentralization principle of the Cirebon Regency Regional Government in environmental management at the Kubangdeleg TPAS has been formally carried out in accordance with the authority granted by Law Number 23 of 2014 concerning Regional Government, Law Number 32 of 2009 concerning Environmental Protection and Management, and Cirebon Regency Regional Regulation Number 6 of 2016 concerning Environmental Protection and Management. However, substantively, the implementation has not been fully effective because TPAS management is still dominated by a reactive technical approach and is not fully oriented towards sustainable environmental management. This condition indicates that the implementation of decentralization is still at the administrative stage and has not fully achieved the substantive dimension as expected within the framework of good environmental governance (Law of the Republic of Indonesia Number 23 of 2014 concerning Regional Government, 2014; Law of the Republic of Indonesia Number 18 of 2008 concerning Waste Management, 2008).
2. The effectiveness of implementing the principle of decentralization in the management of the Kubangdeleg Landfill is influenced by various factors, including limited institutional capacity, budget constraints, human resources, and supporting facilities and infrastructure. Furthermore, suboptimal environmental governance, weak inter-agency coordination, and low community participation also impact the effectiveness of environmental management at the Kubangdeleg Landfill. These findings indicate that the primary issue lies not in the availability

of regulations, but rather in the capacity and quality of implementation of the authority held by the local government.

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