

## Community Participation in the Citarum Harum Program: A Review of Legal Aspects

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*Received: November 5, 2022; In Revised: December 29, 2022; Accepted: January 28, 2023*

### Abstract

The Citarum river problem has been trying to be resolved for a long time. However, this problem is complicated to address because the community is often not involved, even though the community is one of the main components of environmental conservation. This research then looks at how community participation in the Citarum Harum program is viewed from a legal perspective. This study uses a qualitative approach. The data used in this research is secondary data that comes from different research results and studies, as well as laws that still have relevance to the contents of this research. The results of this study then found that community participation helped implement the Citarum Harum program. As viewed from the legal aspect, community participation is in line with Law No. 32 of 2009 concerning the Protection and Management of the Environment and Presidential Regulation Number 15 of 2018 concerning the Acceleration of Control of Pollution and Damage to the Citarum River Basin.

**Keywords:** *Community Participation, Environment, Citarum River.*

### Introduction

The river is one of the water sources that have a vital role for humans. Various strategic functions are contained in it, such as a source of drinking water and water to support daily activities, a source of water for agriculture and industry, power generation, transportation, and recreation facilities, and also as an ecosystem center in which there is river biota that can be used as a source of material for human consumption. Rivers are essential to be preserved. However, nowadays, the rivers have been polluted by various pollutants, which have caused the rivers to no longer function as they should (Giri, 2021).

In Indonesia, the most common problem in watershed areas is land use change or land conversion from time to time. Environmental damage occurs due to the utilization of the environment exceeding the capacity of the carrying capacity and capacity of the environment. The occurrence of floods, erosion, landslides, sedimentation and droughts indicates the environment's low carrying capacity in the watershed area (DAS), which will disrupt the economy and social life (DAS Handayani et al., 2020).

One of the watersheds (DAS) that has experienced heavy pollution is the Citarum watershed. Ekawaty said there had been a significant change in land use from upstream to downstream of the Citarum watershed, marked by a decreasing trend of forest area while settlements had increased. Changes in land use have had an impact in the form of a reduction in infiltration capacity so that the runoff coefficient in the Upper Citarum Watershed is already in the critical category, which has resulted in flooding in the downstream Ciliwung to Jakarta (Ekawaty et al., 2022).

The Citarum River is life for residents of West Java and DKI Jakarta. This river supplies raw water for the domestic needs of around 27 million people. The Citarum River stretches for 297 km with its headwaters in Situ Cisanti, located at the foot of Mount Wayang, Bandung Regency, and empties into the North Coast of Java Island, Muara Gembong, Bekasi Regency. The Citarum River flows westward, passing Majalaya and Dayeuhkolot, turning to the Northwest and North, becoming the border of Cianjur Regency and West Bandung Regency, passing through Purwakarta Regency and ending in Karawang Regency (Anwar et al., 2019).

The Citarum River has an essential role for the people who live around it as a source of raw water for domestic needs, irrigation water for hundreds of thousands of hectares of rice fields, and a power plant for the islands of Java and Bali. The community also uses fishery resources from the Citarum River, traditionally by fishing and cultivating fish in floating net cages in reservoirs or dams built in its stream (Abdoellah et al., 2020). Three reservoirs are built along the Citarum River: Saguling Reservoir, Cirata Reservoir, and Jatiluhur Reservoir. Industries located around the Citarum River use the Citarum River as raw water for industrial needs and a container for waste disposal. The Citarum River has a very strategic function in the economic, social, cultural, and other essential functions (Ratri et al., 2023).

However, with the advent of the industrialization era that began in the 1980s, the Citarum River underwent significant changes in a negative direction. Pollution and damage to the Citarum River include industrial pollution, agricultural waste, livestock waste, fishery waste, and domestic waste, both domestic liquid and domestic waste. Pollution occurred along the Citarum River from upstream to downstream, which has caused the condition of the Citarum River to become narrow, shallow, dirty, murky, and full of garbage (Luckyardi et al., 2021). The Citarum River is even one of the most polluted rivers in the world and is in the spotlight in environmental reclamation efforts. Toxic chemical waste from industry is discharged into the Citarum River without supervision and action from the government. Deforestation occurred in the upper reaches of the Citarum River, with slum settlements standing on its banks (Fridayani, 2020).

The Provincial Government of West Java issued a program in the context of restoring the Citarum River from pollution, namely the Citarum Harum Program, which aims to restore the Citarum River to its original state. The program is planned to be implemented for seven years (Juwana et al., 2022). The Citarum Harum program focuses on solving problems in the aspect of handling critical land; handling industrial, fishery, and livestock waste; handling domestic liquid waste and solid waste; controlling the use of space/river; law enforcement; education and public relations; as well as water quality monitoring (Zakiah & Suprayogi, 2020).

For the Citarum Harum program to run well and optimally, there is a need for reasonably active participation in the community. This is because the community is a member who interacts with the river every day. For the participation of the community to run optimally, it certainly needs a regulation or law that looks at how the development of community participation is towards the success of the Citarum Harum program (Idris et al., 2019). Based on the brief explanation above, the researcher intends to look at how community participation in the Citarum Harum program is reviewed from a legal perspective.

Keith Davis defines participation as the involvement of people in group situations mentally and emotionally, which encourages members to contribute to achieving group goals, and are jointly responsible for these goals. Asnagasri defines participation as a conscious effort, individually and in groups, in activities while strengthening the potential or power possessed by each community (Amran et al., 2022). Community Paul is one of the goals of community participation. The purpose of community participation in terms of beneficiary capacity is to increase project effectiveness, increase project efficiency, and share project costs. Heller describes participation as individuals making decisions about an institution, program, and the environment that influences it (Ananga et al., 2020).

Community participation can be interpreted as a person's willingness to participate in an activity or organization according to their abilities. This involvement is a person's awareness as part of a group to be jointly responsible for that goal (Maryani et al., 2021). Cohen and Uphoff differentiate participation into four types based on the system and mechanism, namely:

- a. Participation in decision-making, namely community participation in decision-making processes and organizational policies,

- b. Participation in implementation, namely community participation or participation in the development of operational activities based on a predetermined program,
- c. Participation in benefit, namely community participation in enjoying or utilizing development results achieved in the implementation of development,
- d. Participation in evaluation, namely community participation in assessing and supervising development activities and their results (Islam et al., 2020).

According to its level participation can be divided into three levels, namely:

- a. Initiative participation, namely participation that invites initiatives both formally and informally regarding a project needed by the community.
- b. Participation in decision-making, namely participation at the level of discussion or making decisions about a project.
- c. Execution participation is at the implementation level of project activity (Kowasch et al., 2021).

Classification of community participation based on involvement is divided into two, namely:

- a. Direct participation is participation that occurs when individuals or groups in an activity can submit views and discuss the main issues, including funds, human resources (HR), and infrastructure.
- b. Indirect participation is participation that occurs when individuals or groups delegate their participation rights, including ideas for thinking of activity or making decisions (Ge et al., 2021).

Community participation plays an essential role in realizing development. Community participation in development will facilitate and accelerate the development process. Community participation has several forms, namely:

- a. Asset participation is a form of community participation that donates assets, usually in the form of money, tools, and equipment, to facilitate efforts to meet the needs of the community in a place that needs assistance.
- b. Labor participation is participation given in the form of labor to facilitate a job or efforts to support the sustainability of an activity or program.
- c. Skills participation is community participation that provides encouragement to people in need through the skills it has.
- d. Thought participation is participation in the form of contributions of ideas, opinions, and ideas both for program preparation, facilitating a program, and providing experience and knowledge to develop the activities one participates in (Mehra et al., 2020).

Since the establishment of many industries and buildings along the Citarum watershed, domestic and industrial waste disposal activities have resulted in the Citarum River being heavily polluted. The problems in the Citarum watershed are caused by inappropriate spatial zoning, causing a decline in the function of protected areas and degradation of water resources conservation, thus causing an increase in the number of critical lands in the Citarum watershed (Bainus et al., 2021). The management of industrial, agricultural, and livestock waste does not meet quality standards, a lack of strict law enforcement and public education also causes this. The absence of domestic liquid waste management facilities and community waste management causes water and soil pollution along the Citarum River. The fundamental problem that causes pollution in the Citarum River is the low public awareness of living a clean and healthy life (Zheng et al., 2021).

Seeing this phenomenon, the government made various efforts to improve the condition of the Citarum River through several programs. Until now seven programs have been implemented since 1989. The first program the West Java Provincial government realized in 1989 was PROKASIH (Clean River Program) (Ervina et al., 2020). PROKASIH did not produce

satisfactory results, so the government again launched a new program, namely the *Citarum Bergetar* program in 2000-2003, which in the end also did not achieve the desired results. From 2008 to 2011, the government created the ICWRMIP (Integrated Citarum Water Resources Management Investment Program) program, which was shortened to *Citarum Terpadu*, which also failed (Widyaningsih & Van den Broeck, 2021).

The government again issued a program with the same aim from 2013 to 2018 named the Citarum Bestari program. Just like the previous programs, the Citarum Bestari program also failed to restore the condition of the Citarum River to normal. In early 2018, the West Java provincial government, led directly by the President, again issued a program to tackle the Citarum River problem, namely the Citarum Harum Program (Taskov et al., 2021). The Citarum Harum program was inaugurated through Presidential Regulation Number 15 of 2018 concerning the Acceleration of Control of Pollution Damage to the Citarum River Basin (DAS). The Citarum Harum program's primary objective, besides restoring function and revitalizing the Citarum River, is to build human sensitivity regarding environmental preservation. Therefore, efforts to overcome environmental problems are not enough to be applied only at the policy level but starting from the level closest to the community as a strategic way to overcome environmental issues (Pratama et al., 2020).

The Citarum Harum Program aims to solve problems related to Citarum River pollution through various sub-programs directly related to the causes of pollution and those not directly related. The subprograms of the Citarum Harum Program are:

- a. Management of Critical Land
- b. Handling of the industrial, fishery, and livestock waste
- c. Handling of Domestic Liquid Waste
- d. Waste Handling
- e. Education and Public Relations
- f. Control of Space Utilization
- g. Law Enforcement (Nurjanah & Samsir, 2021).

The Citarum Harum program is planned for seven years, starting in 2019 and targeted for completion in 2025. Citarum management will be divided into three stages: upstream, middle, and downstream. Its implementation is integrated by the central, provincial, district/city governments and all relevant ministries, including the Military Command III/Siliwangi and the West Java Regional Police. The policymakers and implementers of the Citarum Harum program play a role in setting strategies so that environmental communication messages can be conveyed to the public, including increasing awareness and changing people's attitudes (Pambudi, 2022).

### Research Methods

This research will be carried out using a qualitative approach. The data used in this study came from various previous studies and studies that discussed community involvement and participation in running the Citarum Harum program. In addition, this study also uses two statutory regulations as observers. The research data that the researcher successfully collected will then be processed immediately so that the results of this study can be found.

### Result and Discussion

#### A. Implementation of the Citarum Harum Program

How to restore damage to the Citarum River basin, carried out by rolling out various programs in the previous year but not yet optimal. Even by forming and lowering the Task Force unit, which Kodam III Siliwangi directly supervises as the Liding sector. Emphasizing sanctions, penalties, and fines for those still destroying and polluting the Citarum River has become a deterrent effect little by little for actors who don't care about the river.

Even though the handling of the Citarum River is currently not fully maximized because the program has only been running for four years, floods are still occurring in the Bandung basin area, especially the Baleendah and Dayeuhkolot areas. To save the Citarum River, especially in the Baleendah Area, Bandung Regency, and to optimally handle the damage and pollution of the Citarum River Basin, all parties who have a stake in the environmental sector in particular and related elements need to make concrete efforts together so that the resulting losses do not increase from time to time. And dominantly, no one feels aggrieved.

The various actions taken by the Task Force in the field are undoubtedly firm and follow the action plan. With the Liding of the TNI sector, which is directly Stanbay at the Command Post and every day carrying out activities such as educating the community, arranging riverbanks (turned slums into parks, etc.), holding social services with the community as a form of approach so that people care about the environment, inspecting and casting factories which are still naughty throw waste into the river. So, with the Citarum Wangi program policy strategy, which has been running for about four years, there have been few changes to the Citarum River.

The actions taken as part of the sector's daily program are outreach and education, especially in reducing waste and collecting waste for the community. But until now, the difficulties encountered in the field, especially those related to citizen awareness, even though various socialization activities have been conveyed, have changed the lifestyle ingrained in society, which sometimes requires more excellent education.

Even though the sector is always in the watershed daily, it is still common to find trash dumped into the river. This means that some people are still not aware, this is also due to a lack of monitoring because not all corners of the river basin have been installed with CCTV, but only a portion of the points have been installed. This is also due to the limited funds that have been determined in the action plan for seven years because, in the field, they only carry out the plans that have been set so that they cannot change, especially those related to the budget.

### **B. Community Participation in the Citarum Harum Program**

A policy will work well if it is supported by the participation of the surrounding community, starting from prevention efforts and pollution control to Citarum watershed restoration. There has been some community participation in improving the Citarum watershed through the National Mental Revolution Movement (GNRM) program and the Citarum Wangi program. The aim of the program itself is to increase the participation capacity of the community by working together to revitalize the Citarum watershed. The program started with outreach, training, and forming community groups around the Citarum watershed. The community is used as the implementing subject in the success of the Citarum Harum program. One of the newest programs is holding an activity posting competition with the hashtag mental revolution Citarum which is conveyed through social media platforms with high participation from residents.

Apart from that, the government also empowers the community of scavengers around the Citarum river banks. The number of scavenger members is 53 garbage collectors in the saguling reservoir. Empowerment is carried out by recycling plastic waste into souvenirs, and water hyacinth is made into a kind of handicraft such as bags, pouches, mats, etc. This effort impacts the lack of numbers until the Citarum River flows, and the scavenger community is also involved in it, so this will speed up the Citarum River revitalization process. So, community participation is quite optimal because it involves ordinary people in marginalized communities through training programs and other education.

### **C. Law of the Republic of Indonesia Number 32 of 2009**

The Citarum Haru program was initially based on the Law of the Republic of Indonesia No. 32 of 2009 regarding environmental protection and management. This law explains that a good and healthy environment is a human right that every Indonesian citizen should have. In this law, it is explained that environmental sustainability must be based on community welfare. That is, every actor, be it the community, agencies, institutions, or government who interact with the environment, must protect the environment so that people can live in the area properly.

Article 98, paragraph 1 explains that any actor who deliberately reduces the quality of water, air, or other forms of environmental destruction can be imprisoned for a minimum of 3 years and a maximum of 10 years. Meanwhile, if the act of damaging the environment is carried out unintentionally, Article 99 paragraph 1 states that the perpetrator can be subject to imprisonment for a minimum of 1 year, with a maximum imprisonment of 3 years. Indirectly, this law not only punishes actors in the financial world, such as factory owners who pollute the environment, but actors in the form of communities or individuals are also part of the actors mentioned in this law. Apart from that, the community also needs to be active in protecting the environment around them because the primary purpose of the formation of this law is to be able to protect the environment and the areas people live in.

In the case of the Citarum Harum program, this law is still valid to protect the Citarum river environment. This is because the Citarum river is essential to the community's social and economic life. The river provides a water supply and supports agricultural, fishing, industrial activities, sewage disposal, and electricity for millions of people. Community participation in protecting the Citarum river environment is a must based on Law no. 32 of 2009.

### **D. Regulation of the President of the Republic of Indonesia Number 15 of 2018**

Presidential Decree No. 15 of 2018 concerning the acceleration of pollution control and damage to the Citarum river basin exists because of the problems presented by the Citarum river, which have not been resolved. This problem continues to drag on, and damage to the Citarum river needs to be taken in an integrated strategic accelerated step. This is necessary to carry out control and law enforcement so that various authorized institutions and stakeholders, including the community, can appropriately integrate into the Citarum river restoration.

Presidential Regulation No. 15 of 2018 concerning the Acceleration of Pollution Control and Damage to the Citarum River Basin aims to save the Citarum Watershed from becoming a clean river within the next seven years. In addition, this regulation is expected to create synergy and build coordination between ministries/agencies, provincial and district/city governments around the Citarum watershed, and support from the TNI, which involves all elements of society. The government hopes that after the enactment of Presidential Regulation No. 15 of 2018 concerning the Acceleration of Control of Pollution and Damage to the Citarum River Basin, several significant changes will appear in the area.

In its implementation, this Perpres involves various parties, including the government and community participation. Controlling pollution and damage to the Citarum watershed involves an organizational structure that is clearly structured to make it easier to carry out its duties and responsibilities. The organization formed was named the Citarum DAS Team, which consisted of a director and a task force called the task force. The Steering Committee comprises several ministers, the Attorney General, TNI, Polri, the Cabinet Secretariat, and the Head of the Financial and Development Supervisory Agency, who coordinate and work together. Meanwhile, the task force team consists of the Governor, the Commander of the Regional Command, the Regional Police Chief, and the Head of the High Prosecutor's Office.

Then the implementation here starts with tackling pollution through outreach and education to the community, handling waste, relocating people, innovating with existing technology, and empowering the community. Meanwhile, the evaluation is carried out by the director once in 3 months and reports the results of the evaluation are sent to the President once in 6 months.

Education for the community needs to be carried out intensively. The government and various related parties must strive to provide correct knowledge to the public, especially regarding environmental sustainability. It often happens that people's deviant behavior, in the sense of not caring about the natural surroundings, is not on purpose but is caused by a lack of knowledge about natural sustainability.

For this reason, the government, together with competent parties, needs to be able to design educational activity plans that can educate the public. At the very least, the community understands the basics of protecting nature, starting from small things such as disposing trash in its place, applying the 3R concept, etc. Appropriate and interesting educational media such as making stickers, pamphlets, posters, banners, and billboards in crowded places are expected to convey the message of nature conservation in an effective and long term "long term". The utilization of multimedia in this highly sophisticated era, starting from conveying environmental messages on radio, television, internet, etc., must become the primary media, the "main media" of delivery. Moreover, coupled with good audiovisual effects will further increase public interest and interest.

In addition to education in these media, education also needs to be balanced with physical activities in the form of counseling, outreach, training, "coaching clinic", etc. It is hoped that with this method of direct practice in the field, the public will better understand the message being conveyed rather than just conveying theory. After implementing education for the community, there is a need for sustainability to protect the Citarum river. This sustainability allocates a budget by setting several programs that will be carried out in the long term. This sustainability is carried out by Ministries or organizations as well as Regional Governments. In controlling the Citarum watershed, the community also has a crucial role in preventing, mitigating pollution, and improving the Citarum watershed. This community participation can be in the form of personal, community, or religious organizations, business actors, and several other communities.

### **Conclusion**

The problems that occur in the Citarum river area are dominated by the low awareness of the local community and government for natural preservation in the Citarum river area. Various problems in this river then led to the formation of Presidential Regulation No. 15 of 2018. Through this Presidential Decree, community participation is an essential element that influences the preservation and control of the Citarum Harum program. Besides, community participation in this program is also in line with Law No. 32 of 2009 concerning legal protection and management. From a legal point of view, community involvement in the Citarum program should indeed be an obligation because, in the end, a healthy environment aims to prosper the community.

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