

LAW AND REDUCING THE USE OF PLASTIC BAGS IN THE CITY OF SURABAYA

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According to the Ministry of Environment and Forestry of the Republic of Indonesia, in 2017-2018 the waste generation of the City of Surabaya was 2,790.89 tons/day with a population of 3,074,883 people, while the waste generation in Surabaya City was 1,200 tons/day, with a population of 3,024,321 souls.[1] Indirectly, human survival cannot be separated from crime and plastic. Referring to the Surabaya Mayor Regulation Number 16 of 2022 concerning Reducing the Use of Plastic Bags in the City of Surabaya, access to plastic is decreasing. One example is in shops that replace plastic with shopping bags. What exactly is the Surabaya City Government trying to achieve?

When a prohibition is not supported by maximum implementation and continuous socialization, it will all be lost. In such a concept, the benefit of the law is the main thing. The benefits of law are related to the sociology of law, which in the end will make society better. Law enforcement that has been practiced so far should use a cultural juridical approach, namely that judges must always explore legal values and a sense of justice that live in society that comes from unwritten sources of law. Law enforcement officials in enforcing the law do not merely enforce the law, that is, they do not only look at the formal aspects of an act but also have to see how the law lives in the surrounding community. [2]

The implementation of reducing plastic waste must be carried out in stages and education in the form of legal counseling. Garbage generated by households must receive fair treatment because small shops are still encountered by traders who give plastic bags to buyers. This is actually not in line with the Surabaya Mayor's Regulation Number 16 of 2022 concerning Reducing the Use of Plastic Bags in the City of Surabaya because if you don't provide plastic bags, it will have a positive effect on the small shop. The level of complexity of the components and types of waste is determined by the cultural level of the community, where the more advanced the level of community culture, the more complex the composition and types of waste. Waste management needs to be carried out comprehensively and integrated with social, economic and technical aspects starting from the source to the Final Processing Site.[3] What is done by shopping managers, for example, is by writing that there is a prohibition on using plastic bags, but the goods offered instead are shopping bags which are actually also made of plastic. In addition, there are still many food or beverage products that use plastic as a label. Sometimes also the use of shopping receipt paper where the size when buying one product is the same as buying three products. This means that the prohibition does not necessarily thwart it completely, but on the other hand it actually adds to it.

Referring to Article 1 number 10 and number 11 of Surabaya Mayor Regulation Number 16 of 2022 concerning Reducing the Use of Plastic Bags in the City of Surabaya, it is stated that plastic shopping bags or hereinafter referred to as plastic bags are bags made of/or containing plastic, latex, polyethylene, thermoplastic synthetic polymeric or other similar materials, with handrails,

which are used as media for lifting or transporting goods. Eco-friendly shopping bags are non-plastic reusable shopping bags that can be made from organic basic materials that are easily biodegradable and can be used repeatedly. Law is inseparable from human life because law is a rule to regulate human behavior in life.[4]

Law enforcement officers must also pay attention to what it means to make a statutory regulation because someone obeys due to compulsion. In French alienation thought it is known that personal desires must be united in common desires so that what is desired will be achieved. [5] The state must become more orderly in law enforcement. Being more orderly actually leads to self-awareness and has legal implications for other communities. The analogy with Covid-19 makes the meaning of human rights more sensitive and misinterpreted. There are some parties who try to underestimate Covid-19 by understanding it as a human right, so that they are free to determine the fate of their health. The state in a pandemic condition is tasked with providing the best for the community, such as health services, a sense of security, a stable economy, to the sustainability of life. The social contract must be interpreted as part of state life that prioritizes welfare. Therefore, information disclosure is needed and improved.[6]

During the Covid-19 era, there were various issues that were considered trivial and contrary to human rights. The existence of Covid-19 has led to changes in the order of life from normal to having to comply with health protocols implemented by the government in various places to anticipate the spread of covid-19, for example in implementing health protocols in places of worship and in crowded places. In terms of performing worship in a mosque environment, a person is obliged to obey the protocols that have been implemented but in reality many people don't comply with health protocols and don't care about the safety of others. If this is the case, then the mosque administrators or as takmir of the mosque must be responsible for the violations that occur because they are supposed to enforce health protocols in the mosque environment which is their obligation. The takmir of the mosque as the person in charge of all activities carried out in the mosque must fulfill its responsibility in a civil manner towards public disobedience to health protocols that are not obeyed because the mosque takmir should strictly enforce the health protocol. [7] In the end, understanding the environment must be interpreted with the desire to change one's existence for the better.

Daftar Pustaka

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