

The Effectiveness of the Implementation of Bali Governor Regulation No. 47 of 2019 on Source-Based Waste Management

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Abstract. Bali Governor Regulation No. 47 of 2019 stipulates that producers are obligated to reduce waste by retrieving household waste—and similar types of waste—from products and their packaging for recycling, reuse, and repurposing. In this regard, producers must designate unit waste banks, sector waste banks, and/or main waste banks in each district/city as Temporary Storage Facilities. The approach employed in this empirical legal research is descriptive-analytical. In this study, primary data were obtained from interviews conducted by the author with respondents and informants directly in the field. The respondents comprised members of the community in Kelurahan Ubung. Legal materials were collected through interviews, and the analysis of these materials was carried out using a descriptive qualitative method. The analysis indicates that, prior to the implementation of Bali Governor Regulation No. 47 of 2019, waste management in Kelurahan Ubung faced challenges such as inadequate waste management infrastructure, an unorganized collection system, insufficient waste sorting, and low environmental awareness among the community. However, following the implementation of the regulation, significant improvements were observed in the area. The effective implementation of the regulation has yielded positive outcomes, including enhanced waste management infrastructure, more coordinated and source-based waste management practices, increased environmental awareness among community members, as well as improved waste sorting and recycling. Consequently, the policy has succeeded in enhancing the quality of waste management and in delivering positive impacts on both the environment and the well-being of the community in Kelurahan Ubung.

Keywords: effectiveness; policy; waste

INTRODUCTION

The steadily increasing population in Indonesia over the years has led to a corresponding rise in waste volume. The modern lifestyle has contributed to diversified consumption patterns among the community, which in turn has resulted in an increase in waste types that are categorized as hazardous and difficult to decompose naturally. Consequently, waste management must be regulated and tailored to existing conditions. Waste should be regarded as a resource that holds economic value and offers benefits—for example, waste can be processed into compost, fertilizer, industrial raw materials, and other useful products. It is essential that waste management is addressed systematically and coherently throughout the entire chain—from upstream to downstream—with a primary focus on waste reduction and proper handling. Article 28H, paragraph (1) of the 1945 Constitution states: “Every person shall have the right to live a prosperous life, both physically and mentally, to reside in a place that provides a good and healthy living environment, and to receive health services.”

The environment is defined as everything surrounding a system that directly affects its condition. This legal provision implies that the government holds the authority and responsibility to provide public services in the area of waste management, which involves the participation of the community. The

government's public service obligation is manifested through source-based waste management, while the community is responsible for the waste they generate (Kurniawan & Santoso, 2020).

In order to implement integrated and comprehensive waste management, to fulfill the rights and obligations of the community, and to execute the tasks and authorities of both the central and regional governments in delivering public services, a legal framework in the form of a statute is required. The legal regulation of waste management in this law is based on the principles of responsibility, sustainability, benefit, justice, awareness, togetherness, safety, security, and economic value (Wildawati & Hasnita, 2020). Article 44, paragraph (1) of Law No. 18 of 2008 on Waste Management states: "Regional governments must develop a closure plan for final waste processing sites (*TPA: tempat pemrosesan akhir*) that employ open systems within one year from the law's enactment." Furthermore, paragraph (2) stipulates that regional governments must close final waste processing sites that use open dumping systems within a maximum of five (5) years from the law's enactment. The open dumping method should have been abandoned since 2013; however, in reality, many local governments have yet to implement this change.

In 2017, in response to the increasingly urgent pressures on waste management and the rising daily volume of waste, the President of Indonesia, Joko Widodo, issued Presidential Regulation (Perpres) No. 97 of 2017. This regulation specifically addresses the National Policy and Strategy for Household Waste and Similar Household Waste Management, known as "Jakstranas", as well as the Regional Strategic Policy referred to as "Jakstrada". The primary focus of this regulation is set forth in Article 3, which covers the reduction and handling of household waste and similar waste. At the regional level, Bali Governor Regulation No. 47 of 2019 broadens the scope of waste management policies by addressing aspects such as waste types and sources, household waste management, management of similar household waste, specific waste management, management by producers, residual waste management, obligations, prohibitions, community participation, guidance and supervision, and financing (Tafsiruddin, 2023). This regulation also defines the categories of waste under its purview, including household waste, similar household waste, and specific waste. With these regulations in place, it is expected that a strong legal framework for effective and sustainable waste management in Indonesia—particularly at the household level—will be established. The issuance of this Presidential Regulation demonstrates that the central government is highly committed and has assumed responsibility for addressing waste management issues. It is imperative that regional governments follow through to ensure effective implementation within their jurisdictions. One of the regional governments actively addressing waste management is that of Bali, under Governor I Wayan Koster. He stated that the total daily waste generation in the Province of Bali reaches 4,281 tons. Of this amount, 2,061 tons per day (48%) are managed properly. Among the properly managed waste, only 4% (164 tons per day) is recycled, while 1,897 tons per day (44%) are disposed of in final waste disposal sites (TPA). Meanwhile, waste that is not managed properly amounts to 2,220 tons per day (52%), which includes waste that is burned (19%), discarded into the environment (22%), and discharged into water channels (11%) (Gunawan, 2021).

Bali Governor Regulation No. 47 of 2019 stipulates the obligation of producers to reduce waste by retrieving household waste, waste similar to household waste, and specific waste from products and their packaging for recycling, reuse, and repurposing. This is to be achieved by designating unit waste banks, sector waste banks, and/or main waste banks in each regency/city as Temporary Storage Facilities. The implementation of waste management is based on two approaches: waste reduction and waste handling. Waste reduction encompasses activities such as minimizing waste generation (reduce), recycling waste (recycle), and reusing waste (reuse), while waste handling involves the sorting, collection, transportation, processing, and final treatment of waste. As part of this waste reduction initiative, the Governor of Bali calls upon all segments of society to actively participate in waste sorting and to help educate their communities. Furthermore, Traditional Villages (*Desa Adat*) are expected to play an active role in waste management by (1) drafting customary regulations (*Awig-Awig/Pararem*) to foster a culture of clean living within their territories, (2) Consistently implementing the provisions set forth in these customary regulations; and (3) Enforcing customary sanctions against violations of these regulations (Mulasari et al., 2016).

Based on the background issues outlined above, the author intends to conduct a study entitled: "The Effectiveness of the Implementation of Bali Governor Regulation No. 47 of 2019 on Source-Based Waste Management."

METHOD

The approach employed in empirical legal research differs from that used in normative legal research. Empirical legal research focuses on how law functions within society. In this study, one of the approaches utilized is the legal sociology approach, which analyzes how reactions and interactions occur when the normative system operates in society. In addition, the sociological approach to law is also recognized—this approach conceptualizes law as a form of behavior that is institutionalized and attains social legitimacy.

This research is specified as descriptive-analytical. Descriptive-analytical research aims to accurately depict individuals, conditions, phenomena, or particular groups, or to determine the frequency of certain phenomena within society (Mamudji, 2005). In this study, primary data are obtained from interviews conducted by the author with respondents and informants who were directly questioned in the field. Respondents are individuals who are requested to provide information regarding specific facts or opinions. Informants are individuals presumed to have comprehensive knowledge and understanding of the data, information, or facts related to the research object. The respondents in this study are the community members of Kelurahan Ubung. Secondary legal materials consist of sources closely related to primary legal materials, which assist in analyzing and understanding the primary data. These include literature books, research findings, and other bibliographic sources relevant to the study, providing further explanation and context for the primary data.

Collection of the legal materials in this study is conducted through interviews. In analyzing the legal materials, the author employs a descriptive qualitative analysis approach. The secondary legal materials obtained will be presented and analyzed to provide answers to the issues at hand. This is intended to ascertain the truth by elaborating on the collected data, thereby facilitating the resolution of the problems.

RESULTS AND DISCUSSION

Overview of Waste Management in Kelurahan Ubung Prior to the Implementation of Bali Governor Regulation No. 47 of 2019 on Source-based Waste Management

Denpasar City, located in the heart of Bali Island, is not only the capital of a Level II regional government but also the provincial capital of Bali, serving as the center of government, education, and the economy. Its highly strategic location is advantageous both economically and for tourism, as it functions as a central hub for various activities and as a connecting point to other regencies. Geographically, Denpasar City is situated in the lowland area in the southern part of Bali Island. As the capital of Bali Province, Denpasar is positioned approximately between 08°35'31" and 08°44'49" South Latitude and between 115°10'23" and 115°16'27" East Longitude. The boundaries of Denpasar City are defined as follows: to the west and north by Badung Regency, to the east by Gianyar Regency, and to the south by the Badung Strait. From a geographical perspective, the Denpasar Utara (North Denpasar) district is located on the northern side of Denpasar City, with its boundaries delineated as follows:

North: Abiansemal District of Badung Regency

South: Denpasar Barat (West Denpasar) District

East: Denpasar Timur (East Denpasar) District

West: Denpasar Barat (West Denpasar) District

In order to implement integrated and comprehensive waste management, to fulfill the rights and obligations of the community, and to execute the tasks and authorities of both the central and local governments in delivering public services, a legal framework in the form of a statute is required. The

legal regulation of waste management in this law is based on the principles of responsibility, sustainability, benefit, justice, awareness, togetherness, safety, security, and economic value (Mulyanto, 2013).

Article 44, paragraph (1) of Law No. 18 of 2008 on Waste Management states: "Local governments must prepare a closure plan for final waste processing sites (TPA) that employ open systems within one year from the enactment of this Law." Furthermore, according to paragraph (2), local governments are required to close final waste processing sites that utilize open dumping systems within a maximum of five (5) years from the enactment of this Law. The open dumping method should have been abandoned since 2013; however, in reality, many local governments have yet to implement this measure.

The Effectiveness of the Implementation of Bali Governor Regulation No. 47 of 2019 on Source-based Waste Management in Kelurahan Ubung

The effectiveness of social policy implementation is highly dependent on various factors, including the design of the policy, its implementation by the government or relevant institutions, as well as the response and participation of the involved community. To provide a more detailed picture, the following narrative outlines the effectiveness of social policy implementation (Blolo, 2021).

Amid the continuously evolving dynamics of society, social policies play a crucial role in fostering welfare and social justice. The effectiveness of implementing these policies can be measured by how well they achieve the established social objectives and the positive impacts they generate for the target communities. First and foremost, policy design serves as an essential foundation. A sound social policy must be meticulously crafted, taking into account various factors such as the needs of the community, economic conditions, cultural contexts, and prevailing social values. An inclusive policy design that is focused on problem-solving ensures that the policy is accessible and beneficial to all segments of society in need. Furthermore, the implementation of the policy by the government or relevant institutions is key to determining its overall effectiveness. A robust implementation process encompasses several stages—from planning and resource allocation to program execution, monitoring, and evaluation. The involvement of relevant stakeholders, inter-agency coordination, and transparency in the use of budgets and resources are critical factors in ensuring the smooth and effective implementation of social policies (Putra et al., 2021).

Furthermore, active community response and participation are also extremely important. An effective social policy is one that strengthens the capacity of communities to actively engage in the development process and enhances their independence in meeting their social needs. Empowering communities through education, training, and participation in decision-making will bolster support for the policy and ensure its long-term sustainability.

In the context of social policy implementation, periodic evaluations are necessary to assess the achievement of objectives, identify any obstacles or challenges, and adjust strategies and measures accordingly for improvement. Thus, the evaluation process will serve as a foundation for the enhancement and improvement of the quality of implemented social policies. Overall, the effectiveness of social policy implementation requires cooperation and commitment from various stakeholders—including the government, relevant institutions, and the community as a whole. With a holistic and sustainable approach, social policies can serve as an effective instrument in improving social conditions and increasing the overall well-being of society.

The effectiveness of waste management policies can be evaluated from various aspects, including improvements in environmental quality, reduction in the volume of waste entering final disposal sites (TPA), community participation, and the implementation of sustainable waste management practices. The following is a detailed narrative on the effectiveness of waste management policies: first, the design of an effective waste management policy is crucial. Such a policy should embrace a source-based approach that promotes waste separation at the origin, reduces the amount of waste produced, maximizes recycling, and encourages the use of environmentally friendly technologies. A comprehensive and sustainable policy design will contribute to achieving long-term waste management goals (JDIH Jakarta, 2024).

Next, the implementation of the policy must be carried out carefully and in a coordinated manner. Local governments, in collaboration with relevant agencies, must ensure that the necessary infrastructure—such as separate waste collection systems, waste processing facilities, and recycling centers—is available and functioning properly. The processes of waste collection, transportation, and processing must be executed efficiently to prevent excessive waste accumulation and environmental pollution. Furthermore, the effectiveness of waste management policies also depends on active community participation. Education and environmental awareness programs should be implemented to enhance public understanding of the importance of waste separation, waste reduction, and recycling practices. Community support and involvement in waste management activities, such as community-based waste collection programs, will reinforce the sustainability of these initiatives (Ratmaja & Yusa, 2019).

In addition, continuous monitoring and evaluation are essential to ensure that waste management policies are implemented as planned. Effective monitoring—including the measurement of the volume and types of waste generated, as well as the level of community participation—will help identify problems and opportunities for improvement. The effectiveness of waste management policies can also be assessed by their impact on the environment and public health. Indicators such as reduced environmental pollution, improved air and water quality, and decreased health risks associated with waste will serve as critical measures of the policy's success.

With a holistic and sustainable approach, as well as cooperation among the government, relevant agencies, and the community, waste management policies can serve as an effective instrument in achieving sustainable development goals and preserving the environment.

The implementation of Bali Governor Regulation No. 47 of 2019 on Source-Based Waste Management in Kelurahan Ubung can be evaluated from various aspects to determine its effectiveness. Several indicators that can be used to assess the expected positive impacts of this regulation include:

Increased Public Awareness:

Evaluation can be conducted by assessing the extent to which public awareness regarding the importance of responsible and sustainable waste management has improved. This can be measured through surveys, participation in educational programs, and the degree of engagement in waste management activities.

Reduction in Waste Volume Entering Final Disposal Sites (TPA):

The effectiveness of the regulation can be gauged by the decrease in the amount of waste directed to final disposal sites. If the implementation is successful, the volume of waste disposed of at TPA should decline due to improved practices in waste separation, recycling, and reduction.

Increase in Waste Recycling:

This indicator can be evaluated by measuring the rise in recycling rates after the regulation's implementation. This may include an increase in the quantity of materials recycled, the establishment of waste banks, or a greater utilization of recycled products.

Maintenance of Environmental Cleanliness:

The regulation's success can also be assessed by examining the overall cleanliness of the environment. Effective implementation is expected to result in improved environmental hygiene, such as reduced waste in public spaces, cleaner water channels, and a decline in illegal dumping practices.

Taking these indicators into account, it is possible to evaluate the extent to which Bali Governor Regulation No. 47 of 2019 has delivered significant positive impacts on waste management in Kelurahan Ubung.

Implementation Efforts of Bali Governor Regulation No. 47 of 2019 on Source-Based Waste Management in Kelurahan Ubung

One of the regional governments that has been actively addressing waste management is led by Bali Governor I Wayan Koster. According to his report, the Province of Bali generates approximately

4,281 tons of waste per day. Of this total, 2,061 tons per day (48%) are currently managed effectively. Within the managed portion, only 4% (164 tons per day) undergo recycling, while 1,897 tons per day (44%) are disposed of in final disposal sites (TPA). In contrast, the remaining 2,220 tons per day (52%) are not managed properly—19% of this waste is burned, 22% is discarded directly into the environment, and 11% is discharged into water channels. This improperly managed waste poses significant environmental risks, notably contributing to soil and water pollution.

In response to these challenges, Bali Governor Regulation No. 47 of 2019 has been enacted. This regulation mandates that producers reduce waste by retrieving household waste, waste similar to household waste, and specific waste from products and their packaging. The retrieved waste is then to be recycled, reused, or repurposed. To facilitate this process, producers are required to designate unit waste banks, sector waste banks, and/or main waste banks in each regency/city as Temporary Storage Facilities.

The implementation of the regulation is built upon two key approaches:

Waste Reduction:

This approach focuses on minimizing waste generation (reduce), promoting recycling (recycle), and encouraging the reuse of waste materials (reuse).

Waste Handling:

This involves the systematic processes of waste separation, collection, transportation, processing, and final disposal.

Together, these strategies aim to enhance the overall effectiveness of waste management in Kelurahan Ubung, thereby mitigating the environmental impacts associated with inadequate waste disposal practices.

Before the implementation of Bali Governor Regulation No. 47 of 2019 on Source-Based Waste Management, the waste management system in Kelurahan Ubung was likely uncoordinated and unstructured. Some characteristics of the previous waste management practices may have included:

Waste Accumulation:

There was a tendency for waste to accumulate in various locations throughout Kelurahan Ubung, primarily due to the absence of an effective waste collection and management system.

Use of Final Disposal Sites:

Waste was likely disposed of directly at final disposal sites without any prior separation or further processing.

Lack of Waste Separation and Recycling:

The previous system may not have promoted waste separation at the household or community level, and recycling was not a significant focus of the waste management strategy.

Insufficient Environmental Awareness:

The community might have had a limited understanding of the importance of responsible and sustainable waste management, resulting in widespread practices of indiscriminate waste disposal.

The existence of UUPS (Law of Waste Management) outlines the concept of waste. Waste is defined as the byproduct of human activities—whether resulting from natural processes or semi-artificial methods—that is biodegradable and organic. The enactment of waste management regulations is essential as a controlling instrument within society to create a healthy and clean environment. Consequently, such regulations are highly needed to foster sustainable development and a healthy quality of life in the community.

The establishment of waste management regulations in Denpasar City is an essential matter. The regulatory framework, as mandated by Articles 6 and 9 of UUPS, assigns tasks and authority to the Regional Government to participate in waste management within their jurisdiction. This involvement

may take the form of policy-making, the creation of legal instruments, or direct implementation actions. Such mandates imply that Regional Governments are obligated to provide public services in waste management, which, on a normative level, begins with the formulation of Regional Regulations governing waste management. Substantively, waste management in the region falls under the authority and responsibility of the Regional Government, although operationally it can be carried out in partnership with third parties such as traditional villages (Desa Pakraman), individuals, groups, or private business entities.

Thus, in managing governmental affairs related to waste management—a field under its jurisdiction—the Regional Government can realize the provision of public services that enhance community welfare and bolster regional competitiveness. For this reason, the legal regulation of waste management in this Regional Regulation is founded on the principles of responsibility, sustainable development, balance, benefit, justice, economic efficiency, and togetherness.

Waste management activities are implemented, among other methods, through educational programs on proper waste handling procedures, as stipulated by the Waste Management Governor Regulation, which serves as the legal umbrella for establishing waste banks. These waste banks are intended to prevent the outbreak of pollution-related diseases.

The high level of waste accumulation in the community can severely disrupt the environmental landscape—not only by deteriorating the aesthetic order of the surroundings but also by contributing to pollution. For example, air pollution resulting from unpleasant odors can harm respiratory health due to the buildup of waste that harbors pathogens. Additionally, water pollution is a concern due to the formation of leachate, which disrupts water sanitation as waste accumulates and decomposes.

It is crucial to recognize that legal regulations serve as an effective tool to address issues within society, as one of the main objectives of the law is to provide legal certainty. The existence of the Governor Regulation functions as a regulatory framework for waste management, whereby any violations trigger the imposition of sanctions. Moreover, the clear delineation of rights and responsibilities regarding environmental management within the community is essential, and the proper implementation of these legal measures contributes significantly to maintaining order and ensuring the overall benefit of society.

When the Regional Regulation on Waste Management comes into effect, it will inevitably bring about several implications that will manifest as concrete outcomes resulting from this regulation. The following are some of the positive implications that may emerge from the enactment of this Regional Regulation:

Program Synergy

The need for synergy among programs aimed at developing recycled waste initiatives within the community, involving both local and central governments.

Appropriate Guidelines

The importance of having proper references or guidelines in waste management, serving as a means to reduce the accumulation of waste in Tabanan.

Facilities for Technological and Professional Development

The provision of development facilities as envisioned in technology management and professional approaches to address waste-related issues.

In addition to these positive implications, some possible negative impacts may arise:

Public Awareness and Outreach

The waste management development program introduced by the local government is expected to facilitate public understanding of proper waste management. To prevent situations in which residents remain unaware of waste management regulations, socialization and public outreach campaigns must be carried out.

Supervision and Policy Implementation

Supervision and the practical implementation of policies on waste management—particularly regarding the operation of waste banks and the use of recycled waste—are necessary to ensure the effective development of waste management programs.

After the implementation of Bali Governor's Regulation No. 47 of 2019 concerning Source-Based Waste Management, waste management in Ubung Sub-District (Kelurahan Ubung) may experience a significant increase in effectiveness. Several changes that might occur include (Febrianto et al., 2018):

Separate Collection

The potential implementation of a separate waste collection system based on waste categories (e.g., organic and non-organic).

Enhanced Waste Sorting

Greater encouragement for the community to sort waste at the household or community level, facilitating recycling processes and more effective overall management.

Community Education and Awareness

More intensive educational efforts highlighting the importance of responsible waste management and its positive impacts on the environment.

Reduced Waste Accumulation

As a result of more structured, source-based management, there may be a decrease in the accumulation of waste in inappropriate locations.

Development of Waste Management Infrastructure

Expansion of waste management infrastructure, including the construction of temporary disposal sites, recycling facilities, and other supporting structures.

CONCLUSION

Based on the overview of waste management in Ubung Sub-District prior to the implementation of Bali Governor's Regulation No. 47 of 2019, several challenges were apparent, including insufficient waste management infrastructure, irregular collection systems, inadequate waste segregation, and low environmental awareness within the community. However, after the Regulation was put into effect, there was a significant transformation in waste management practices in Ubung Sub-District. The effectiveness of Bali Governor's Regulation No. 47 of 2019 yielded positive outcomes, such as enhanced waste management infrastructure, more coordinated and source-based waste handling, increased environmental awareness among residents, as well as improved waste segregation and recycling. Consequently, this policy has successfully elevated the quality of waste management while positively impacting the environment and the well-being of the community in Ubung Sub-District.

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