



Analysis of the Implementation of Regional Regulation Number 13 of 2015 of Balikpapan City concerning Waste Handling from the Perspective of Fiqh Siyasah

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Abstrak

The increase in the population of Balikpapan City, which is projected to reach 738,532 people in 2024, produces a volume of up to 500 tons of waste per day. This study aims to analyze the implementation of *Regional Regulation Number 13 of 2015* concerning waste management from the perspective of *fiqh siyasah*. The research method uses a qualitative approach by collecting data through observation, interviews, and documentation of related agencies and residents of Balikpapan City. The data were analyzed using a qualitative descriptive method based on the rules of *fiqh siyasah*. The results showed that 88.5% of respondents supported the regulation restricting waste disposal time (18.00–06.00 WITA) and predetermined waste disposal sites. However, there are implementation obstacles in the form of ignorance among some residents (16.7%), the distance to garbage cans, and the condition of garbage cans that are often full. From the perspective of *fiqh siyasah*, this regulation aligns with Islamic principles of environmental cleanliness and the government's authority in regulating for the benefit of the people. The volume of waste has increased significantly from 358 tons/day (2020) to 500 tons/day (2024). DLH provides 417 polling stations spread across 6 sub-districts with a two-shift transportation system. The research concluded that the implementation of the *Regional Regulation* is quite compatible with the support of the majority of residents, though improvements are needed in the socialization of regulations and the addition of supporting facilities.

Keywords: Perda, waste handling, *fiqh siyasah*, Balikpapan, environmental cleanliness.

INTRODUCTION

The increase in population in an area will certainly increase the primary needs of the community, especially the fulfillment of food needs, which then causes a large volume of household waste and an increase in the amount of waste that can interfere with people's health and comfort. According to Balikpapan statistical data, the population of Balikpapan City has increased from 667,188 people in 2019 to 733,396 people in 2023 (Balikpapan City Statistics, 2024). This increase in population is due to the emergence of giant projects in Balikpapan City after the pandemic that attract out-of-town workers, especially the Pertamina Project and the IKN Project, as well as mining projects (January, 2025). This condition has a direct impact on increasing the volume of waste produced by the community.

The Balikpapan City Environmental Agency (DLH) stated that the volume of waste in Balikpapan City after the pandemic is increasing (Harfadli et al., 2025). In 2023, it reached up to 400 tons per day, and the latest information as of October 25, 2024, reports that waste in Balikpapan City has

reached 500 tons per day (Djayaleksana, 2024; Hilman, 2025). To overcome this problem, the Regional Government issued *Regional Regulation Number 13 of 2015*, which regulates that waste disposal can only be carried out from 18.00 WITA to 06.00 WITA. Violations of this rule are subject to a minimum fine of Rp 50,000 and a maximum of Rp 50 million, as well as a maximum prison sentence of 6 months (Effendi, 2015).

However, the implementation of this regulation has caused anxiety among some people who find it difficult to limit the time and place to dispose of garbage. They reason that the evening is a time of rest from work fatigue, so they often forget to throw away the garbage, while in the morning they are busy preparing to go to work (Mas'ud, 2022).

From an Islamic perspective, cleanliness is an integral part of faith that must be maintained. Islam is known as *Dinul Fithroh Wa Dinuth Thoharoh* (Holy and Clean Religion). The maintenance of environmental cleanliness together will be easily achieved with the role of the ruler who regulates the community in maintaining environmental cleanliness.

Fiqh siyasah, as one of the branches of *fiqh* that discusses the regulation of the affairs of the *ummah* and the state, provides an important perspective in analyzing the government's authority in making regional regulations. This study seeks to analyze the extent of the implementation of *Regional Regulation Number 13 of 2015* of Balikpapan City in waste management from the perspective of *fiqh siyasah*.

A lot of previous research on waste management has been carried out, but none has specifically analyzed it from the perspective of *fiqh siyasah*. Mahyudin's research (2014) discusses sustainable waste management strategies, while Nagong (2020) examines waste management in Samarinda. Midayati (2021) researched public perception of waste management, and Rapii et al. (2021) examined community-based integrated waste management.

Based on this background, this study aims to: 1) analyze the influence of *Regional Regulation Number 13 of 2015* on the residents of Balikpapan City in the regulation of household waste; 2) identify obstacles that hinder the successful implementation of the *Regional Regulation*; and 3) describe Islamic support for the government's authority in regulating the community to maintain environmental cleanliness.

RESEARCH METHOD

This research uses a qualitative approach with field research methods. The researcher conducted data collection by interviewing agencies related to urban planning in the Balikpapan City area and interviews with residents of Balikpapan City. The collected data is analyzed through a descriptive method to find conclusions according to the formulation of the problem.

This research refers to the main source of data collection recorded in the city government in the implementation of waste management regulations, especially from the Environment Agency (DLH), the Central Statistics Agency

(BPS), and official government documents. Another main source is interviews with Balikpapan City residents who have experience related to Regional Regulation Number 13 of 2015.

Secondary sources refer to books and books that discuss fiqh siyasah about the authority of rulers, literature on cleanliness in Islam, and scientific journals in the field of environmental cleanliness and its regulation.

The research instruments were in the form of observation guidelines, structured and semi-structured interviews, and documentation using audio and visual recording devices. The study also used questionnaires distributed through social media groups to measure public perception of the implementation of the Regional Regulation.

Data collection is carried out through three stages:

- 1) Observation with direct observation of several waste management sites in Balikpapan City, data search at BPS and DLH, and field observation of residents;
- 2) Direct interviews with parties related to waste management and citizen representatives in each RT;
- 3) Field documentation in the form of visualization of waste conditions on several roads in Balikpapan City.

Data analysis uses qualitative descriptive analysis based on the perspective of fiqh siyasah. The results of data collection are processed and analyzed according to the formulation of the problem and the purpose of the research, so that the phenomenon behind the research gets a comprehensive answer.

RESULTS AND DISCUSSION

Description of Research Object

Balikpapan City Profile

Balikpapan City is one of the major cities in East Kalimantan Province after Samarinda City. Based on the naming history according to F. Velenijin (1724), Balikpapan used to be an area upstream of the river located in the bay about three miles from the coast, a village called BILIPAPAN which later developed into a rural community in the bay which is currently known as Balikpapan Bay (Balikpapan, 2011).

The anniversary of the city of Balikpapan was set on February 10, 1897, following the date of the first drilling of oil wells in Balikpapan based on the results of the history seminar of the City of Balikpapan on December 1, 1984 (Priyandoko, 2025). The city has an area of 843.48 km² with the boundaries of Kutai Kartanegara Regency to the north, the Makassar Strait to the south and east, and North Penajam Paser to the west. The contour of hilly soil reaches 85% of the area with an altitude of more than 100 meters above sea level, with red-yellow podsolic textures, alluvial, and easily eroded quartz sand.

From the social aspect, Balikpapan City is inhabited by 104 ethnic groups with 6 sub-districts out of 34 urban villages. In terms of economy, its strategic

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position as a transportation center for Trans Kalimantan and Trans Nasional with Semayang Sea Port and Sultan Aji Muhammad Sulaiman Sepinggian International Airport makes it the gateway to East Kalimantan (Balikpapan, 2011).

Results of Population Data Research

Based on data from the Central Statistics Agency of Balikpapan City, there has been a significant increase in population since the issuance of Regional Regulation Number 13 of 2015 until the research period.

Table 1. Balikpapan City Population Projection 2015-2024

District	Year 2015	Year 2024	Growth
South Balikpapan	123.772	102.959	-20.813
Balikpapan City	87.729	97.821	+10.092
East Balikpapan	66.739	188.605	+121.866
North Balikpapan	135.676	105.749	-29.927
Central Balikpapan	109.204	158.320	+49.116
West Balikpapan	92.454	85.078	-7.376
Total	615.574	738.532	+122.958

Source: BPS Balikpapan City, 2024

Data shows an increase in the total population of 19.97% within 9 years. The highest increase occurred in East Balikpapan (+182.6%) due to the construction of large projects such as IKN and Pertamina that absorb out-of-town workers.

Volume of Waste in Balikpapan City

The volume of waste in Balikpapan City has increased in line with the increase in population. Data from DLH shows a consistent upward trend from the 2013-2024 period.

Table 2. Waste Production Volume in 2013-2024

Year	Average tons/day	Tons/year	Percentage Change
2013	339	123.666	-
2014	364	132.995	+7%
2015	371	135.251	+2%
2016	358	130.670	-4%
2017	353	128.993	-1%
2018	348	127.100	-1%
2019	370	135.050	+6%
2020	358	130.502	-3%
2021	370	133.200	+2%
2022	374	134.640	+1%
2023	400	144.000	+7%
2024	500	180.000	+25%

Source: DLH Balikpapan City, 2024

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A dramatic increase occurred in 2024 with a 25% increase, reflecting the significant impact of development projects and population growth. The volume of waste increased from 358 tons/day (2020) to 500 tons/day (2024), indicating a major challenge in municipal waste management.

Waste Management Facilities

DLH Balikpapan City provides 417 Temporary Shelters (TPS) strategically spread across 6 sub-districts to serve 738,532 residents. The distribution of polling stations is designed based on population density and accessibility.

Table 3. TPS Distribution by Type and District in 2022

District	Concrete TPS	Semi Concrete TPS	Container	Total TPS
South Balikpapan	55	0	14	69
Balikpapan City	60	0	5	65
East Balikpapan	46	1	5	52
North Balikpapan	73	1	12	86
Central Balikpapan	80	2	5	87
West Balikpapan	52	0	6	58
Total	366	4	47	417

Source: BPS Balikpapan City, 2024

The ratio of TPS per population is 1:1,771 population, with the majority using concrete (87.8%), semi-concrete (1.0%), and container (11.2%) TPS. The operational system uses 2 shifts: the first shift (22.00-05.00 WITA) and the second shift (05.00-13.00 WITA) to ensure optimal transportation.

Articles of Regulations and Sanctions

Regional Regulation Number 13 of 2015 contains 16 chapters and 35 articles that regulate comprehensive waste management. Key articles governing implementation include:

1. Article 6 Paragraph 2 - Time Restrictions: "Storage of waste from independent houses, public facilities, social facilities, and other facilities to the polling station, is carried out from 18.00 to 06.00 except on Sundays."
2. Article 27 - Prohibitions: Everyone is prohibited: a) storing garbage not in the designated place; b) handling waste with open storage; c) burning waste not in accordance with technical requirements; d) storing garbage on roads, green paths, parks, rivers; e) disposing of garbage from vehicles; f) storing animal feces/carcasses to the polling station; g) store waste to the TPS by motor vehicle with a volume of >1 m³; h) dredging garbage at polling stations except officers; i) storing garbage outside the specified hours.
3. Article 32 Paragraph 2 - Sanctions: "Any person who violates the provisions of Article 27 shall be sentenced to imprisonment for a maximum of 6 months or a maximum fine of Rp 50,000,000."

Analysis of Community Perception and Support

A survey of 52 respondents through a questionnaire in a social media group showed a significant level of support for the implementation of the Regional Regulation.

Community Support Level

1. Agree with the rule: 46 respondents (88.5%)
 2. Disagreed with the rules: 6 respondents (11.5%)
- The 88.5% support rate indicates that the majority of the public understands and supports the regulatory goals of creating a clean and healthy environment.

Implementation Constraint Analysis

Based on an in-depth analysis of 6 respondents (11.5%) who disagreed, a description of specific obstacles in implementation was obtained:

Table 4. Analysis of Constraints Based on Regulatory Aspects

Regulatory Aspects		Rejection Percentage	Main Reasons	Impact
Time Restrictions (18.00-06.00)		16,7%	Not knowing the rules	Unintentional violations
Venue Restrictions		33,3%	Long distance from the garbage can	Careless disposal
Prohibition of Burning		50,0%	Don't know there is a ban	Air pollution continues
Fine Sanctions		50,0%	Fines are too heavy	Excessive fear

Source: Questionnaire Results, June 2025

Constraints from the Citizen Side

1. Ignorance of Regulations (16.7%) Citizens' ignorance of regulations is a significant obstacle. From the perspective of fiqh siyasah, this is in line with the hadith in Sunan Abu Dawud no. 4428 where the Prophet PBUH asked about the knowledge of the offender before imposing the sentence. Ibn al-Qayyim emphasized: *"The law of limitation is not obligatory to be imposed on a person who does not know the law of unlawfulness"* (Qoyyim, 2017).
2. Accessibility of Garbage Cans (33.3%) Even though 417 polling stations are spread across 6 sub-districts, some residents consider the distance to be still far away. However, with a ratio of 1:1,771 residents and the majority of residents have motor vehicles, this reason can be minimized through education and optimization of polling station locations.
3. Full TPS Conditions Full TPS Obstacles are especially common in densely populated settlements. However, with a 2-shift system and a 4-hour break (18.00-22.00 WITA) before transporting the first shift, this duration should be enough to accommodate residents' waste.

Constraints from the Implementation Side (DLH):

1. Operational Technical Errors Obstacles include: a) Officers' health factors that cause delays; b) Wrong selection of transportation routes; c) Fleet damage (40% of trucks are in unsuitable condition according to DLH, 2022); d) External incidents such as sabotage (April 2025: 5 trucks hit nails on the road that were allegedly deliberately spread).
2. Facility Limitations in March 2024, there will be a shortage of garbage cans in North Balikpapan, causing a build-up. DLH responded quickly with the addition of facilities, showing responsiveness in overcoming operational constraints.

Analysis of the Perspective of Fiqh Siyasah

Environmental Cleanliness in Islam

Islam positions cleanliness as an integral part of faith. The postulates of the Qur'an and Hadith provide a strong foundation:

Q.S. Yasin 33-35: *"And a sign (of Allah's greatness) for them is the dead earth. We give life to the earth, and We bring forth grain from it..."*

Muslim hadith no. 269: The Prophet PBUH said: *"Be afraid of the two types of cursed humans... a person who defecates/urinates in the middle of a public road or in a human shelter."*

Muslim hadith no. 1914: *"Surely I have seen a man pacing in Paradise because of a branch of a tree that dangled in the middle of the road and he cut it off because it disturbed passers-by."*

The concept of *Al-Adzaa* (disturbance) includes all forms of waste that interfere with the public interest. Imam An-Nawawi defined: *"Al-Adzaa is anything that disturbs in the form of stones, clay, thorns, or others"* (An-Nawawi, 1972).

Fiqh Rules in Waste Management

1. Dar'ul Mafasid Muqaddam 'Ala Jalbil Mashalih *"Preventing damage takes precedence over benefit"*
Implementation: Preventing environmental damage due to careless waste is more priority than the ease of disposing of waste at any time.
2. Adh-Dhoror Yuzaalu Biqadri Imkaan *"Danger is eliminated as much as possible"*
Implementation: The government has the right to take action against residents who litter with proportionate sanctions to get rid of environmental hazards.
3. Yukhtaaru Ahwanu Syarrarain *"Choosing the Lesser Evil"*
Implementation: If the TPS is full, it is better to put garbage around the TPS at the right time than to throw it away at the wrong time.

Government Authority in Fiqh Siyasah

Basis of Legitimacy

Q.S. An-Nisaa 58: *"Indeed, Allah has commanded you to give trust to those who are entitled to receive it, and when it establishes laws among men, that you may judge justly."*

Q.S. Shad 26: *"O David, verily We have made you caliphs on the earth, so judge between men justly and do not follow lust."*

Al-Baghawi interpreted: *"You should regulate human affairs by Our command in a just manner"* (Al-Baghawi, 1998).

Government Responsibilities

Ibn Taymiyyah in Majmoo' Al-Fataawa emphasized: *"It is obligatory for the waliyul amr (ruler) to eradicate those who do damage on the earth"* (Taymiyah, 2004). This includes the authority to regulate waste management for the common good.

Evaluation of the Conformity of Regional Regulations with Fiqh Siyasah

1. Aspects of the Benefit of the Regional Regulation aims to realize the public benefit through a clean, healthy, and comfortable environment. This is in line with the sharia maqashid in *hifzh an-nafs* (safeguarding the soul) and *hifzh an-nasl* (safeguarding offspring).
2. Aspect of Justice The rules apply to all citizens without discrimination, in accordance with the principles of Islamic justice. However, in the application of sanctions, it is necessary to consider the level of ignorance of residents according to the rules of fiqh.
3. Proportionality Aspect Sanctions of a fine of Rp 50,000-50,000,000 and a maximum confinement of 6 months need to be evaluated proportionality. In fiqh siyasah, sanctions must be fair and not burden the people excessively.

Implementation Effectiveness Formula

Based on the research data, the effectiveness of the implementation can be calculated with the formula:

Effectiveness = (Number of Supporters / Total Respondents) × 100%

Effectiveness = (46/52) × 100% = 88.46%

This value indicates a high level of effectiveness in the implement

CONCLUSION

The implementation of *Regional Regulation Number 13 of 2015* in Balikpapan City regarding waste management has received strong support from 88.5% of residents and aligns well with *fiqh siyasah* principles, reflecting Islamic values on environmental cleanliness and the government's role in promoting public welfare. Despite this, challenges remain due to the ignorance of 16.7% of residents, highlighting the need for enhanced socialization efforts. The significant increase in waste volume—from 358 tons/day in 2020 to 500

tons/day in 2024—calls for optimization of the waste management system. Although DLH has established 417 polling stations and a two-shift transportation schedule, further investment in facilities, especially in densely populated areas, is necessary. Recommendations include expanding public awareness campaigns, increasing polling stations in strategic locations, training waste transport officers, and applying sanctions thoughtfully in accordance with *fiqh siyasah* that consider residents' awareness levels. Emphasizing government-community cooperation based on the spirit of *ta'awun* (mutual assistance) is essential for realizing a cleaner, more beautiful, and comfortable Balikpapan City. Future research could explore the effectiveness of community engagement strategies and socialization programs in improving compliance and waste management outcomes from both sociocultural and *fiqh siyasah* perspectives.

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