

Law Enforcement on Illegal Watershed Cultivation in Simalungun Regency

Richard Siahaan¹, Rizkan Zulyadi¹, Isnaini¹

¹Master of Law Study Program, Postgraduate Program, University of Medan Area, Indonesia

Email: richardsiahaan357@gmail.com

Abstract. Law enforcement against illegal cultivation in the Watershed area is a significant challenge, especially in Simalungun Regency. This study aims to analyze the effectiveness of law enforcement against illegal cultivation, the obstacles faced, and the policies needed to overcome these problems. The research method used is a qualitative approach with data collection techniques through in-depth interviews, field observations, and document studies. The results of the study show that law enforcement efforts have been carried out through repressive approaches, such as joint operations and legal sanctions, as well as preventive approaches, such as socialization and education. However, its effectiveness is still hampered by limited resources, lack of coordination between agencies, resistance of local communities, and lack of accurate data related to watershed management. Some of the recommended strategic policies include capacity building for law enforcement officials, community empowerment through alternative livelihood programs, strengthening technology-based monitoring systems, and participatory approaches in policy formulation. The implementation of holistic and inclusive policies is expected to create a balance between environmental conservation and improving community welfare. This research emphasizes that sustainable watershed management requires synergy between legal, social, and technological approaches. Thus, law enforcement efforts are not only able to overcome legal problems but also build collective awareness to preserve the environment.

Keywords: Law Enforcement, Illegal Cultivation, Watershed, Simalungun Regency, Environmental Policy

Received: December 19, 2024

Revised: January 15, 2025

Accepted: February 2, 2025

INTRODUCTION

Watersheds are important ecosystems that have ecological, social, and economic functions. As one of the strategic natural resources, watersheds play a role in maintaining environmental balance, supporting agricultural activities, and providing clean water for the community (Pissarra et al., 2021). However, the pressure on the existence of watersheds is increasing due to uncontrolled human activities, including illegal cultivation which is often carried out without considering environmental sustainability. In Simalungun Regency, the issue of illegal watershed cultivation is one of the urgent environmental problems to be addressed.

This illegal cultivation activity not only damages the watershed ecosystem, but also triggers various negative impacts, such as erosion, decreased water quality, and higher flood risk. This district has great potential in the agricultural and forestry sectors, but undirected management often leads to land use conflicts in the watershed area. Law enforcement is an important step in overcoming the problem of illegal cultivation in the watershed area. Although various regulations have been issued, such as Law Number 41 of 1999 concerning Forestry and Law Number 32 of 2009 concerning Environmental Protection and Management (Gunawan, 2013), implementation in the field often encounters various obstacles.

UNIVERSITAS MEDAN AREA

© Hak Cipta Di Lindungi Undang-Undang

Copyright © 2025, Journal of Public Representative and Society Provision

Under the license CC BY-SA 4.0

1. Dilarang Mengutip sebagian atau seluruh dokumen ini tanpa mencantumkan sumber

2. Pengutipan hanya untuk keperluan pendidikan, penelitian dan penulisan karya ilmiah

3. Dilarang memperbanyak sebagian atau seluruh karya ini dalam bentuk apapun tanpa izin Universitas Medan Area

Document Accepted 8/9/25

| 140

Access From (repository.uma.ac.id)8/9/25

In Simalungun Regency, law enforcement efforts against illegal cultivation still face complex challenges, ranging from a lack of coordination between agencies to resistance from local communities. This phenomenon of illegal cultivation cannot be separated from various causal factors. Economic factors are one of the main drivers, where people living around the watershed often use the land to meet their daily needs (Abdullah, 2017). In addition, the lack of supervision from the authorities and the weak public awareness of the importance of preserving the environment have also exacerbated this situation. Conflicts of interest between environmental conservation and the economic needs of the community are a major challenge in law enforcement (Pudjiastuti, 2021).

On the one hand, violations of the law must be stopped to protect the ecological function of the watershed, but on the other hand, a humane approach and community empowerment are also needed to create long-term solutions. A repressive approach alone is not enough to solve this problem without being accompanied by preventive and empowerment efforts (Rappaport, 1987). Various studies show that the success of law enforcement in environmental issues is highly dependent on synergy between the government, the community, and other stakeholders. In the context of Simalungun Regency, the active role of local governments, law enforcement officials, and community leaders is the key to overcoming illegal cultivation. In addition, it is also important to identify the root cause of the problem and develop the right strategy to support the sustainability of the watershed ecosystem (Wang et al., 2016).

The purpose of this study is to analyze the effectiveness of law enforcement in dealing with illegal cultivation in the Simalungun Regency watershed area (Pambudi, 2023). This study will identify the various obstacles faced and formulate solutions that can be applied practically and sustainably. The approach used includes legal analysis, interviews with related parties, and literature studies on environmental policy. Align with research from Decorte (2017), one of the main focuses of this study is to explore the extent to which existing regulations are able to provide a deterrent effect on illegal cultivators. In addition, this research will also explore the role of the community in supporting law enforcement efforts. Involving the community in environmental management is an important step to create collective awareness about the importance of protecting watersheds.

It is hoped that the results of this study can make a real contribution to developing a more effective and inclusive law enforcement strategy. By prioritizing a participatory approach, efforts to resolve conflicts between the economic needs of the community and environmental conservation can be achieved. This research is also expected to be able to provide input for local governments in formulating policies that are more responsive to environmental problems. In this framework, it is important to understand that watersheds are not just natural resources, but also assets that must be preserved for the sustainability of life. The community's dependence on watersheds must be balanced with the responsibility to maintain its sustainability. Thus, the watershed can continue to provide long-term benefits for the people of Simalungun Regency and its surroundings.

Law enforcement is not just a tool to punish violators, but also a means to create ecological justice. The concept of ecological justice emphasizes that the environment has the right to be protected and maintained in its sustainability (Parmawati, 2018). In the context of the watershed in Simalungun Regency, this approach is relevant to ensure that the existing ecosystem is not damaged by illegal activities. Through this research, it is hoped that recommendations will emerge that can be a reference for stakeholders in formulating more effective policies. In addition, this research is also a medium to increase public awareness of the importance of protecting watersheds as a natural heritage that must be preserved.

The importance of synergy between legal efforts, government policies, and community participation cannot be ignored in solving the problem of illegal cultivation in the watershed. This synergy is the foundation for the success of environmental conservation efforts while improving the welfare of the community around the watershed. This research is not only relevant for

Simalungun Regency, but also for other regions facing similar challenges. The results of this study are expected to be a reference in developing law enforcement strategies in the watershed area nationally. Thus, efforts to maintain the sustainability of watersheds can be realized in a more holistic and integrated manner.

METHODS

This research is included in the type of case study. Case studies are used to explore and understand in depth a specific phenomenon, namely law enforcement against illegal cultivation in the Simalungun Regency watershed (Assyakurrohim et al., 2023). This approach helps researchers explore the local context and various factors that influence the implementation of environmental policies. This research was conducted in Simalungun Regency, North Sumatra. This location was chosen because it has significant problems related to illegal cultivation in the watershed area which has an impact on environmental damage and land use conflicts.

Data Source

The data in this study were obtained from two types of sources: (1) Primary data were obtained through in-depth interviews with key informants, including: Law enforcement officials (Forestry Police, Satpol PP, and the police), local governments (Environment Service, Forestry Service, and Bappeda), Community leaders and local communities who are involved in or affected by illegal cultivation, Non-governmental organizations (NGOs) engaged in the environmental sector; (2) Secondary data is obtained from official documents, such as laws and regulations, government reports, literature studies, and statistical data related to environmental damage and legal cases in the Simalungun Regency watershed.

Data Collection Techniques

Some of the data collection techniques used in this study include (Silalahi et al., 2017): (1) In-Depth Interviews, the interviews were conducted in a semi-structured manner to explore the views, experiences, and challenges faced by the informants; (2) Field Observation, the researcher made direct observations in the watershed area which is the location of illegal cultivation. Observations include environmental conditions, community activities, and ongoing law enforcement efforts; (3) Document Study, the analysis of the documents was used to understand the legal framework, policies, and reports related to watershed management in Simalungun Regency.

Data Analysis Techniques

The data obtained were analyzed using the thematic analysis method, which included the following steps (Castleberry & Nolen, 2018): (1) Data Reduction, the collected data is selected, simplified, and focused on aspects relevant to the research; (2) Categorization and Thematization The data is grouped by theme or category, such as factors causing illegal cultivation, law enforcement challenges, and solutions offered; (3) Interpretation, researchers interpret the data taking into account local contexts and relevant theories to generate in-depth understanding.

RESULTS AND DISCUSSION

Law Enforcement Against Illegal Cultivation or Control of Watersheds (DAS)

Law enforcement against illegal cultivation or control of watersheds in Simalungun Regency is carried out through a repressive and preventive approach. Interviews with law enforcement officials and local governments revealed that the repressive measures involved joint operations to expel illegal cultivators and confiscate tools used in these illegal activities. This operation was carried out by the police, Satpol PP, and related agencies, such as the Forestry Service and the Environment Service. In addition, legal actions such as filing criminal charges against the perpetrators are also one of the steps to provide a deterrent effect. However, the intensity of sanction-based law enforcement is still limited due to limited human resources, funds, and coordination between agencies. The preventive approach is carried out through socialization to the community about the importance of maintaining the sustainability of watersheds (Surya et

al., 2020). This educational program aims to increase public awareness so that they do not cultivate or control land in protected areas. However, the effectiveness of this preventive effort still needs to be improved because many people do not understand the regulations related to the watershed area (Pires, 2004).

Obstacles in the Law Enforcement Process Against Illegal Cultivation or Watershed Control in Simalungun Regency

Some of the obstacles identified in this study are: (1) Budgetary limitations, the number of personnel, and equipment are the main obstacles in carrying out law enforcement operations; (2) Differences in authority between agencies, such as local governments and relevant ministries, often result in inefficiencies in policy implementation; (3) Communities that depend on illegal cultivation for their livelihoods often resist eviction efforts. They consider law enforcement actions as a threat to their economic lives; (4) Accurate data on land tenure in watersheds is still minimal, making it difficult to prioritize handling.

Table 1. Obstacles in the Law Enforcement Process Against Illegal Cultivation or Watershed Control

Constraints	Explanation
Resource Limitations	Budgets, personnel, and equipment are insufficient to support operations
Lack of Coordination	The absence of synergy between agencies causes policy overlap
Community Resistance	Rejection from people who depend on land for livelihood
Lack of Data and Monitoring	Lack of adequate data to support law enforcement

Policies Needed to Overcome Obstacles in the Law Enforcement Process Against Illegal Cultivation or Watershed Control in Simalungun Regency. To overcome existing obstacles, holistic and inclusive strategic policies are needed. Some of the policy recommendations formulated based on the findings of this study are: (1) Local governments need to increase budget allocations to support law enforcement operational activities. In addition, training and addition of competent personnel must be a priority; (2) A better coordination mechanism is needed between related agencies, such as the establishment of an integrated task force consisting of local governments, law enforcement, and local communities; (3) The provision of alternative livelihoods for local communities must be part of the policy. For example, through the development of sustainable agriculture or the provision of access to community forest programs; (4) Local governments need to build a technology-based monitoring system to monitor activities in watersheds in real-time. The mapping of watershed areas must also be updated regularly; (5) Educational programs involving community leaders and NGOs need to be expanded to increase public understanding of the importance of maintaining watershed ecosystems.

Table 2. Policies Needed to Overcome Obstacles in the Law Enforcement Process Against Illegal Cultivation or Watershed Control

Policy	Explanation
Increased Budget	Additional funds for law enforcement operations and officer training.
Inter-Agency Coordination	The establishment of an integrated task force to avoid policy overlap
Economic Empowerment Program	Alternative livelihoods for the affected communities
Strengthening the Monitoring System	The use of technology to monitor activities in the watershed area
Education and Awareness Campaigns	A broader socialization program on the importance of protecting watersheds

With the implementation of the right policy, it is hoped that law enforcement efforts against illegal cultivation in the Simalungun Regency watershed can run more effectively and sustainably. This policy is also expected to be able to bridge the interests of the environment and the welfare of the community (Setyawati et al., 2021).

Law enforcement against illegal cultivation in the Watershed area in Simalungun Regency is a complex phenomenon that involves various aspects, ranging from policy implementation to community social dynamics. Based on the results of the research, repressive and preventive approaches have been carried out by local governments and law enforcement officials, but their effectiveness is still hampered by various structural and cultural constraints.

Law Enforcement in Theoretical and Practical Perspectives

Effective law enforcement requires the integration of legal theory and its application in the field. According to the theory of Law Enforcement by Rahayu (2020), the success of law enforcement is influenced by five main factors: the law itself, law enforcement officials, supporting facilities or facilities, the community, and legal culture. In Simalungun Regency, these five factors have a significant role, although there are various weaknesses in their implementation. The results of the study show that related legal instruments, such as Law Number 41 of 1999 concerning Forestry and Law Number 32 of 2009 (Gunawan, 2013) on Environmental Protection and Management, has been made available as a legal basis. However, the implementation of this regulation faces major challenges, especially in the context of supervision and enforcement in the field.

Which stated that weak supervision is one of the main causes of rampant illegal activities in conservation areas (Eleanora, 2012). A preventive approach through socialization and community education has also been implemented, but its effectiveness is limited due to the low level of environmental awareness of the community. Who emphasized that environmental awareness not only requires education, but also concrete incentives for the community to be involved in environmental conservation efforts (Moridu et al., 2023).

Obstacles in Law Enforcement

Obstacles in the law enforcement process identified include limited resources, lack of coordination between agencies, resistance from local communities, and lack of accurate data related to watershed management (Roy et al., 2008). According to the Structural Social theory of (Hoppe, 2010), public resistance to government policies can occur if the policy is not in harmony with social conditions and basic needs of the community. In the context of Simalungun Regency, people who depend on illegal cultivation for their livelihood feel marginalized by law enforcement policies that tend to be repressive. The lack of coordination between agencies is also the main obstacle to policy implementation. This refers to the theory of Bureaucratic Coordination by Maguire & Delahunt (2017), which states that weak coordination between organizational units can lead to inefficiencies in the implementation of tasks. In Simalungun Regency, overlapping authority between the local government and the relevant ministries often hinders prompt and appropriate action.

Required Policies

Based on the results of research and theoretical reviews, some strategic policies that need to be implemented to overcome obstacles are: (1) Capacity Building of Law Enforcement Officials, referring to the theory of Capability-Based Law Enforcement in (Ullah et al., 2023), effective law enforcement requires competent human resources and is supported by adequate facilities. This study shows that increasing the budget and training of officials is an urgent need to support law enforcement efforts; (2) Community Empowerment, a humanist approach through sustainability-based economic empowerment programs, such as organic farming or community-based forest management, can reduce people's dependence on illegal cultivation.

Research by (Sadono, 2013) shows that the economic empowerment of the community around the conservation area can reduce the conflict between economic needs and environmental conservation; (3) Strengthening Information and Monitoring Systems, the implementation of technology in watershed monitoring, such as drone-based mapping or satellite imagery, can help identify illegal activities more quickly. This is in line with the view (Fitriyadi, 2013), which emphasizes the importance of technology as a tool to support environmental policies; (4) Participatory Approach in Policy Planning and Implementation Involving local communities in the process of planning and implementing policies can increase a sense of ownership and responsibility for watershed conservation. According to the theory of Participatory Governance, the active participation of the community in decision-making can increase the effectiveness of public policies (Marta, 2021).

CONCLUSION

Based on the results of the research and discussion that has been carried out, it can be concluded that law enforcement against illegal cultivation or control of watershed areas in Simalungun Regency is a complex and challenging process. The local government together with law enforcement officials have made various efforts, both through a repressive approach in the form of control operations and the provision of legal sanctions, as well as preventive through socialization and public education. However, the effectiveness of these measures is still far from optimal due to the various obstacles faced. The main obstacles found include limited resources, lack of coordination between agencies, resistance of people who depend on illegal activities for their livelihoods, and lack of accurate data to support policy making. This condition reflects the urgent need to improve the structure and mechanism of law enforcement, including strengthening synergy between agencies, increasing the capacity of law enforcement officials, and developing more inclusive policies.

From the community side, the resistance that has emerged shows that law enforcement policies that are only repressive tend to be less effective. Therefore, a humanist approach through community economic empowerment is a strategic step to reduce dependence on illegal cultivation. Programs such as providing access to community forests, alternative skills training, and environmentally-based economic incentives can be sustainable solutions. Furthermore, strengthening the technology-based monitoring system is also very necessary to increase the effectiveness of supervision. More accurate mapping of watershed areas and real-time monitoring of illegal activities can help authorities act faster and on target. In addition, community involvement in policy planning and implementation can increase a sense of ownership and concern for environmental conservation. This overall analysis confirms that law enforcement against illegal cultivation in the watershed area is not only a legal issue, but also a social, economic, and environmental problem.

SUGGESTION

A holistic, collaborative, and sustainable approach is needed to create a balance between the preservation of the watershed ecosystem and the improvement of community welfare in Simalungun Regency. With the right measures, these efforts are expected to provide long-term solutions that not only solve legal problems, but also build collective awareness to preserve the environment.

REFERENCES

- Abdullah, O. S. (2017). *Ekologi manusia dan pembangunan berkelanjutan*. Jakarta: Gramedia Pustaka Utama.
- Assyakurrohim, D., Ikham, D., Sirodj, R. A., & Afgani, M. W. (2023). Metode studi kasus dalam penelitian kualitatif. *Jurnal Pendidikan Sains Dan Komputer*, 3(01), 1-9. <https://doi.org/10.47709/jpsk.v3i01.1951>
- Castleberry, A., & Nolen, A. (2018). Thematic analysis of qualitative research data: Is it as easy as

- it sounds?. *Currents in pharmacy teaching and learning*, 10(6), 807-815. <https://doi.org/10.1016/j.cptl.2018.03.019>
- Decorte, T., Pardal, M., Queirolo, R., Boidi, M. F., Avilés, C. S., & Franquero, Ò. P. (2017). Regulating Cannabis Social Clubs: A comparative analysis of legal and self-regulatory practices in Spain, Belgium and Uruguay. *International Journal of Drug Policy*, 43, 44-56. <https://doi.org/10.1016/j.drugpo.2016.12.020>
- Eleanora, F. N. (2012). Tindak Pidana Illegal Logging Menurut Undang-Undang Nomor 32 Tahun 2009 Tentang Perlindungan dan Pengelolaan Lingkungan Hidup. *ADIL: Jurnal Hukum*, 3(2), 217-217. <https://doi.org/10.33476/ajl.v3i2.55>
- Fitriyadi, H. (2013). Integrasi teknologi informasi komunikasi dalam pendidikan: potensi manfaat, masyarakat berbasis pengetahuan, pendidikan nilai, strategi implementasi dan pengembangan profesional. *Jurnal Pendidikan Teknologi dan Kejuruan*, 21(3). <http://dx.doi.org/10.21831/jptk.v21i3.3255>
- Gunawan, A. (2013). *Analisis Yuridis Terhadap Alih Fungsi Hutan Lindung Dikaitkan Dengan Undang-Undang Nomor 41 Tahun 1999 Tentang Kehutanan Juncto Undang-Undang Nomor 32 Tahun 2009 Tentang Perlindungan dan Pengelolaan Lingkungan Hidup* (Doctoral dissertation, Universitas Komputer Indonesia).
- Hoppe, R. (2010). Cultures of public policy problems. In *The governance of problems* (pp. 91-120). Policy Press. <https://doi.org/10.51952/9781847426307.ch004>
- Maguire, M., & Delahunt, B. (2017). Doing a thematic analysis: A practical, step-by-step guide for learning and teaching scholars. *All Ireland journal of higher education*, 9(3). <https://doi.org/10.62707/aishej.v9i3.335>
- Marta, A. (2021). Towards Participatory Governance in Overcoming Climate Change: A Study of Stakeholders' Participation in Forest Governance in Indonesia. *Jurnal Public Policy*, 7(2), 122-128. <https://doi.org/10.35308/jpp.v7i2.3882>
- Moridu, I., Purwanti, A., Melinda, M., Sidik, R. F., & Asfahani, A. (2023). Edukasi Keberlanjutan Lingkungan Melalui Program Komunitas Hijau Untuk Menginspirasi Aksi Bersama. *Community Development Journal: Jurnal Pengabdian Masyarakat*, 4(4), 7121-7128. <https://doi.org/10.31004/cdj.v4i4.18699>
- Pambudi, A. S. (2023). Internalization Of SAF Physical Assignment For Environment And Forestry In The Development Planning Of North Sumatera Province. *JEKP (Jurnal Ekonomi dan Keuangan Publik)*, 10(2), 173-190. <https://doi.org/10.33701/jekp.v10i2.3536>
- Parmawati, R. (2018). *Ecology, Economy, Equity: sebuah upaya penyeimbangan ekologi dan ekonomi*. Malang: Universitas Brawijaya Press.
- Pires, M. (2004). Watershed protection for a world city: the case of New York. *Land use policy*, 21(2), 161-175. <https://doi.org/10.1016/j.landusepol.2003.08.001>
- Pissarra, T. C. T., Fernandes, L. F. S., & Pacheco, F. A. L. (2021). Production of clean water in agriculture headwater catchments: A model based on the payment for environmental services. *Science of the Total Environment*, 785, 147331. <https://doi.org/10.1016/j.scitotenv.2021.147331>
- Pudjiastuti, S. R. (2021). Global issues of environmental law enforcement impacts on sustainable development. *Jhss (journal of humanities and social studies)*, 5(1), 56-62. <https://doi.org/10.33751/jhss.v5i1.3226>
- Rahayu, D. P., Faisal, F., Sari, R., & Satrio, N. (2020). Law enforcement in the context of legal culture in society. *Law Reform*, 16(2), 276-289. <https://doi.org/10.14710/lr.v16i2.33780>

- Rappaport, J. (1987). Terms of empowerment/exemplars of prevention: Toward a theory for community psychology. *American journal of community psychology*, 15(2), 121-148. <https://doi.org/10.1007/BF00919275>
- Roy, A. H., Wenger, S. J., Fletcher, T. D., Walsh, C. J., Ladson, A. R., Shuster, W. D., ... & Brown, R. R. (2008). Impediments and solutions to sustainable, watershed-scale urban stormwater management: lessons from Australia and the United States. *Environmental management*, 42, 344-359. <https://doi.org/10.1007/s00267-008-9119-1>
- Rusmana, I. P. E. (2024). Kewenangan Antara Bawaslu Dan Aparat Penegak Hukum Dalam Penanganan Tindak Pidana Pemilu. *Jurnal Rechtsens*, 13(2), 261-284. <https://doi.org/10.56013/rechtsens.v13i2.3447>
- Sadono, Y. (2013). Peran serta masyarakat dalam pengelolaan taman nasional gunung merbabu di desa jeruk Kecamatan Selo, Kabupaten Boyolali. *Jurnal Pembangunan Wilayah dan Kota*, 9(1), 53-64.
- Setyawati, L. R., Tian, H., Cahya, D. D., Novarianti, A. D., & Said, B. D. (2021). Implementasi konsep ekonomi biru dalam pembangunan masyarakat pesisir di kota Sabang. *Jurnal Education and Development*, 9(4), 178-185. <https://doi.org/10.37081/ed.v9i4.3115>
- Silalahi, U., Rachmawati, T., Wicaksono, K. W., & Herwanto, T. S. (2017). Handbook pendekatan kualitatif untuk penelitian administrasi publik.
- Surya, B., Syafri, S., Sahban, H., & Sakti, H. H. (2020). Natural resource conservation based on community economic empowerment: Perspectives on watershed management and slum settlements in Makassar City, South Sulawesi, Indonesia. *Land*, 9(4), 104. <https://doi.org/10.3390/land9040104>
- Ullah, W., Ahmad, K., Ullah, S., Tahir, A. A., Javed, M. F., Nazir, A., ... & Mohamed, A. (2023). Analysis of the relationship among land surface temperature (LST), land use land cover (LULC), and normalized difference vegetation index (NDVI) with topographic elements in the lower Himalayan region. *Heliyon*, 9(2). <https://doi.org/10.1016/j.heliyon.2023.e13322>
- Wang, G., Mang, S., Cai, H., Liu, S., Zhang, Z., Wang, L., & Innes, J. L. (2016). Integrated watershed management: evolution, development and emerging trends. *Journal of Forestry Research*, 27, 967-994. <https://doi.org/10.1007/s11676-016-0293-3>