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Comparative Effectiveness of the Job Creation Law and Law Number 32 of 2009 in the Enforcement of Environmental Crime Laws: Challenges and Opportunities in the Era of Sustainable Development

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Abstract: This study focuses on comparing the effectiveness of the Job Creation Law (Omnibus Law) and Law Number 32 of 2009 on Environmental Protection and Management in enforcing environmental crime regulations in Indonesia, with particular emphasis on the challenges and opportunities arising in the era of sustainable development. A qualitative research method was employed, involving the analysis of data collected from various sources, including interviews, policy documents, and literature reviews. The findings reveal that the Job Creation Law, which was enacted to promote investment and economic growth, often tends to weaken environmental regulatory safeguards, resulting in significant ecological degradation. There is a growing tendency for investment interests to prevail over environmental protection, leading to weaker law enforcement and an increase in violations of existing environmental regulations. Furthermore, the challenges in environmental law enforcement are driven by investment acceleration policies, weak rule of law, and the persistent gap between economic interests and environmental protection objectives. This study contributes to the development of legal scholarship by offering a new perspective on the interaction between economic policy and environmental law enforcement, while emphasizing the importance of harmonizing these two dimensions to achieve sustainability. The limitations of this research include its exclusive focus on the Indonesian context and the potential for subjective bias in interview-based data. Future research may expand the comparative scope to other jurisdictions and further explore the role of public participation in environmental law enforcement. The findings are expected to provide constructive recommendations for policymakers and stakeholders in designing more effective and sustainable regulatory frameworks. Ultimately, this study demonstrates that maintaining a balance between economic growth and environmental protection is essential for achieving sustainable development in Indonesia

Keywords: **Job Creation Law and Law Number 32 of 2009; Environmental Crime Law Enforcement; Sustainable Development Era.**

I. INTRODUCTION

Environmental change and sustainability issues have become urgent global challenges, and Indonesia, as a developing country, faces these concerns with considerable seriousness. In this context, the Job Creation Law and Law Number 32 of 2009 play significant roles in the enforcement of environmental crime regulations. Enacted in 2020, the Job Creation Law was designed to promote investment and accelerate economic development. Nevertheless, concerns have emerged that its implementation may undermine

environmental protection considerations and weaken existing environmental safeguards.(Sulistyo et al., 2014). In contrast, Law Number 32 of 2009, which primarily focuses on environmental protection and management, is expected to provide stronger safeguards for environmental sustainability and ensure a higher level of protection against environmental degradation.(Yusmiati et al., 2023)

Normative analysis indicates that these two laws pursue different objectives. Law Number 32 of 2009 is primarily concerned with the regulation and protection of the environment, whereas the Job Creation Law emphasizes the facilitation of business activities and investment. This divergence creates tension between economic development needs and environmental protection, as investment interests may often take precedence over existing environmental regulations.(SIPAYUNG, 2025). The enforcement of environmental crime laws in Indonesia also faces numerous challenges, including limited institutional resources, inadequate enforcement capacity, and the lack of effective implementation mechanisms.(Haspada, 2023).

The central issue identified in this context concerns the effectiveness of these two laws in addressing environmental crimes and their implications for sustainable development. Observations of conditions in practice indicate that, although Law Number 32 of 2009 provides a robust legal framework for environmental protection and management, its implementation is frequently constrained by political and economic factors.(Kim, 2009). Meanwhile, the Job Creation Law provides opportunities to accelerate investment and economic growth; however, it also carries the potential risk of overlooking environmental protection considerations, which may result in ecosystem degradation and environmental harm.

The existing literature highlights an urgent need for a comparative analysis of these two laws. Several previous studies indicate that the Job Creation Law tends to favor business interests and investment facilitation, often at the expense of environmental protection and regulatory safeguards.(Sulistyo et al., 2014) In this regard, it is essential to understand the dynamics between economic policy and environmental protection. Accordingly, this study focuses on examining the effectiveness of the Job Creation Law and Law Number 32 of 2009 in addressing environmental crimes and assessing their implications for sustainable development.

The objective of this study is to analyze the comparative effectiveness of the Job Creation Law and Law Number 32 of 2009 in the enforcement of environmental crime laws, as well as their contribution to realizing the principle of social justice in environmental management, as embodied in the national legal

framework and sustainable development agenda.(Natsir, 2020). This study also aims to identify the challenges and opportunities associated with sustainable development in Indonesia. By collecting and analyzing data from various sources, the research seeks to provide recommendations for policy improvements that promote a more balanced approach between economic development objectives and environmental protection.(Haris et al., 2023).

The hypothesis of this study is that, although the Job Creation Law offers greater convenience for investment and business activities, its effectiveness in enforcing environmental crime laws is lower than that of Law Number 32 of 2009. Consequently, a more holistic approach is required in the formulation and implementation of public policies to ensure that economic development does not come at the expense of environmental sustainability and ecological preservation. The findings of this study are expected to contribute to the development of more effective and balanced policy frameworks that support sustainable development in Indonesia while safeguarding environmental integrity for future generations.

II. RESEARCH METHOD

This study aims to analyze the effectiveness of environmental crime law enforcement within the framework of the Job Creation Law and Law Number 32 of 2009. The units of analysis include law enforcement institutions, specific cases related to environmental crimes, and various forms of evidence demonstrating the impacts of environmental law violations. The research also takes into account significant locations and events relevant to environmental policies in Indonesia. By focusing on diverse units of analysis, this study seeks to provide a comprehensive understanding of the challenges and opportunities associated with environmental crime law enforcement.(Iqbal et al., 2025) Through this approach, the findings are expected to make a meaningful contribution to the development of more effective environmental governance and policy frameworks.

This research was conducted in response to growing concerns regarding environmental degradation resulting from economic activities, particularly following the enactment of the Job Creation Law. The enforcement of environmental crime laws in Indonesia is often hindered by various factors, including inadequate coordination among institutions and the limited application of sanctions against violators. By examining the effectiveness of these two laws within this context, the study aims to identify both the strengths and weaknesses of the existing law enforcement framework. Furthermore, it seeks to provide policy recommendations that promote a balanced approach between economic growth and environmental

protection, thereby supporting the broader objectives of sustainable development.(Suarni & Judijanto, 2026).

This study employs a qualitative research method to gain an in-depth understanding of the phenomenon of environmental crime law enforcement. This approach was selected because it enables a broader exploration of the perspectives and experiences of various stakeholders within the context of the Job Creation Law and Law Number 32 of 2009. Data were collected from multiple sources, including interviews with key informants from government institutions, non-governmental organizations (NGOs), and academia, as well as textual analysis of policy documents and online news reports. Through this approach, the study aims to generate rich and insightful findings that can contribute to the development of environmental policies in Indonesia.(Tahir et al., 2023)

The data sources for this research include relevant informants and respondents, such as government officials, environmental activists, and communities affected by environmental crimes. In addition, policy documents, legal manuscripts related to environmental governance, and online news reports serve as important sources of information for the study. Social media platforms, particularly Instagram, were also utilized to analyze public perceptions regarding environmental crime issues and existing environmental policies. The use of diverse data sources is intended to provide a holistic and multidimensional perspective on environmental crime law enforcement.

Data collection was conducted through several methods, including desk reviews of relevant literature, direct observation, surveys, and in-depth interviews. The desk review was undertaken to gather information from previous studies, legal materials, and policy documents. Direct observation was carried out to better understand the practical realities of law enforcement in the field. Furthermore, interviews with key informants were guided by a structured interview protocol designed to obtain detailed qualitative data. Focus Group Discussions (FGDs) were also conducted to capture the collective views and experiences of various stakeholders. The combination of these methods is expected to produce comprehensive and informative data that support a thorough analysis of environmental crime law enforcement in Indonesia.

III. RESULT & DISCUSSION

A. Threat Mapping in Environmental Crime Law Enforcement

The Job Creation Law, which was enacted to improve the ease of doing business and attract investment, has created a range of challenges for the enforcement of environmental crime laws. Although the law aims to stimulate economic growth and enhance investment opportunities, its strong

emphasis on economic considerations often tends to overlook environmental regulations and safeguards. As a result, concerns have emerged regarding the weakening of environmental oversight mechanisms and the potential increase in environmental violations, thereby posing significant challenges to effective environmental crime law enforcement.(Haris et al., 2023)

This situation is reflected in the reduction of environmental permitting requirements and the greater ease with which business activities can be conducted. As a consequence, many companies may engage in practices that cause environmental degradation without adequately considering their long-term ecological impacts. This threat mapping highlights the urgent need to reform the Job Creation Law in a more balanced manner, ensuring that economic objectives are pursued without compromising environmental sustainability and the protection of natural resources.(AULIAH, 2025)

There is a growing tendency for investment interests to take precedence over existing environmental regulations. The enforcement of environmental crime laws is frequently constrained by pressures from investors and other stakeholders seeking to accelerate development projects. This tendency is reflected in numerous cases where violations of environmental regulations are allowed to persist without adequate sanctions or legal consequences. Legal uncertainty and the lack of transparency in the licensing process further contribute to a situation in which many business actors perceive environmental compliance as non-essential. Such circumstances have the potential to generate significant adverse impacts on ecosystems, as violations of environmental laws become increasingly common and normalized within the development process.(Achmad Cholidin, 2025)

The tendency to overlook environmental protection considerations under the Job Creation Law may result in more extensive ecosystem degradation. In many instances, the development of infrastructure and industrial projects has led to deforestation, water pollution, and the deterioration of air quality. Research indicates that such environmental damage is often directly associated with weak implementation and inadequate enforcement of environmental laws and regulations. Consequently, environmental crime law enforcement must be re-evaluated and strengthened to ensure that environmental protection remains a fundamental consideration in the pursuit of economic growth and development objectives. (Haris et al., 2023)

B. Factors Contributing to Challenges in Law Enforcement

One of the primary factors contributing to the challenges of environmental crime law enforcement is the political agenda of accelerating investment. The government tends to

prioritize economic growth and job creation over environmental protection. This approach has resulted in policies that are more supportive of investment activities, often at the expense of existing environmental regulations. Furthermore, weak adherence to the rule of law and the lack of accountability within law enforcement institutions have further exacerbated the situation, as violations of environmental regulations rarely receive proportionate sanctions or penalties.(Natsir, 2020)

The gap between investment interests and environmental concerns in the pursuit of sustainable development constitutes a significant challenge for environmental crime law enforcement. Many stakeholders fail to recognize the importance of maintaining a balance between these two dimensions, often leading to decisions that adversely affect environmental protection efforts. This imbalance may generate conflicts between economic development objectives and sustainability goals, which in turn can contribute to further environmental degradation in Indonesia. Consequently, efforts to harmonize these competing interests are essential for achieving sustainable and environmentally responsible development.(Andin et al., 2025)

The implications of the factors contributing to challenges in environmental crime law enforcement are crucial for evaluating the effectiveness of existing regulatory frameworks. When investment acceleration policies facilitate broader access for business actors to acquire and control land, environmental protection objectives may be marginalized, resulting in weakened rule of law and creating opportunities for regulatory violations. Understanding these dynamics provides a foundation for pursuing more balanced policy reforms. Recognizing that investment considerations often dominate policymaking allows for the development of measures that effectively integrate environmental safeguards into investment frameworks. Awareness of these challenges can help stakeholders design more responsive and sustainable policies.(Natsir & Rachmad, 2018)

The cause-and-effect relationship associated with these factors can be observed in the interaction between political decisions and environmental outcomes. When governments prioritize investment while neglecting environmental concerns, the consequences often include widespread ecosystem degradation and heightened social conflict. Weak law enforcement contributes to increased environmental violations, which may subsequently generate public dissatisfaction and social protests (Rizki, 2023). For example, unresolved pollution cases can create mistrust between communities and government institutions, thereby undermining future efforts to achieve sustainable development.(Haris et al., 2023)

C. Solutions for Economic Development and Environmental Protection

Enhancing public understanding and awareness of environmental rights represents one of the key solutions for achieving sustainable economic development. Communities with a high level of environmental awareness are generally more critical of policies that threaten ecosystems and environmental sustainability. Effective educational initiatives and public awareness campaigns can help citizens understand the importance of environmental protection and encourage active participation in monitoring business practices that may cause environmental harm. Such efforts may also encourage governments to place greater emphasis on environmental regulations when formulating and implementing economic policies.(Runtunuwu, 2025)

Expanding opportunities for dialogue between policymakers and the public is equally essential for creating more inclusive and sustainable policies. Discussion forums that involve a wide range of stakeholders, including government institutions, civil society organizations, local communities, and private-sector actors, can generate innovative approaches to environmental crime law enforcement (Rizki, 2023). By incorporating public perspectives into decision-making processes, the resulting policies are more likely to respond effectively to societal needs and aspirations while remaining aligned with environmental sustainability objectives.(Ulum & Ngindana, 2017)

Finally, strengthening the knowledge and capacity of law enforcement officials in addressing environmental crimes is a crucial step toward improving the effectiveness of environmental law enforcement. Appropriate education, training, and professional development programs can enhance officials' understanding of the complexity of environmental issues and equip them with the skills necessary to address violations effectively. As a result, law enforcement agencies will be better positioned to enforce environmental laws fairly and consistently while imposing proportionate sanctions on violators. Such measures are essential for creating a legal environment that supports environmental sustainability and responsible development in Indonesia.

The implications of the proposed solutions for economic development and environmental protection are highly significant in achieving a balance between these objectives. Enhancing public awareness of environmental rights can contribute to stronger social mobilization in support of environmental justice. The purpose of this approach is to foster a more conducive environment for dialogue between governments and communities, ensuring that policies are more responsive to public needs and concerns. Furthermore, expanding stakeholder engagement can facilitate the development of more inclusive and sustainable policy frameworks.

The cause-and-effect relationship underlying these solutions is evident in the manner by which increased public awareness influences environmental policymaking. When communities understand their environmental rights, they are more likely to participate actively in decision-making processes that affect their surroundings. Similarly, education and training programs for law enforcement personnel can generate positive outcomes by improving their preparedness and capacity to enforce environmental laws consistently and effectively. Over the long term, these measures are expected to create greater synergy between economic growth and environmental sustainability, reducing the tensions that currently exist between these competing interests.

IV. CONCLUSION

The main findings of this study indicate that the Job Creation Law presents significant challenges to the enforcement of environmental crime laws in Indonesia. Its strong emphasis on investment facilitation frequently overlooks environmental regulations, resulting in widespread ecosystem degradation. Although the primary objective of the law is to improve the investment climate and stimulate economic growth, one of its unintended consequences is the increased threat to environmental sustainability. Furthermore, weak adherence to the rule of law and the persistent gap between investment interests and environmental protection create conditions that undermine the effectiveness of environmental law enforcement. This study highlights the importance of aligning investment policies with environmental protection measures in order to achieve sustainable development.

This research makes a significant scholarly contribution to understanding the relationship between economic policy and environmental law enforcement. By examining the dynamics between the Job Creation Law and Law Number 32 of 2009 on Environmental Protection and Management, the study offers a new perspective on the challenges associated with balancing economic growth and environmental sustainability. In addition, the analysis of the underlying causes of these challenges and the proposed solutions enriches the existing literature on environmental crime and public policy. The findings may serve as a valuable reference for policymakers, academics, and practitioners in designing policies that are more responsive to environmental concerns in Indonesia.

The limitations of this study stem from its exclusive focus on the Indonesian context, which may not fully reflect conditions in other jurisdictions. Furthermore, data obtained through interviews and observations may be subject to the subjective biases of informants. Future research may expand the geographical scope of analysis by comparing Indonesia’s experience with that of other countries facing similar

challenges. Further investigation into the role of community participation in environmental crime law enforcement also represents an important avenue for future study. Employing multi-method research approaches may enhance the validity of findings and provide a more comprehensive understanding of environmental law enforcement issues.

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