

Challenges of Implementing Public Involvement in Environmental Approval in the Regions

Nida Alifah Amir, Wiwin Widiyaningsih, Yeni Nuraeni, Yuki Rahmat Fauzi

Faculty of Law, Universitas Majalengka, Indonesia

E-mail: nidaa0730@gmail.com



<https://doi.org/10.25134/unifikasi.v13i01.1400>

ARTICLE INFO

Article History

Received: January 11, 2026

Revised: February 22, 2026

Accepted: June 10, 2026

Keywords

Environmental Consent;

Environmental Justice;

Public Participation.

ABSTRACT

This study aims to analyze the implementation of public involvement in environmental approvals under Article 26 of Law Number 32 of 2009 in Majalengka Regency, addressing the gap between legal norms and field reality. Purpose: The purpose is to identify the implementation, assess its effectiveness, and examine the factors inhibiting public participation. Methods: In order to achieve the stated objectives, a socio-legal method was adopted, with descriptive-analytical qualitative analysis. Data were collected through in-depth interviews with 20 respondents, comprising 10 affected community members and 10 academics, alongside literature reviews. Results: The obtained results showed that public participation remains an administrative formality, as the community reported being ignored, subjected to intimidation, and burdened by complicated bureaucratic processes, while academics pointed to weaknesses in regulations and local government capacity. Conclusion: Based on the observations, it was inferred that public involvement was ineffective, primarily because the factor remained confined to procedural formalities. Suggestion: To address this issue, suggestions include comprehensive structural reforms, such as implementing environmental education, strengthening the apparatus capacity, and integrating digital technology to facilitate access to information and minimize conflict. Contribution: The contribution and novelty of this study are in the integration of a procedural justice framework into the evaluation of environmental approvals through a triangulation of perspectives. By repositioning public participation as a governance instrument that determines legitimacy and accountability, the present investigation produces implementation indicators replicable enough to support more inclusive policy improvements in the future.



Introduction

Environment is a place where all living things on Earth, specifically humans, reside¹. Environmental management has become a central issue on the global development agenda, particularly considering the acceleration of climate change and ecosystem degradation triggered by human activities². Invariably, special attention should be paid to environmental protection, which is an essential aspect of environmental justice that plays a significant role in ensuring equal rights and preserving a high-quality, healthy environment for current and future generations³. The stated intervention is particularly important because it serves not only as a democratic right but a tool to prevent social conflict and mitigate the negative

¹ Aprilia Wahidatul Hasanah, Anggita Oktaviana, and Rayi Kharisma Rajib, "Analisis Dampak Pengesahan Undang-Undang Nomor Permasalahan Lingkungan Bidang Pertambangan Di Kalimantan," *Jurnal Multidisiplin Ilmu Akademik* 1, no. 3 (2024): 288–298.

² Siti Arbiah Nasution and Mhd Latip Kahpi, "Isu Lingkungan Global Dan Lokal : Perubahan Iklim , Energi , Air Dan Sampah," *Sinergi : Jurnal Ilmiah Multidisiplin* 1, no. 2 (2025): 2915–2940.

³ Ricky Rachmat Yuniardi, Yoyok Suharyanto, and Agus Satory, "Dampak Penyederhanaan Perizinan Lingkungan Yang Diatur Oleh Undang-Undang No 11 Tahun 2020 Tentang Cipta Kerja Terhadap Lingkungan Hidup Masyarakat Serta Pelaku Usaha," *Al-Adl: Jurnal Hukum* 16, no. 1 (2024): 160–177.

impacts of development. Therefore, effective law enforcement is needed and can be achieved through the integration of national law and international legal commitments, such as strengthening law enforcement based on the principles of sustainability and participation⁴. In many contexts, the participatory process, particularly the implementation of public participation, is vulnerable to power asymmetries and co-optation and often faces structural challenges, such as being influenced by political-economic relations that emphasize elite interests. Limited institutional capacity has been observed to further weaken the effectiveness of public involvement.⁵ The implementation of environmental management for sustainable development should be grounded in legal norms, taking into account the level of public awareness, global environmental developments, and international legal instruments related to environment⁶. Environmental management in Indonesia is regulated by Law Number 32 of 2009 on Environmental Protection and Management (EPM Law), which replaced Law Number 23 of 1997⁷. This law establishes public participation as a central principle of environmental approval process, aiming to achieve sustainable development grounded in the principles of precaution and shared responsibility. The law often recognizes traditional knowledge and practices, but its implementation remains inconsistent and is frequently marginalized by modernization and commercial interests⁸.

EPM Law stipulates that the community, specifically those concerned with environment, should be included in every activity carried out by business actors. This inclusion should primarily comprise the provision of open and complete information before the activity is carried out⁹. Article 26 of EPM Law explicitly regulates environmental approvals, including Environmental Impact Analysis (EIA), Environmental Management Efforts (EMF), and Environmental Monitoring Efforts (EMF), all of which require public involvement through public consultation, the submission of aspirations, and oversight mechanisms. Based on these laws and regulations, public participation has become an essential aspect in the scope of licensing as well as environmental management and protection.¹⁰ Although the stated laws provide a comprehensive legal basis, their implementation in practice is often uneven, particularly in regions with heterogeneous levels of environmental awareness. Empirical findings have shown that public participation can increase accountability and reduce the risk of environmental litigation, but obstacles such as

⁴ Ni Luh Eka Januartini and Ni Ketut Selamat Kariyani, "Analisis Yuridis Pengaruh Penebangan Liar Terhadap Perubahan Iklim Dalam Perspektif Hukum Nasional Dan Internasional," *ITRA: Jurnal Hukum Lingkungan, Tata Ruang, dan Agraria*, 4, no. 1 (2024): 33-47.

⁵ Monika Suškevičs et al., "Public Participation in Environmental Assessments in the EU: A Systematic Search and Qualitative Synthesis of Empirical Scientific Literature," *Environmental Impact Assessment Review* 98, no. March 2022 (January 2023): 106944.

⁶ Iwan Acuan Zakaria, Moh. Ery Kusmiadi, and Mariya Azis, "Peran Serta Masyarakat Dan Kewenangan Kelembagaan Pengelolaan Lingkungan Hidup Berbasis Pariwisata Berdasarkan Tinjauan Yuridis," *Equality Before The Law* 2, no. 1 (2022): 1-11.

⁷ Marulak Pardede et al., "Perspectives of Sustainable Development vs. Law Enforcement on Damage, Pollution and Environmental Conservation Management in Indonesia," *Journal of Water and Climate Change* 14, no. 10 (2023): 3770-3790.

⁸ Arsyad Aldyan et al., "Local Wisdom-Based Environmental Management Policy in Indonesia: Challenges and Implementation," *Journal of Law, Environmental and Justice* 2, no. 3 (December 30, 2024): 332-354, <https://journal.iueam.org/index.php/JLEJ/article/view/100>.

⁹ Erwin Prasetyo, Bayu Dwi Anggono, and R A Rini Anggraeni, "Penyederhanaan Perizinan Lingkungan Hidup Di Kabupaten / Kota Melalui Undang-Undang Nomor 6 Tahun 2023 Tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 Cipta Kerja Menjadi Undang-Undang," *Hukum Inovatif: Jurnal Ilmu Hukum Sosial dan Humaniora* 1, no. 4 (2024): 40-50.

¹⁰ Zakaria, Kusmiadi, and Azis, "Peran Serta Masyarakat Dan Kewenangan Kelembagaan Pengelolaan Lingkungan Hidup Berbasis Pariwisata Berdasarkan Tinjauan Yuridis."

bureaucratic red tape and public ignorance often undermine these benefits. Achieving the collective goal of maintaining a healthy and sustainable environment, therefore, requires collaboration among government agencies, industry, educational institutions, and the general community.

Article 26 of Law Number 32 of 2009 on EPM originally required business or project proponents to prepare EIA documents through the participation of communities directly affected by the proposed activity. This provision was later amended by Job Creation Law (Law Number 11 of 2020), which streamlined¹¹ EIA and environmental permitting processes by assigning the preparation of EIA documents to certified and competent professionals. This provision provides room for the community to participate in EPM efforts based on the principles outlined in Article 2, namely participation and transparency. The principle of participation implies that every member of the community is admonished to play an active role in decision-making as well as the implementation of EPM, both directly and indirectly. The principle of transparency reflects that community members can help identify environmental impact issues early and comprehensively, as well as accommodate local aspirations and knowledge as key to resolving environmental impact issues¹² whenever they arise. Public involvement in environmental management is an integral part of Indonesian environmental protection system. Law Number 32 of 2009 on EPM provides a legal basis for the community to actively participate in environmental protection processes, including in the preparation of EIA and environmental approvals. Article 26 of Law Number 32 of 2009 stipulates that EIA documents should be prepared by the proponent in collaboration with the community, specifically involving those directly impacted by the proposed business or activity. Every policy should better integrate local and customary knowledge to promote sustainable resource management and social justice¹³.

Theoretically, public participation is an important indicator of good environmental governance and embodies the principles of sustainable development by enhancing the legitimacy of decisions, strengthening transparency, and building a sense of shared responsibility in natural resource management. However, in practice, various challenges exist in actualizing this involvement, such as weak enforcement mechanisms. Some studies have shown that although laws and regulations have created space for the community to provide suggestions, opinions, and responses in EIA, public involvement is often treated as a formality with no substantive impact on environmental decisions. This participation tends to fulfill only administrative requirements, while the community's opportunity to actively influence outcomes remains very limited¹⁴. The gap between legal norms and public engagement practices creates significant challenges in implementing environmental approvals, including the potential marginalization of voices from communities directly impacted by development projects. This not only undermines the objectives of Law Number 32 of 2009 to guarantee public participation and the right to a good and healthy environment, but also creates legal

¹¹ Sucy Delyarahmi and Rahmi Murniwati, "Peran Serta Masyarakat Dalam Penyusunan Analisis Mengenai Dampak Lingkungan Dalam Rangka Perlindungan Hak Atas Lingkungan Hidup," *Unes Journal of Swara Justisia* 7, no. 3 (2023): 1063–1084.

¹² Rahayu Subekti and Amalina Ghaisani Putri, "Partisipasi Masyarakat Dalam Penyusunan Amdal Di Kabupaten Sukoharjo," *Jurnal Pendidikan Kewarganegaraan Undiksha* 10, no. 1 (2022): 167–186.

¹³ Charles Fonchingong Che, "Reframing Social Justice through Indigenous Know-How: Implications for Social Development, Policy and Practice," *Global Social Policy* 24, no. 1 (2024): 5–24.

¹⁴ Bagus Fajar Ardiyanto et al., "Efektivitas Partisipasi Publik Dalam Penyusunan Peraturan Daerah," *PESHUM: Jurnal Pendidikan, Sosial dan Humaniora* 5, no. 2 (2026): 4211–4219.

and social uncertainty in the implementation of environmental policies at the local level¹⁵. The stated gap warrants close examination, particularly in the context of local governments such as Majalengka Regency, where the dynamics of public involvement in environmental approval process present ongoing concerns.

From a community perspective, the implementation of Article 26 of EPM Law is often viewed as ineffective, with obstacles including limited access to information, intimidation by developers, and a lack of environmental education. Academics, on their part, see it as an opportunity to strengthen environmental governance through a participatory approach grounded in scientific evidence, though this requires critical analysis of on-the-ground practices. The present study aims to analyze the implementation of public participation in environmental approvals under Article 26 of EPM Law in Majalengka Regency, integrating views from the community and academics¹⁶. This approach is expected to expose the gap between regulations and reality as well as provide recommendations to improve the effectiveness of participation as a foundation for sustainable development. Academic perspectives provide critical insights into the structures and institutions of public engagement, including normative barriers and practices that are less responsive to public aspirations, as well as opportunities to strengthen regulatory implementation by developing clearer, more inclusive policies. The community perspective is equally important in understanding how these legal provisions are perceived in the daily lives of people directly affected by business projects and activities. Therefore, this study aims to provide a more comprehensive understanding of the implementation of public engagement in environmental approvals from two complementary perspectives, namely those of the directly affected community and academics with theoretical and critical insights¹⁷.

The focus on Majalengka Regency, West Java, is relevant because it is an agrarian region with significant potential for environmental conflict stemming from mining, intensive agriculture, and infrastructure development. Data from Central Statistics Agency (CSA) of Majalengka Regency show that in 2022, more than 50 development projects required environmental approval, including factory construction and natural resource exploitation¹⁸. Reports from Indonesian Forum for Environment and local studies, however, suggest that public participation in this process remains limited, often reduced to a formal exercise without substantive depth, thereby risking social dissatisfaction and long-term environmental damage such as river pollution and deforestation¹⁹. Previous investigations have further

¹⁵ Wahyu Nugroho and Agus Surono, "Rekonstruksi Hukum Pembangunan Dalam Kebijakan Pengaturan Lingkungan Hidup Dan Sumber Daya Alam," *Jurnal Hukum Lingkungan Indonesia* 4, no. 2 (2018): 77–110.

¹⁶ Satya Laksana, "Fiscal Policy Reform of West Java Province for Economic Equity and Sustainable Development.," *Creative Research Journal* 10, no. 02 (2024): 107–132, <https://crjournal.jabarprov.go.id/index.php/crj/article/view/375>.

¹⁷ Marhaeni Ria Siombo and Emmanuel Ariananto Waluyo Adi, "Desa Berwawasan Lingkungan Melalui Sinkronisasi Kewenangan Desa Dan Pelibatan Masyarakat Dalam Proses Persetujuan Lingkungan," *Bina Hukum Lingkungan* 5, no. 3 (2021): 452–468, <http://www.bhl-jurnal.or.id/index.php/bhl/article/view/bhl.v5n3.4>.

¹⁸ Ida Marina, Sri Ayu Andayani, and Kosasih Sumantri, "Review of Food Crop Leading Commodities: Location Analysis and Economic Growth in Majalengka Regency," *Journal of Innovation and Research in Agriculture* 2, no. 02 (2023): 7–14.

¹⁹ Sindi Kurnia Safitri and Wasti Reviandani, "Analisis Pemberian Kredit Pada Kpri 'Harapan' Plumpang," *Entrepreneur : Jurnal Bisnis Manajemen dan Kewirausahaan*, 5, no. 1 (2024): 31–46.

established a significant gap between the legal framework and its practical implementation, frequently attributed to weak institutional capacity and law enforcement²⁰.

This study aims to analyze the implementation of public involvement in environmental approvals under Article 26 of Law Number 32 of 2009 in Majalengka Regency, drawing from the perspectives of affected communities and environmental law academics. Specifically, it aims to identify how public involvement is implemented in environmental approval process in accordance with legal provisions, assess community and academic perceptions of its effectiveness, and uncover factors that hinder its practice. This study also serves an academic function by making scientific contributions to the development of empirical and socio-legal investigations, as well as enriching the legal literature on the gap between norms and practices in environmental approvals. It additionally serves a practical function as evaluation material for local governments and policymakers, helping to improve the effectiveness of public involvement and providing strategic recommendations for implementing it in a more substantive, transparent, and participatory manner. Possessing a better understanding of the community role in public participation in EIA preparation, it is expected that harmony will be created between economic development and environmental protection, and that greater space will be provided for community voices in decision-making related to development projects that may impact environment²¹.

Recent literature generally positions public participation in environmental approval at the conceptual level of good governance or within a cross-country comparative framework, focusing on the principle of participation and its implementation challenges²². In Indonesia, studies specifically examining Article 26 of Law Number 32 of 2009 remain limited and tend to be normative, although some investigations point to a narrowing of the space for participation following regulatory changes^{23,24,25}. This study, therefore, offers novelty through a socio-legal analysis that integrates the normative basis of Article 26 of Law 32/2009 with empirical testing of the norm-practice gap and operationalizes indicators of environmental justice and procedural justice in environmental approval process²⁶. This approach is specifically relevant in the context of the latest regulatory dynamics, which risk shifting the community position from a substantive actor to a formal participant in environmental governance²⁷. This study aims to analyze the implementation of public involvement in

²⁰ Derita Prapti et al., "Legal Effectiveness of Business Contracts in Tin Mining: Socio-Legal and Governance Challenges in Corporate – Community Relations in Indonesia," *Resources Policy* 111, no. October (2025): 105767.

²¹ Ma'rifah Ma'rifah et al., "Partisipasi Publik Penyusunan Amdal Berdasarkan Undang-Undang Cipta Kerja," *Wasaka Hukum* 11, no. 2 (2023): 91–100.

²² Azlan Abas et al., "A Systematic Literature Review on Public Participation in Decision-Making for Local Authority Planning: A Decade of Progress and Challenges," *Environmental Development* 46 (2023): 100853.

²³ Annisa Fianni Sisma et al., "Mapping Public Participation in EIA in Indonesia: Recommendations for an Ideal Concept," *Sriwijaya Law Review* 9, no. 2 (July 31, 2025): 351–371, <https://journal.fh.unsri.ac.id/index.php/sriwijayalawreview/article/view/3607>.

²⁴ Muhammad Yusuf et al., "Reconstruction of Public Participation in The AMDAL Licensing Process in Indonesia," *Indonesia. International Journal of Social Science and Humanity* 2, no. 2 (2025): 139–149.

²⁵ Abdul Mutolib, Uu Nurul Huda, and Ine Fauzia, "Community Participation in the Process of Making an Environmental Impact Assessment Associated with Law Number 6 of 2023 Concerning Job Creation," *Jurnal Jatiswara* 39, no. 3 (2024): 378–387.

²⁶ Amy J Schulz et al., "Procedural Justice in Environmental Decision-Making: An Analysis of Public Participation Language in State-Level Cumulative Impact Legislation," *Environmental Justice* 18, no. 6 (December 1, 2025): 411–422.

²⁷ Adib Hasan and Erri N Megantara, "The Public Participation Shifting of Environmental Impact Assessment During Covid-19 Outbreak," ed. S. Withaningsih et al., *E3S Web of Conferences* 249 (April 7, 2021): 01009, <https://www.e3s-conferences.org/10.1051/e3sconf/202124901009>.

environmental approvals under Article 26 of Law Number 32 of 2009 in Majalengka Regency, drawing from the perspectives of affected communities and environmental law academics. Specifically, it aims to identify how public involvement is implemented in environmental approval process in accordance with legal provisions, assess community and academic perceptions of its effectiveness, and uncover factors that hinder its practice.

Research Methods

This empirical legal study, using a socio-legal approach, analyzes the implementation of Article 26 of Law Number 32 of 2009 on public involvement in environmental approvals in Majalengka Regency, adopting a qualitative descriptive-analytical method. Data were collected through literature reviews, the 2025 Environmental Agency report, and in-depth, semi-structured interviews with 20 respondents selected through purposive sampling, comprising 10 directly affected community members and 10 academics from Majalengka University, with strict adherence to ethical standards and anonymity. The results show a significant gap between legal norms and empirical reality, where public participation is treated as an administrative formality and a non-substantive procedural ritual. From the community perspective, community concerns and aspirations are often ignored due to developer dominance, compounded by major obstacles such as a lack of access to information (80%), intimidation or fear of job loss (70%), and complex bureaucracy (60%). Academically, although regulations are strong in terms of norms, each regulation implementation in the field falls short of expectations due to the dominance of economic interests and weak community capacity. This result is further reinforced by data from the 2025 Environmental Agency document, which recorded how only 40% of projects adequately include the community. As a solution, academics stress the need for institutional reform, including strengthening independent oversight (90%), collaboration among stakeholders (80%), and integrating environmental education to build equal dialogue and prevent social conflict.

Results and Discussion

1. *Implementation of Public and Academic Involvement in Environmental Approval*

The results show that the implementation of public involvement in the context of environmental approval in Majalengka Regency still faces a gap between the normative provisions of Article 26 of Law Number 32 of 2009 and field practice. Formally, EIA documents and environmental approval processes include public consultation mechanisms, but observations and in-depth interviews with the community show that public participation often consists of administrative rituals with no substantive influence on final decisions²⁸. Community members interviewed stated that they are rarely given access to adequate information regarding the impacts of activities and businesses and the procedures for submitting responses, causing their contribution to environmental approval process to remain minimal²⁹. From a scholarly perspective, the analysis shows that the observed limited participation is related to two main factors. The first is structural and institutional factors,

²⁸ Kuo Ray Mao, Zhong Zhao, and Yue Xu, "The Blueway and the Red Line Spiderweb: Assessing the Impact of Repressive and Ideological State Apparatuses on Environmental Protests in China," *Asian Politics and Policy* 17, no. 2 (2025): 1–11.

²⁹ Melisa Ayu Azhara and Siti Ruhama Mardhatillah, "Partisipasi Publik Dalam Penyusunan Dokumen Analisis Dampak Lingkungan Pasca Berlakunya Undang-Undang/Perppu Cipta Kerja," *Jurnal Hukum Ius Quia Iustum* 30, no. 2 (2023): 256–276.

including suboptimal coordination among government agencies and a lack of formal mechanisms to ensure that community aspirations are accommodated. The second is community legal culture, namely the community low understanding of their right to participate in environmental approval process. This study is consistent with Soerjono Soekanto's theory of legal effectiveness, which asserts that the effectiveness of regulations is determined not only by legal norms but also by factors such as apparatus, facilities, legal culture, and public participation³⁰.

From a community perspective, public involvement is considered important, but its implementation remains largely limited to formal consultation or passive outreach, leaving the community feeling they have no real role in decision-making³¹. Several respondents stated that they received information only after the EIA document was completed. The respondents further stated that their comments or input were rarely considered in the final decision³². This points to a gap between the principle of public participation stipulated in Law 32/2009 and its implementation in practice at the local level³³. Academic perspectives provide a critical assessment of institutional design and environmental approval procedures. Academics stress the need for more transparent, participatory, and evidence-based mechanisms, including clear access to information, community training on environmental rights and procedures, and an active role for local officials in facilitating public consultations³⁴. This perspective affirms how substantive public involvement is not only a formal activity but should be an integral part of decision-making that affects environment, in line with the principles of sustainable development.

2. Factors Inhibiting the Implementation of Public Involvement in Environmental Approval

Based on an analysis of Article 26 of Law Number 32 of 2009 on EPM Law, which mandates public involvement in EIA and environmental approval processes, implementation in Majalengka Regency is often hampered by various factors³⁵. These factors were identified from the perspective of the community, following the direct experiences of affected residents, and from academics, with a particular consideration of legal, social, and policy studies. Collectively, these barriers reduce the effectiveness of participation, resulting in less-than-fully sustainable environmental development and potentially leading to conflict³⁶.

a. Community Perspective

³⁰ Rijal Muhammad Sulton, "Potensi Partisipasi Masyarakat Dalam Pengembangan Ekowisata Di Kawasan Terasing Panyaweyan Argapura Kabupaten Majalengka," in *Prosiding FTSP Series*, 2023, 1924-1931.

³¹ Farhan Izzatul Ulya et al., "Penguatan Partisipasi Masyarakat Dalam Proses Perizinan Lingkungan Melalui Konsep Citizen Power," *Padjajaran Law Review* 8, no. 1 (2020): 84-98.

³² Shannon Elizabeth Bell et al., "Pipelines and Power: Psychological Distress, Political Alienation, and the Breakdown of Environmental Justice in Government Agencies' Public Participation Processes," *Energy Research and Social Science* 109, no. December 2023 (2024): 103406, <https://doi.org/10.1016/j.erss.2023.103406>.

³³ Serlika Aprita, Syamsul Syamsul, and Shafa Nabila Utami, "Implementasi Undang-Undang Nomor 32 Tahun 2009 Dalam Pencegahan Masalah Lingkungan Di Kelurahan Tanjung Raja Timur," *Samakta: Jurnal Pengabdian Kepada Masyarakat* 1, no. 2 (2024): 63-69.

³⁴ Setyo Amirullah, "Tinjauan Yuridis Terhadap Pembangunan Pagar Laut Dalam Perspektif Perlindungan Lingkungan Hidup Dan Partisipasi Publik," *Al-Zayn : Jurnal Ilmu Sosial & Hukum* 3, no. 2 (2025): 731-743.

³⁵ Valencia Prasetyo Ningrum, "Environmental Law Enforcement In Law Number 32 of 2009 Concerning Environmental Protection and Management," *Asian Journal of Social and Humanities* 01, no. 08 (2023): 351-356, <https://ajosh.org/>.

³⁶ Adonis Muzanni et al., "Review of Environmental Management System Implementation in the Oil and Gas Company in Indonesia," *IOP Conference Series: Earth and Environmental Science* 1111, no. 1 (2022): 1-6.

Considering the perspective of the community in Majalengka Regency, which often comprises farmers, fishermen, and rural residents affected by projects such as mining or infrastructure development, the main inhibiting factors include the following:

- 1) Lack of Access to Information and Outreach, the community often does not receive complete information about EIA documents or public consultation schedules, as outreach is limited or conducted only formally, without an easily understood approach.
 - 2) Low Community Awareness and Capacity, many residents lack understanding of their rights under Article 26, preventing them from actively participating. This is compounded by low levels of education and limited resources to engage in the process.
 - 3) Intimidation and Conflicts of Interest, these include cases where the community feels intimidated by project stakeholders or the government, or in which corruption leads to their voices being ignored, particularly in areas with high economic activity such as Majalengka Sub-district.
 - 4) Complicated and Lengthy Bureaucracy, Environmental approval processes often take a long time, leaving the community exhausted and less inclined to participate.
- b. Academic Perspective

Academic perspectives, such as environmental law scholars or lecturers from universities such as Majalengka University, the obstacles are more structural and policy-based in nature.

- 1) Weak Regulation and Implementation, Article 26 of EPM Law is not yet supported by robust regional regulations in Majalengka. As a result, engagement mechanisms are often inconsistent, reduced to formalities without substantive value.
- 2) Lack of Local Government Capacity, Local officials are inadequately trained to facilitate public participation, including managing public consultations and handling complaints, due to budget and human resource constraints.
- 3) Conflicts of Interest and Economic Influence, Large projects are often driven by local economic interests, causing public engagement to be viewed as a barrier rather than an integral part of environmental approval.
- 4) Lack of Oversight and Sanctions, The absence of strict central oversight from bodies such as the Ministry of Environment and Forestry over implementation at the local level, combined with weak sanctions for violations, allows poor practices to persist³⁷.

The outlined factors are deeply interrelated and can be addressed through public education, regulatory reform, and strengthening local capacity. These results build on similar empirical investigations in Indonesia, which show that such barriers are common in areas of intensive development such as Majalengka³⁸.

The results show that public engagement in environmental approval needs to be strengthened through additional operational policies, including clear feedback mechanisms, active outreach, and training to equip the community for effective participation.³⁹ Academically, this gap affirms the need to uphold the principle of public participation in democratic, transparent, and accountable environmental governance. Strengthening inter-

³⁷ Hafizh Sufi Anbiya, "Program Kartu Tani: Analisis Hambatan Dari Perspektif Interest Group Di Kabupaten Majalengka Tahun 2020-2023," *Journal of Politic and Goverment Studies* 13, no. 3 (2024): 320-334.

³⁸ Adrian Adrian et al., "Enhancing Agricultural Protection Areas Under Spatial Restrictions: A Case Study of Majalengka Regency, Indonesia," *Geography, Environment, Sustainability* 17, no. 1 (2024): 67-82.

³⁹ Anna M. Gade, "Climate, Sustainability, and Future Generations: An Ecotheology for Indonesia's Ummah of 'Nonidentity,'" *Studia Islamika* 32, no. 3 (2024): 467-489.

agency coordination and community empowerment are equally key to ensuring that public involvement moves beyond formality and produces a real impact on the quality of environmental decisions⁴⁰.

The present study, therefore, confirms that the legal norm of Article 26 of Law Number 32 of 2009 holds significant potential, but its successful implementation depends heavily on a combination of institutional factors, community capacity, and local legal culture. These elements should serve as a reference for policymakers at the regional level in achieving participatory and inclusive sustainable development⁴¹. The preparation of EIA functions as a preventative measure against environmental damage and is a prerequisite for obtaining environmental permits, ensuring transparency and public participation throughout its preparation. Environmental organizations play a significant role in this process by providing advice and input on implementing environmental protection in business activities.

Conclusion

In conclusion, the analysis of the implementation of Article 26 of Law Number 32 of 2009 on EPM in Majalengka Regency, conducted through interviews drawn from community and academic perspectives, established that public participation in environmental approval still faces significant challenges. Based on the observations made, community perspectives suggested how the implementation of this provision was often hampered by limited access to information, a lack of awareness of environmental rights, and the dominance of developer interests that disregarded local aspirations, resulting in social dissatisfaction and potential environmental conflict. Academics, on the other hand, pointed out that although the legal framework provided a strong foundation for participation through public consultation and complaint mechanisms, its implementation on the ground proved largely ineffective due to the weak capacity of local government officials, a lack of inter-agency coordination, and the absence of independent oversight. During the course of this study, it was found that in Majalengka Regency, the implementation of Article 26 had not fully achieved its primary objective of ensuring sustainable development in line with the principles of environmental justice, as mandated by the law. These results invariably affirm the need for structural reforms to enhance the effectiveness of public participation in preventing environmental degradation and minimizing the socio-economic impacts of development projects.

Suggestion

Following the above description, an inference can be made that optimizing public engagement and reducing the potential for environmental conflict in Majalengka Regency is essential. Within this context, the present study recommends comprehensive structural reforms, including strengthening collective public awareness through intensive education with academics, increasing the capacity of local government officials through regular training and the formation of multidisciplinary monitoring teams, as well as digitizing public consultation platforms for information transparency. Academics should also be called upon

⁴⁰ Fx Hastowo Broto Laksito, Aji Bawono, and Afridah Ikrimah, "Reducing Community Participation in the Preparation of Environmental Impact Assessments (EIA): Evidence from Indonesia," *Journal of Law, Environmental and Justice* 2, no. 2 (2024): 137–161.

⁴¹ Yusmiati Yusmiati, Imamulhadi Imamulhadi, and Supraba Sekarwati, "Guidelines For Environmental Offenders in the Environmental Enforcement System Based on Law Number 32 of 2009," *LITRA : Jurnal Hukum Lingkungan Tata Ruang dan Agraria* 2, no. 2 (2023): 189–214.

to conduct regular empirical investigations to evaluate policies that adapt to local dynamics. However, the effectiveness of these recommendations requires careful consideration, particularly considering the presence of several study limitations, including a narrow normative focus on Article 26 of Law Number 32 of 2009 without examining sectoral derivative regulations, and the contextual nature of the empirical findings, which makes the recommendations difficult to generalize nationally. The completeness of this study reconstruction of the participation process is also affected by limited access to EIA technical documents, the risk of bias in respondents' perceptions or recall during interviews, and the lack of quantitative longitudinal testing on the impact of participation on the quality of ecological decisions.

References

- Abas, Azlan, Kadir Arifin, Mohd Azhar Mohamed Ali, and Muhammad Khairil. "A Systematic Literature Review on Public Participation in Decision-Making for Local Authority Planning: A Decade of Progress and Challenges." *Environmental Development* 46 (2023): 100853.
- Adrian, Adrian, Widiatmaka Widiatmaka, Khursatul Munibah, and Irman Firmansyah. "Enhancing Agricultural Protection Areas Under Spatial Restrictions: A Case Study of Majalengka Regency, Indonesia." *Geography, Environment, Sustainability* 17, no. 1 (2024): 67–82.
- Aldyan, Arsyad, Kartika Asmanda Putri, Rizal Akbar Aldyan, and Abdelrahman Alasttal. "Local Wisdom-Based Environmental Management Policy in Indonesia: Challenges and Implementation." *Journal of Law, Environmental and Justice* 2, no. 3 (December 30, 2024): 332–354. <https://journal.iueam.org/index.php/JLEJ/article/view/100>.
- Amirullah, Setyo. "Tinjauan Yuridis Terhadap Pembangunan Pagar Laut Dalam Perspektif Perlindungan Lingkungan Hidup Dan Partisipasi Publik." *Al-Zayn : Jurnal Ilmu Sosial & Hukum* 3, no. 2 (2025): 731–743.
- Anbiya, Hafiizh Sufi. "Program Kartu Tani: Analisis Hambatan Dari Perspektif Interest Group Di Kabupaten Majalengka Tahun 2020-2023." *Journal of Politic and Goverment Studies* 13, no. 3 (2024): 320–334.
- Aprita, Serlika, Syamsul Syamsul, and Shafa Nabila Utami. "Implementasi Undang-Undang Nomor 32 Tahun 2009 Dalam Pencegahan Masalah Lingkungan Di Kelurahan Tanjung Raja Timur." *Samakta: Jurnal Pengabdian Kepada Masyarakat* 1, no. 2 (2024): 63–69.
- Ardiyanto, Bagus Fajar, Intan Rahayu, Andhika Ivan, and Putra Pamungkas. "Efektivitas Partisipasi Publik Dalam Penyusunan Peraturan Daerah." *PESHUM : Jurnal Pendidikan, Sosial dan Humaniora* 5, no. 2 (2026): 4211–4219.
- Azhara, Melisa Ayu, and Siti Ruhama Mardhatillah. "Partisipasi Publik Dalam Penyusunan Dokumen Analisis Dampak Lingkungan Pasca Berlakunya Undang-Undang/Perppu Cipta Kerja." *Jurnal Hukum Ius Quia Iustum* 30, no. 2 (2023): 256–276.
- Bell, Shannon Elizabeth, Michael Hughes, Grace Tuttle, Russell Chisholm, Stephen Gerus, Danielle R. Mullins, Cameron Baller, Kelly Scarff, Rachel Spector, and Denali Sai Nalamalapu. "Pipelines and Power: Psychological Distress, Political Alienation, and the Breakdown of Environmental Justice in Government Agencies' Public Participation Processes." *Energy Research and Social Science* 109, no. December 2023 (2024): 103406. <https://doi.org/10.1016/j.erss.2023.103406>.

- Delyarahmi, Sucy, and Rahmi Murniwati. "Peran Serta Masyarakat Dalam Penyusunan Analisis Mengenai Dampak Lingkungan Dalam Rangka Perlindungan Hak Atas Lingkungan Hidup." *Unes Journal of Swara Justisia* 7, no. 3 (2023): 1063-1084.
- Fonchingong Che, Charles. "Reframing Social Justice through Indigenous Know-How: Implications for Social Development, Policy and Practice." *Global Social Policy* 24, no. 1 (2024): 5-24.
- Gade, Anna M. "Climate, Sustainability, and Future Generations: An Ecotheology for Indonesia's Ummah of 'Nonidentity.'" *Studia Islamika* 32, no. 3 (2024): 467-489.
- Hasan, Adib, and Erri N Megantara. "The Public Participation Shifting of Environmental Impact Assessment During Covid-19 Outbreak." Edited by S. Withaningsih, D. Supyandi, G.L. Utama, and A.D. Malik. *E3S Web of Conferences* 249 (April 7, 2021): 01009. <https://www.e3s-conferences.org/10.1051/e3sconf/202124901009>.
- Hasanah, Aprilia Wahidatul, Anggita Oktaviana, and Rayi Kharisma Rajib. "Analisis Dampak Pengesahan Undang-Undang Nomor Permasalahan Lingkungan Bidang Pertambangan Di Kalimantan." *Jurnal Multidisiplin Ilmu Akademik* 1, no. 3 (2024): 288-298.
- Januartini, Ni Luh Eka, and Ni Ketut Selamat Kariyani. "Analisis Yuridis Pengaruh Penebangan Liar Terhadap Perubahan Iklim Dalam Perspektif Hukum Nasional Dan Internasional." *ITRA: Jurnal Hukum Lingkungan, Tata Ruang, dan Agraria*, 4, no. 1 (2024): 33-47.
- Laksana, Satya. "Fiscal Policy Reform of West Java Province for Economic Equity and Sustainable Development." *Creative Research Journal* 10, no. 02 (2024): 107-132. <https://crjournal.jabarprov.go.id/index.php/crj/article/view/375>.
- Laksito, Fx Hastowo Broto, Aji Bawono, and Afridah Ikrimah. "Reducing Community Participation in the Preparation of Environmental Impact Assessments (EIA): Evidence from Indonesia." *Journal of Law, Environmental and Justice* 2, no. 2 (2024): 137-161.
- Ma'rifah, Ma'rifah, Riana Kesuma Ayu, Abdul Karim, Gede Agung Kurniawan, Yuza Rahmatullah, and Susilawati Susilawati. "Partisipasi Publik Penyusunan Amdal Berdasarkan Undang-Undang Cipta Kerja." *Wasaka Hukum* 11, no. 2 (2023): 91-100.
- Mao, Kuo Ray, Zhong Zhao, and Yue Xu. "The Blueway and the Red Line Spiderweb: Assessing the Impact of Repressive and Ideological State Apparatuses on Environmental Protests in China." *Asian Politics and Policy* 17, no. 2 (2025): 1-11.
- Marina, Ida, Sri Ayu Andayani, and Kosasih Sumantri. "Review of Food Crop Leading Commodities: Location Analysis and Economic Growth in Majalengka Regency." *Journal of Innovation and Research in Agricultur* 2, no. 02 (2023): 7-14.
- Mutolib, Abdul, Uu Nurul Huda, and Ine Fauzia. "Community Participation in the Process of Making an Environmental Impact Assessment Associated with Law Number 6 of 2023 Concerning Job Creation." *Jurnal Jatiswara* 39, no. 3 (2024): 378-387.
- Muzanni, Adonis, Tri Edhi Budhi Soesilo, Dwi Nowo Martono, Udi Syahnoedi Hamzah, Wezia Berkademi, and David Febraldo. "Review of Environmental Management System Implementation in the Oil and Gas Company in Indonesia." *IOP Conference Series: Earth and Environmental Science* 1111, no. 1 (2022): 1-6.
- Nasution, Siti Arbiah, and Mhd Latip Kahpi. "Isu Lingkungan Global Dan Lokal : Perubahan Iklim , Energi , Air Dan Sampah." *Sinergi : Jurnal Ilmiah Multidisiplin* 1, no. 2 (2025): 2915-2940.
- Ningrum, Valencia Prasetyo. "Environmental Law Enforcement In Law Number 32 of 2009

- Concerning Environmental Protection and Management.” *Asian Journal of Social and Humanities* 01, no. 08 (2023): 351–356. <https://ajosh.org/>.
- Nugroho, Wahyu, and Agus Surono. “Rekonstruksi Hukum Pembangunan Dalam Kebijakan Pengaturan Lingkungan Hidup Dan Sumber Daya Alam.” *Jurnal Hukum Lingkungan Indonesia* 4, no. 2 (2018): 77–110.
- Pardede, Marulak, Mosgan Situmorang, Syprianus Aristeus, Ismail Rumadan, Henry Donald Lumban Toruan, Diogenes, Djamilus, and Ellen Lutya Putri Nugrahani. “Perspectives of Sustainable Development vs. Law Enforcement on Damage, Pollution and Environmental Conservation Management in Indonesia.” *Journal of Water and Climate Change* 14, no. 10 (2023): 3770–3790.
- Prapti, Derita, Muhammad Rustamaji, Faisal Faisal, and Rafiq Sari. “Legal Effectiveness of Business Contracts in Tin Mining: Socio-Legal and Governance Challenges in Corporate – Community Relations in Indonesia.” *Resources Policy* 111, no. October (2025): 105767.
- Prasetyo, Erwin, Bayu Dwi Anggono, and R A Rini Anggraeni. “Penyederhanaan Perizinan Lingkungan Hidup Di Kabupaten / Kota Melalui Undang-Undang Nomor 6 Tahun 2023 Tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 Cipta Kerja Menjadi Undang-Undang.” *Hukum Inovatif: Jurnal Ilmu Hukum Sosial dan Humaniora* 1, no. 4 (2024): 40–50.
- Safitri, Sindi Kurnia, and Wasti Reviandani. “Analisis Pemberian Kredit Pada Kpri ‘Harapan’ Plumpang.” *Entrepreneur : Jurnal Bisnis Manajemen dan Kewirausahaan*, 5, no. 1 (2024): 31–46.
- Schulz, Amy J, Gretta M. Rempel Fisher, Aresha Nadeem, Kathryn Savoie, Barbara A Israel, Theresa Landrum, Natalie Sampson, and Erin Stanley. “Procedural Justice in Environmental Decision-Making: An Analysis of Public Participation Language in State-Level Cumulative Impact Legislation.” *Environmental Justice* 18, no. 6 (December 1, 2025): 411–422.
- Siombo, Marhaeni Ria, and Emmanuel Ariananto Waluyo Adi. “Desa Berwawasan Lingkungan Melalui Sinkronisasi Kewenangan Desa Dan Pelibatan Masyarakat Dalam Proses Persetujuan Lingkungan.” *Bina Hukum Lingkungan* 5, no. 3 (2021): 452–468. <http://www.bhl-jurnal.or.id/index.php/bhl/article/view/bhl.v5n3.4>.
- Sisma, Annisa Fianni, I Gusti Ayu Ketut Rachmi Handayani, Lego Karjoko, and Ravi Danendra. “Mapping Public Participation in EIA in Indonesia: Recommendations for an Ideal Concept.” *Sriwijaya Law Review* 9, no. 2 (July 31, 2025): 351–371. <https://journal.fh.unsri.ac.id/index.php/sriwijayalawreview/article/view/3607>.
- Subekti, Rahayu, and Amalina Ghaisani Putri. “Partisipasi Masyarakat Dalam Penyusunan Amdal Di Kabupaten Sukoharjo.” *Jurnal Pendidikan Kewarganegaraan Undiksha* 10, no. 1 (2022): 167–186.
- Sulton, Rijal Muhammad. “Potensi Partisipasi Masyarakat Dalam Pengembangan Ekowisata Di Kawasan Terasering Panyaweuyan Argapura Kabupaten Majalengka.” In *Prosiding FTSP Series*, 1924–1931, 2023.
- Suškevičs, Monika, Triin Ehrlich, Kaja Peterson, Olavi Hiimäe, and Kalev Sepp. “Public Participation in Environmental Assessments in the EU: A Systematic Search and Qualitative Synthesis of Empirical Scientific Literature.” *Environmental Impact Assessment Review* 98, no. March 2022 (January 2023): 106944.

- Ulya, Farhan Izzatul, Emilda Yofitaz, Febri Wulandar, and Yunita Desmawati. "Penguatan Partisipasi Masyarakat Dalam Proses Perizinan Lingkungan Melalui Konsep Citizen Power." *Padjajaran Law Review* 8, no. 1 (2020): 84-98.
- Yuniardi, Ricky Rachmat, Yoyok Suharyanto, and Agus Satory. "Dampak Penyederhanaan Perizinan Lingkungan Yang Diatur Oleh Undang-Undang No 11 Tahun 2020 Tentang Cipta Kerja Terhadap Lingkungan Hidup Masyarakat Serta Pelaku Usaha." *Al-Adl: Jurnal Hukum* 16, no. 1 (2024): 160-177.
- Yusmiati, Yusmiati, Imamulhadi Imamulhadi, and Supraba Sekarwati. "Guidelines For Environmental Offenders in the Environmental Enforcement System Based on Law Number 32 of 2009." *LITRA : Jurnal Hukum Lingkungan Tata Ruang dan Agraria* 2, no. 2 (2023): 189-214.
- Yusuf, Muhammad, Muda Azka, Irwan Triadi, and Slamet Tri Wahyudi. "Reconstruction of Public Participation in The AMDAL Licensing Process in Indonesia." *Indonesia. International Journal of Social Science and Humanity* 2, no. 2 (2025): 139-149.
- Zakaria, Iwan Acuan, Moh. Ery Kusmiadi, and Mariya Azis. "Peran Serta Masyarakat Dan Kewenangan Kelembagaan Pengelolaan Lingkungan Hidup Berbasis Pariwisata Berdasarkan Tinjauan Yuridis." *Equality Before The Law* 2, no. 1 (2022): 1-11.

How to Cite :

Alifah Amir, Nida, Wiwin Widiyaningsih, Yeni Nuraeni, and Yuki Rahmat Fauzi. "Challenges of Implementing Public Involvement in Environmental Approval in the Regions". *Unifikasi: Jurnal Ilmu Hukum* 13, no. 01 (June 30, 2026): 21-33.