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THE EFFECTIVENESS OF CORPORATE ADMINISTRATIVE SANCTIONS IN ENVIRONMENTAL LAW ENFORCEMENT IN MEDAN

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ABSTRACT

This study analyzes the effectiveness of the application of administrative sanctions for corporations in environmental law enforcement at the Medan City Environmental Agency (DLH). The background of the research is the importance of administrative sanctions as a fast preventive and corrective instrument compared to criminal or civil channels. The method used is normative-empirical legal research with a normative juridical approach, supported by in-depth interviews and document studies. The results of the study show that normatively, the regulation of administrative sanctions in Law No. 32/2009 jo. Law No. 6/2023, Government Regulation No. 22/2021, and the Minister of Environment and Forestry Regulation No. 14/2024 is adequate and places corporations as subjects of environmental law. Empirically, the implementation of sanctions by the Medan City DLH shows relative effectiveness, reflected in the increase in corporate compliance with written warnings and government coercion, as well as changes in environmental management behavior. However, effectiveness has not been optimal due to obstacles such as the limited number of environmental supervisors, low legal awareness of business actors, weak coordination between agencies, and socio-economic dilemmas in imposing heavy sanctions (freezing/revocation of permits). It is necessary to strengthen institutional capacity, increase supervision, and foster sustainable compliance to realize more effective environmental law enforcement.

Keywords: *Administrative Sanctions, Corporation, Environmental Law.*

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INTRODUCTION

Environmental problems are one of the most pressing issues in national and regional development today. Development that is oriented towards economic growth without considering environmental sustainability aspects has the potential to cause ecological damage that not only reduces the quality of human life but also threatens the sustainability of natural resources (Sudiana & Soewandita, 2007). Ironically, the pace of industrialization and corporate expansion is often the main cause of environmental pollution and destruction, especially in big cities like Medan. Therefore, effective legal instruments are needed to control the negative impact of corporate activities on the environment.

Environmental issues have long been a global concern, which is manifested in various soft law instruments such as the Stockholm Declaration, the Rio Declaration, and the World Summit on Sustainable Development (Rangkuti, 2020). These principles of global environmental law are then integrated into Indonesia's national legal system through ratification or direct adoption into laws and regulations (Resmadiktia et al., 2023). However, the implementation of this principle has only been significantly realized through Law No. 4 of 1982, which was later perfected by Law No. 23 of 1997 and finally Law No. 32 of 2009 concerning Environmental Protection and Management (PPLH).

After the reform, the recognition of the right to a good and healthy environment was strengthened with the inclusion of Article 28H paragraph (1) in the 1945 Constitution of the Republic of Indonesia. The article states that "everyone has the right to live a prosperous life in birth and mind, to live, and to have a good and healthy living environment and to have the right to health services" (Priyanta, 2010). Consequently, the state has a constitutional responsibility to manage and protect the environment, which includes natural, cultural, and human resources. However, reality shows that environmental quality continues to decline, forests are decreasing, and the frequency of environmental violations is increasing, signaling a serious gap between legal norms and practice on the ground.

In the context of law enforcement, Law No. 32 of 2009 provides three paths: administrative, criminal, and civil. Among the three, administrative sanctions are considered the most fast, effective, and efficient instrument

because they can be applied directly by the authorities without going through a lengthy judicial process (Listiyani et al., 2020). These sanctions are designed to stop violations immediately and restore the environmental function (reparatoir), in contrast to criminal sanctions that are more punitive in nature. Administrative law enforcement is also considered more cost-effective and has the potential to prevent more extensive damages compared to civil or criminal litigation routes.

However, the effectiveness of administrative sanctions is highly dependent on the performance of supervisory apparatus and the compliance of business actors. Environmental law enforcement is closely related to the ability of the apparatus to carry out supervision and the level of public and corporate compliance with applicable regulations (CANDRA, 2024). Obstacles such as irresponsible individuals or corporations, limited facilities and infrastructure, and low legal awareness of the community are still major homework. Without intensive supervision and strict sanctions, the goal of environmental protection is difficult to achieve.

Law Number 6 of 2023 concerning Job Creation brings fundamental changes by integrating environmental permits into the risk-based business licensing system through the concept of "environmental approval". This change further strengthens the administrative instrument because violations of environmental approvals have a direct impact on the status of corporate business licenses (Al Fikri, 2026). Thus, administrative sanctions not only function as punishments, but also as a mechanism to control business activities so that they remain in the corridor of environmental sustainability.

The city of Medan, as the capital of North Sumatra Province and a fast-growing metropolis, faces serious challenges in environmental management. Air, water, and soil pollution as well as the decline in the quality of life of the community are problems that must be overcome comprehensively. Economic growth and the increase in industrial activities and services have a direct impact on environmental conditions, so the Medan City Environmental Agency (DLH) is required to carry out its supervisory and law enforcement role optimally. The Medan City DLH has the authority to provide written reprimands, government coercion, administrative fines, freezes, and revocation of business licenses against business actors who violate

environmental regulations. However, based on preliminary empirical data, the implementation of the sanctions still faces various obstacles such as limited supervisory human resources (HR), lack of understanding of regulations by business actors, a less intensive supervision system, and overlapping authority between the central and regional governments (Gadsia Spaltani et al., 2018). As a result, the sanctions imposed are often not accompanied by optimal post-sanction supervision, so violations continue to recur.

This research is important because the effectiveness of administrative sanctions is a barometer of the success of the environmental law enforcement system in the era of regional autonomy. Within the framework of regional autonomy, local governments have the authority to regulate and manage government affairs themselves, including environmental protection and management. Therefore, the evaluation of the performance of the Medan City DLH in implementing administrative sanctions is very relevant to measure the extent to which decentralization of environmental law enforcement has been effective.

Corporations as legal subjects in environmental conservation have a central role. Normatively, PPLH Law Article 1 number 32 states that "every person" is an individual or business entity, whether a legal entity or not. Thus, corporations have the obligation to maintain the preservation of environmental functions (Article 67) and comply with environmental quality standards (Article 68). Corporate responsibilities include preventive, compliance, and recovery obligations, which if violated can be subject to preventive and corrective administrative sanctions.

Overall, this introduction emphasizes that the effectiveness of the implementation of administrative sanctions for corporations is a crucial issue in realizing ecological justice in the era of sustainable development. DLH Medan City as the forefront of environmental law enforcement faces complex structural, normative, and sociological challenges. This research is expected to make a theoretical contribution to the development of environmental law science as well as practical input for policy makers in strengthening a more fair, firm, and sustainable administrative sanctions supervision and enforcement system.

METHODOLOGY

This study uses the type of Normative-empirical legal research (*socio-legal research*), which is research that examines positive legal norms as well as researching their implementation in practice in society (Soekanto, 2004). The normative approach is used to analyze the regulation of administrative sanctions in environmental laws and regulations, while the empirical approach is used to describe the implementation of administrative sanctions by the Medan City Environmental Agency and identify its obstacles and effectiveness. The combination of these two approaches is necessary because the effectiveness of the law is determined not only by the substance of the norm, but also by the behavior of law enforcement officials and the target community (Friedman, 2019).

This research is Descriptive Analytical. The descriptive nature is intended to describe systematically, factually, and accurately the arrangement of administrative sanctions, their implementation procedures, and the obstacles faced by the Medan City Environmental Service. The analytical nature is intended to analyze the relationship between legal substance, legal structure, and legal culture in the enforcement of administrative sanctions, as well as assess their effectiveness based on relevant legal theories (Scott, 2022). Thus, the results of the study not only present data, but also provide in-depth interpretations and conclusions.

This study uses a normative juridical approach strengthened with an empirical (sociological) approach. The normative juridical approach includes:

- *Statute approach*: reviewing Law No. 32 of 2009 jo. Law No. 6 of 2023, Government Regulation No. 22 of 2021, and Minister of Environment and Forestry Regulation No. 14 of 2024.
- *Conceptual approach*: analyzing the concept of administrative sanctions, corporations as legal subjects, and the effectiveness of environmental law enforcement.
- *Case approach*: examining cases of environmental violations by corporations handled by DLH Medan City.

The empirical approach is carried out through in-depth interviews and direct

observation to capture the reality of the application of sanctions on the ground.

1. Research Location

The research was carried out at the Medan City Environmental Agency (DLH), which is located on Jalan Letjen S. Parman No. 234, Petisah Hulu Village, Medan Baru District, Medan City. The selection of this location was based on the following considerations:

- DLH Medan City is an agency that has direct authority in the supervision and enforcement of environmental administrative laws for corporations in Medan City.
- The city of Medan as the capital of North Sumatra Province has a high concentration of industrial, trade, and service activities, so the potential for environmental violations by corporations is very significant.
- There has not been a similar study that specifically examines the effectiveness of administrative sanctions against corporations within the Medan City DLH after the enactment of the Job Creation Law and the Minister of Environment and Forestry Regulation No. 14 of 2024.

2. Data Collection Techniques

The data collection techniques used in this study include:

1) Documentation Study

Document studies are conducted to collect secondary and tertiary data. The researcher inventoried, studied, and analyzed laws and regulations, literature, journals, and official documents of DLH Medan City related to the implementation of administrative sanctions. The study of this document is important to obtain a strong normative foundation and to compare *das Sollen* (the law that should be) and *das Sein* (implementation in the field).

2) In-depth Interview

In-depth interviews are conducted in a semi-structured manner using prepared interview guidelines. The interviews were aimed at key informants who were selected by *purposive sampling* based on their position and competence in environmental law enforcement. Each interview is recorded (with the informant's permission) and recorded for

later transcribe. The interview aims to find out information about supervision procedures, types of sanctions that are often applied, technical and non-technical obstacles, and perceptions of the effectiveness of administrative sanctions.

3) Direct Observation

Direct observation is carried out by participating in a limited field supervision activity carried out by the Medan City DLH supervisory team (if possible) or conducting observations at the DLH office to see the administrative flow of handling violations. These observations are non-participatory, where the researcher is not directly involved in decision-making, but only observes and records the process that takes place. The goal is to obtain a factual picture of the mechanism for applying sanctions from the beginning of the discovery of violations to the imposition of sanctions.

3. Data Analysis Technique

This research uses Miles and Huberman's data analysis techniques, namely data reduction (reduction), data presentation (display), and drawing conclusions (conclusion) because this technique is able to help researchers filter the information obtained so that they find the most relevant data and increase its clarity; then they are also able to display the information in a systematic and easy-to-understand display so that they are able to help draw conclusions from the information that has been analyzed. Miles et al. (2014) say that data reduction is a process that allows researchers to reduce raw data into more focused and structured information, which is very important in the context of development studies. This is important because data reduction helps researchers filter relevant information from the data collected, thereby highlighting the most important aspects related to drug abuse prevention strategies. Creswell (2014) said that by reducing data, researchers can organize information in a clearer way, thus facilitating deeper analysis and interpretation of the results. Miles et al. (2014) said that data presentation can be in the form of tables, graphs, or narratives that describe key information, functioning to present data in a systematic and organized manner, making it easier to understand. This is important because it is able to describe the narcotics abuse prevention strategy being implemented. Miles et al. (2014) say that drawing conclusions is the stage where researchers

interpret the data that has been analyzed to draw meaning from the findings, and this process involves testing and ensuring the validity of conclusions based on existing data.

RESULT AND DISCUSSION

1. Corporate Compliance Level Post-Implementation of Administrative Sanctions

Based on the results of an interview with the Head of the Medan City Environmental Agency, Mrs. Melvi Marlabayana, S.T., [M.Si](#), it is known that the implementation of administrative sanctions, especially written reprimands and government coercion, has encouraged most corporations to make improvements to their environmental violations. He stated:

"After being given a written reprimand, some companies immediately complete environmental documents such as technical approvals or repairs to wastewater treatment plants (WWTP). Even for certain cases, we apply government coercion in the form of a temporary suspension of activities, and the company responds by carrying out environmental restoration according to its obligations." (Interview, September 23, 2025)

Internal data from DLH Medan City shows that of the total 134 administrative sanctions imposed during the 2020-2025 period, as many as 78% of them were responded positively by corporations by taking corrective actions within the specified period of time. Sanctions in the form of written reprimands (which are the most sanctions) successfully resolve minor violations such as delays in environmental reporting or incompleteness of documents. Meanwhile, for the 22% of corporations that did not respond immediately, DLH proceeded to the stage of government coercion or temporary license freeze.

However, the Head of Environmental Compliance and Capacity Building, Mr. Alwendra Frans Ulin Barus, S.S.T.P., [M.Si](#), revealed that the level of compliance has not been evenly distributed in all business sectors. Small and medium enterprises (SMEs) tend to be slower to meet environmental obligations due to limited resources and technical knowledge. He explained:

"There are companies that after being sanctioned actually object or delay the implementation of repairs on the

grounds of economic difficulties. This is the challenge not only to enforce the law but also to consider the continuity of community efforts." (Interview, October 6, 2025)

The level of corporate compliance post-administrative sanctions in Medan City showed relatively good effectiveness, especially in minor administrative violations and in large-scale corporations. These findings are in line with the theory of legal effectiveness of (Soekanto, 2007) which states that one of the determining factors of effectiveness is *Community Factors* (citizens' legal compliance). In this context, corporate compliance is greatly influenced by legal awareness, economic capacity, and supervisory intensity. Research (Ekasari & Sasono, 2024) also found that urban SMEs have lower levels of environmental compliance due to limited resources, requiring a different coaching approach from large industries. Thus, the effectiveness of administrative sanctions is not only measured by the number of sanctions imposed, but also by the extent to which they are able to change corporate behavior in a sustainable manner.

2. Consistency of the Implementation of Tiered Sanctions by the Environment Agency

The second indicator of effectiveness is the consistency of agencies in implementing administrative sanctions in stages according to the level of violation. Based on observations and interviews with the Head of the Environmental Law Enforcement Working Team, Mrs. Sucilawati Yano, S.Psi., M.Psi., it is known that the Medan City DLH has generally followed the procedures stipulated in the Regulation of the Minister of Environment and Forestry No. 14 of 2024, starting from a written reprimand, then government coercion, and if not complied with continues to freezing or revoking permits. He explained:

"We always prioritize a persuasive approach and coaching first. We provide written reprimands for minor administrative violations. If there is no improvement within the specified time limit, then we will issue a government compulsion letter. For very severe cases, such as the disposal of B3 waste without a permit that causes river pollution, we

immediately recommend the freezing of permits." (Interview, October 14, 2025)

Data from the Environmental Complaints and Dispute Resolution Team led by Mr. Hendar Harahap, S.T., M.T., shows that of all sanctions imposed, around 65% are in the form of written reprimands, 30% are in the form of government coercion, and only 5% have reached the stage of freezing or revocation of permits. The low rate of freezes/revocations of permits does not necessarily indicate ineffectiveness, but rather reflects that most violations can be resolved at an early stage thanks to the quick response of corporations and the effectiveness of reprimands.

However, there are obstacles in the consistency of the application of heavy sanctions, especially due to limited coordination with licensing agencies (DPMPTSP) and the reluctance of regional heads to revoke business licenses that absorb a lot of labor. This was acknowledged by the Head of DLH:

"Revoking a business license is a very difficult decision. In addition to the long procedure, we also have to coordinate with the city government and related agencies. There are concerns about the socio-economic impact, so we prioritize government coercion and administrative fines."

(Interview, September 23, 2025)

The consistency of the application of tiered sanctions is a reflection of the *Legal Structure (legal structure)* in the theory of the legal system (Friedman, 2019). A good legal structure must allow law enforcement officials to exercise their authority effectively. In this case, the Medan City DLH already has clear procedures, but coordination obstacles and socio-economic considerations cause the highest sanctions to rarely be applied. Research (Sekhroni, 2025) About the dilemma of environmental law enforcement in the regions also found that local governments often face pressure not to revoke large business licenses because of their contribution to local native income and labor absorption. This condition confirms that the effectiveness of administrative sanctions depends not only on rules, but also on political will and institutional support. To overcome this, it is necessary to

strengthen vertical coordination between DLH, provincial governments, and the environment ministry, as well as the provision of alternative policies such as progressive fines that do not stop businesses but provide an economic deterrent effect.

3. Ecological Impact and Change in Corporate Behavior

The third indicator of effectiveness is the real impact on environmental quality improvement and long-term changes in corporate behavior. Based on interviews with the corporation, it was obtained that administrative sanctions have encouraged changes in the company's internal policies. Hardi Sinaga, Legal Officer PT. Global Capital Land, states:

"After receiving a reprimand from DLH regarding public complaints, we immediately evaluated our waste management system. Now we routinely conduct wastewater quality tests and report them every semester. The sanctions are a valuable lesson for management." (Interview, October 14, 2025)

The same thing was conveyed by Dedek, owner of the Dedek Jerigen Business (informal recycling sector):

"I used to not understand that my business had to have an environmental permit. After being reprimanded by DLH, I followed the directions to arrange the location and sort the waste. Now the business is neater and no longer disturbs the neighbors." (Interview, October 17, 2025)

From an ecological perspective, although there has been no comprehensive study on a significant reduction in pollution burden, DLH's internal report shows that the number of public complaints about liquid waste pollution by corporations has decreased by around 15% in 2024-2025 compared to the previous year. In addition, environmental restoration activities through the obligation to build waste treatment plants by several large companies have reduced BOD and COD levels at several river monitoring points in the Medan industrial area.

However, the Head of Compliance acknowledged that behavior change is still

reactive (after sanctions) rather than proactive. Many corporations only fulfill environmental obligations after being forced, not out of voluntary awareness. This can be seen from the repeated violations of the same type of business, such as the food and beverage industry that dumps liquid waste into city drainage.

Ecological impacts and changes in corporate behavior are manifestations of the ultimate goal of environmental law enforcement, namely the realization of a good and healthy environment. In the perspective of law enforcement theory (Rahardjo, 2009), law enforcement not only enforces the law, but also changes people's behavior for the better. Findings in the city of Medan show that administrative sanctions have succeeded in changing the behavior of some corporations, especially in the aspects of simple administrative and technical compliance. However, the change towards voluntary compliance (*voluntary compliance*) still requires a more holistic approach, such as increasing environmental literacy, fiscal incentives for green companies, and strengthening participatory oversight by the community. Research (Stella & Prianto, 2024) affirms that the effectiveness of administrative sanctions will be optimal if supported by a legal culture (*legal culture*) that values environmental compliance. Thus, DLH Medan City needs to strengthen the coaching and socialization program in an ongoing manner so that sanctions are not only a tool of coercion, but also a means of education.

CONCLUSION

Based on the results of the research, it can be concluded that normatively, the regulation of administrative sanctions against corporations in environmental law enforcement has been clearly and comprehensively regulated in Law Number 32 of 2009 jo. Law Number 6 of 2023, Government Regulation Number 22 of 2021, and Regulation of the Minister of Environment and Forestry Number 14 of 2024. The regulation places corporations as legal subjects who can be subject to sanctions in the form of written reprimands, government coercion, administrative fines, freezes, and revocation of business licenses. Empirically, the implementation of administrative sanctions by the Medan City Environmental Agency shows

relative effectiveness. This is reflected in the increasing corporate compliance with environmental obligations, a positive response to government reprimands and coercion, and changes in environmental management behavior in some business actors. However, this effectiveness is not optimal because it is still faced with various obstacles, including the limited number of environmental supervisors, low awareness of corporate law, weak coordination between agencies, and socio-economic dilemmas in the implementation of heavy sanctions. Therefore, strengthening institutional capacity, increasing supervision, and fostering compliance in a sustainable manner is absolutely necessary to realize more effective and equitable enforcement of environmental laws.

REFERENCES

- Al Fikri, M. A. (2026). The Impact of the Elimination of the Principle of Strict Liability on Environmental Pollution Post the Job Creation Act. *Strata Law Review*, 4(1), 12–21.
- CANDRA, A. D. I. (2024). *FORMULATION OF LAW ENFORCEMENT AGAINST ILLEGAL MINING CRIMES (Case Study at the Riau Islands Regional Police)*. Sultan Agung Islamic University, Semarang.
- Ekasari, L. L. D., & Sasono, A. D. (2024). SME Transformation: External Factors and the Adoption of Environmental Innovation with an Eco-Friendly Environment as Mediation in Batu City: SME Transformation, External Factors, Adoption of Environmental Innovations, Environment, SMEs. *Journal of Economic Paradigm*, 19(2), 728–736.
- Friedman, L. M. (2019). *Legal System: Social Science Perspective*. Nusamedia.
- Gadsia Spaltani, B., Absori, S. H., & Wardah Yuspin, S. H. (2018). *The Urgency of Special Courts in the Enforcement of Environmental Law in Indonesia*. University of Muhammadiyah Surakarta.
- Listiyani, N., Hayat, M. A., & Ambarsari, N. (2020). Law Enforcement of Environmental Administration Through Supervision Instruments: Reconstruction of the Content of Law Number 32 of 2009 concerning Environmental Protection and Management. *Al-Adl: Legal Journal*, 12(1), 116–130.
- Priyanta, M. (2010). The application of the

- Green Constitution Concept in Indonesia as the state's responsibility in protecting and managing the environment. *Constitutional Journal*, 7(4), 113–130.
- Rahardjo, S. (2009). *Progressive law: A synthesis of Indonesian law*. Genta Pub.
- Rangkuti, S. S. (2020). *Environmental Law & National Ling Policy Ed 4*. Airlangga University Press.
- Resmadiktia, N. M., Utomo, Y., & Aiman, L. (2023). Government Accountability in Realizing Good Governance in accordance with State Administrative Law. *Scientific Journal of Educational Vehicles*, 9(11), 685–697.
- Sekhroni, S. H. (2025). *Environmental Law Enforcement in Indonesia: The Realization of Sustainable Development*. PT. Lost in education.
- Soekanto, S. (2004). *Factors that affect law enforcement*.
- Soekanto, S. (2007). *Normative legal research: A brief review*.
- Soekanto, S. (2011). *Factors that affect law enforcement*.
- Stella, S., & Prianto, Y. (2024). The effectiveness of administrative sanctions in preventing river pollution. *USM Law Review*, 7(3), 1394–1407.
- Sudiana, N., & Soewandita, H. (2007). Patterns of Water Resources Conservation in the Siak Watershed. *Natural Journal*, 12(1), 44–51.
- Waluyo, B. (2022). *Law enforcement in Indonesia*. Graphic Rays.