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LEGAL AND SOCIOLOGICAL ANALYSIS OF WASTE MANAGEMENT IN ALOR REGENCY FROM THE PERSPECTIVE OF FORMING REGIONAL REGULATIONS

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ABSTRACT

Waste management is a pivotal issue in regional environmental policy, particularly in archipelagic regions such as Alor Regency, which faces limitations in waste management facilities and infrastructure. This study aims to analyze the juridical and sociological aspects of waste management in Alor Regency to serve as the basis for the formation of a Regional Regulation concerning Waste Management. The research method employed is normative juridical with a socio-legal approach, conducted through the analysis of statutory regulations and empirical data obtained from regional agency reports, scientific literature, and observations of waste management conditions. The results indicate that despite a strong legal foundation provided by Law No. 18 of 2008, Government Regulation No. 81 of 2012, Law No. 32 of 2009, and regional autonomy authority under Law No. 23 of 2014, implementation in Alor Regency remains ineffective due to low community participation, inadequate infrastructure, and a weak legal culture. Sociologically, the increasing volume of waste and changes in community consumption behavior are not commensurate with the available waste management capacity. Therefore, the enactment of a Regional Regulation is an urgent necessity to provide legal certainty, strengthen institutional frameworks, and promote a sustainable waste management model based on community participation and the 3R principles.

Keywords: Waste management, juridical analysis, sociological analysis, Regional Regulation, Alor Regency.

ABSTRAK

Pengelolaan sampah merupakan isu sentral dalam kebijakan lingkungan hidup daerah, terutama di wilayah kepulauan seperti Kabupaten Alor yang menghadapi keterbatasan sarana dan prasarana persampahan. Penelitian ini bertujuan menganalisis aspek yuridis dan sosiologis pengelolaan sampah di Kabupaten Alor sebagai dasar pembentukan Peraturan Daerah tentang Pengelolaan Sampah. Metode penelitian yang digunakan adalah yuridis normatif dengan pendekatan sosiolegal, melalui analisis peraturan perundang-undangan dan data empiris yang diperoleh dari laporan instansi daerah, literatur ilmiah, dan observasi terhadap kondisi

pengelolaan sampah. Hasil penelitian menunjukkan bahwa meskipun terdapat dasar hukum yang kuat melalui UU No. 18 Tahun 2008, PP No. 81 Tahun 2012, UU No. 32 Tahun 2009, serta kewenangan otonomi daerah dalam UU No. 23 Tahun 2014, implementasi di Kabupaten Alor masih tidak efektif karena rendahnya partisipasi masyarakat, minimnya infrastruktur, dan lemahnya budaya hukum. Secara sosiologis, meningkatnya volume sampah dan perubahan perilaku konsumsi masyarakat tidak sebanding dengan kapasitas pengelolaan sampah yang tersedia. Oleh karena itu, pembentukan Peraturan Daerah menjadi kebutuhan mendesak untuk memberikan kepastian hukum, memperkuat kelembagaan, serta mendorong model pengelolaan sampah yang berkelanjutan berbasis masyarakat dan prinsip 3R.

Kata Kunci: Pengelolaan sampah, analisis yuridis, analisis sosiologis, Peraturan Daerah, Kabupaten Alor.

INTRODUCTION

Waste is a classic problem facing nearly all regions in Indonesia, including Alor Regency. Population growth, economic growth, and changes in consumption patterns have a direct impact on the increasing volume of waste generated daily. According to national data, waste generation in Indonesia reaches approximately 67.8 million tons per year, with the majority (over 60%) coming from household and household-related waste.¹

The government, as the implementer of the people's sovereignty, has a responsibility to realize the welfare of the people, as mandated in Paragraph IV of the Preamble to the 1945 Constitution of the Republic of Indonesia (UUD 1945). One important aspect in the effort to realize this welfare is environmental management, including waste management, which is part of the basic needs of society and has a direct impact on the quality of human life. According to Law Number 18 of 2008 concerning Waste Management, regional governments are obliged to ensure the implementation of good and environmentally conscious waste management.².

The waste problem has become a crucial issue facing nearly all regions in Indonesia, including Alor Regency, East Nusa Tenggara (NTT) Province. Waste is not only an environmental issue but also a social, health, and economic one. According to data from the Alor Regency Environmental Agency (DLH), the volume of waste in the region reached an average of 38 tons per day in 2024, with a collection rate of only around 55% of the total daily waste generation. This

¹ Kementerian Lingkungan Hidup dan Kehutanan Republik Indonesia, *Laporan Kinerja Pengelolaan Sampah Nasional Tahun 2023*, Jakarta: KLHK, 2024, hlm. 7.

² Undang-Undang Nomor 18 Tahun 2008 tentang Pengelolaan Sampah, Lembaran Negara Republik Indonesia Tahun 2008 Nomor 69.

situation indicates that most household waste and plastic waste remains poorly managed and often ends up in open areas, rivers, or coastal areas.

Waste management issues in Alor Regency are increasingly complex due to limited infrastructure and human resources. The existing landfill facilities in Kalabahi, for example, are already overcapacity. Meanwhile, public awareness of the importance of sorting and reducing waste at source remains relatively low. As a result, waste generation increases annually without a corresponding adequate management system.

Normatively, waste management is regulated through several legal frameworks, including:

1. Law Number 32 of 2009 concerning Environmental Protection and Management, which affirms that everyone has the right to a good and healthy environment and the obligation to maintain its sustainability.
2. Law Number 18 of 2008 concerning Waste Management, which emphasizes the importance of a paradigm shift from collection-transport-disposal to waste management based on reduction and recycling.
3. Government Regulation Number 81 of 2012 concerning the Management of Household Waste and Household-Like Waste, which serves as a guideline for technical implementation at the regional level.
4. Alor Regency Regional Regulation Number 3 of 2018 concerning Waste Management, which serves as the regional legal umbrella for implementing waste management policies at the district level.³

In the context of regional policy formation, the drafting of Regional Regulations ideally begins with the preparation of an Academic Manuscript as a scientific basis containing problem identification, regulatory objectives, and philosophical, legal, and sociological analyses. Research by Ferdinandus Lobo et al. confirms that an Academic Manuscript is a scientific document that accommodates community needs, social conditions, and developments in society, which are then institutionalized into formal legal norms that will be established.⁴ Therefore, the development of the Waste Management Regional Regulation in Alor Regency requires a comprehensive academic paper to ensure the regulatory process is truly based on regional needs.

However, the implementation of this Regional Regulation has not been optimal. According to the 2024 Alor Environmental Agency (DLH) evaluation report, obstacles include a lack of waste bank facilities, limited collection vehicles,

³ Peraturan Daerah Kabupaten Alor Nomor 3 Tahun 2018 tentang Pengelolaan Sampah, Lembaran Daerah Kabupaten Alor Tahun 2018 Nomor 3.

⁴ Genoveva Sumanti, Ferdinandus Lobo, dan Delfiana Bani, *Pentingnya Naskah Akademik dalam Pembentukan Peraturan Perundang-undangan terkait Pengelolaan Sampah di Kabupaten Flores Timur*, 2025.

low community participation, and the suboptimal role of villages in community-based waste management⁵. As a result, many residential areas, traditional markets, and coastal areas still accumulate waste without proper management in accordance with environmental standards.

According to Soerjono Soekanto, the effectiveness of a legal policy is determined not only by written norms, but also by societal factors, facilities, and the legal culture that develops in the local area⁶. Thus, the low effectiveness of the implementation of the Waste Management Bylaw in Alor can be understood as a result of weak social and institutional support for its implementation.

Furthermore, from an ecological jurisprudence perspective, as explained by Capra (2002), environmental management cannot be viewed solely from a legal-formal perspective but must involve community participation and synergy between sectors⁷. Effective waste management requires collaboration between local governments, the private sector, and the community, as well as a local wisdom-based approach, given Alor's strong cultural potential for mutual cooperation.

Philosophically, waste management is part of the state's efforts to fulfill citizens' basic rights to a healthy environment, as stipulated in Article 28H paragraph (1) of the 1945 Constitution. Legally, waste management is governed by national and regional regulations, as mentioned above. Sociologically, the increasing population and consumption patterns of Alor Regency have directly impacted waste volume and put pressure on terrestrial and marine ecosystems.

Based on these considerations, the development of a comprehensive and sustainable waste management policy in Alor Regency requires a comprehensive approach. This policy should focus on reducing waste at the source, increasing community participation, and strengthening environmental institutions at the village and sub-district levels. This is expected to ensure effective, efficient, and environmentally just waste management in Alor Regency, leading to a clean, healthy, and sustainable Alor.

⁵ Dinas Lingkungan Hidup Kabupaten Alor, *Evaluasi Program Pengelolaan Sampah 2024*, hlm. 6–8.

⁶ Soerjono Soekanto, *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*, (Jakarta: Rajawali Pers, 2019), hlm. 7.

⁷ Fritjof Capra, *The Hidden Connections: A Science for Sustainable Living*, (New York: Anchor Books, 2002), hlm. 68.

METHODS

This study uses a normative juridical method supported by a socio-legal approach. The normative juridical method is used to examine the legal provisions governing waste management through a literature study of Law Number 18 of 2008, Government Regulation Number 81 of 2012, Law Number 32 of 2009, Law Number 23 of 2014, and other implementing regulations. The socio-legal approach is used to observe the effectiveness of waste management implementation in Alor Regency through field observations and limited interviews with the Environmental Agency, technical officials, community leaders, and business actors. The types of data used include secondary data (statutory regulations, scientific literature, government reports, and BPS data) and primary data (observation and interview results). All data are analyzed qualitatively by combining normative and empirical findings to describe the condition of waste management and the urgency of establishing Regional Regulations in Alor Regency.

RESULTS AND DISCUSSION

1. Legal Analysis of Waste Management in Alor Regency

Legally, waste management in Alor Regency is based on various provisions of national and regional laws and regulations, which serve as the normative basis for formulating waste policies. The academic paper emphasizes that the formation of Regional Regulations on Waste Management must align with Law Number 18 of 2008 concerning Waste Management, which serves as the primary foundation for implementing integrated waste reduction and management. This law requires local governments to provide infrastructure and ensure the sustainable management of household waste and household-like waste.

From the perspective of establishing legislation, the existence of an Academic Paper is a substantive requirement to ensure that Regional Regulations have a strong legal basis and align with the principles of regulation formation as stipulated in Law Number 12 of 2011. As explained by Sumanti et al., the Academic Paper serves to provide clarity of purpose, appropriateness of type and hierarchy of regulations, and ensure that the regulations to be created are applicable and socially acceptable.⁸ Therefore, the development of the Waste Management Regional Regulation in Alor Regency must begin with an Academic

⁸ Genoveva Sumanti, Ferdinandus Lobo, dan Delfiana Bani, *Pentingnya Naskah Akademik dalam Pembentukan Peraturan Perundang-undangan terkait Pengelolaan Sampah di Kabupaten Flores Timur*, 2025.

Paper to establish a normative basis and ensure the effectiveness of its implementation.

Furthermore, technical regulations regarding waste management are further elaborated in Government Regulation Number 81 of 2012, which mandates waste sorting at source, processing based on the 3R principles, and the development of 3R waste disposal sites (TPS3R) and landfills (TPA) that meet environmental standards. The academic paper emphasizes that Alor Regency is obligated to adopt these principles in its regional regulation, as PP 81/2012 serves as the national operational guideline for household waste management.

Furthermore, environmental aspects of waste management are also regulated by Law Number 32 of 2009 concerning Environmental Protection and Management, which emphasizes the principles of sustainability, community participation, government responsibility, and the polluter pays principle. The academic paper emphasizes that the formulation of the Regional Regulation must adhere to the basic principles of Environmental Management and Management (PPLH) so that waste management is oriented not only towards technical transportation but also towards long-term environmental protection.

In the context of regional authority, Law Number 23 of 2014 stipulates that waste management is part of mandatory government affairs related to basic services. Therefore, the Alor Regency Government has a legal responsibility to implement effective waste management. The academic paper explains that this obligation requires more detailed regional regulations so that implementation can be measured, have a strong legal basis, and can be subject to sanctions for non-compliance.

The normative framework for waste reduction is also stipulated in Regulation of the Minister of Environment and Forestry Number P.75 of 2019 concerning the Roadmap for Waste Reduction by Producers, which requires producers to reduce waste through product design, the use of environmentally friendly materials, and packaging recall. The academic paper emphasizes that regional policies need to adapt to these regulatory developments so that waste management is not solely the responsibility of local governments but also of producers in the consumption chain.

At the regional level, East Nusa Tenggara Provincial Regulation Number 3 of 2018 concerning Regional Waste Management serves as an important reference for Alor Regency to align regional policies with provincial policies. The academic paper notes that this harmonization is necessary to ensure synergistic waste management within the framework of guidance and supervision by the provincial government, particularly regarding regional landfill management and coordination between districts/cities. Therefore, the legal analysis indicates that a

comprehensive legal framework for waste management is in place at both the national and regional levels.

However, the academic paper emphasizes implementation gaps in Alor Regency due to the lack of regional regulations that comprehensively regulate waste reduction, handling, sorting, the role of the community, the role of producers, financing mechanisms, and sanctions. Therefore, the development of a Regional Regulation on Waste Management is seen as an urgent need to provide legal certainty, strengthen institutions, and ensure waste management is in accordance with environmental principles and sustainable development.

2. Sociological Analysis of Waste Management in Alor Regency

Sociologically, the state of waste management in Alor Regency indicates that the main problem lies not only in regulations but also in the awareness, behavior, and capacity of the community and local government. The reality on the ground shows that waste accumulation in public spaces, suboptimal transportation facilities, and a limited number of sanitation workers remain common features of waste management in this region. These conditions indicate that the waste management system is not yet operating in a structured and sustainable manner.

Low public awareness and participation are among the most dominant social factors. The community does not fully view waste management as a shared responsibility, but rather considers it solely a government matter. Public participation in waste management tends to be incidental, unorganized, and highly dependent on the initiatives of specific groups or communities. This indicates a weak internalization of environmental values in everyday social life and the limited effectiveness of environmental education provided by the local government.

These findings are reinforced by research by Ferdinandus Ngau Lobo et al. in the journal "Problematic Behavior Related to Waste Management in Alor Regency, East Nusa Tenggara," which confirms that problematic community behavior is a significant factor causing environmental pollution in the Alor region.⁹ The research shows that many people still throw household waste in rivers, beaches, open spaces, or by burning it, which reflects a low understanding of environmental impacts and weak implementation of sustainable waste management principles.¹⁰

The journal further explains that problematic waste management practices are inextricably linked to local government institutional factors. Limited temporary disposal sites (TPS), a lack of transportation vehicles, and weak

⁹ Ferdinandus Ngau Lobo dkk., "Perilaku Bermasalah Terkait Pengelolaan Sampah di Kabupaten Alor, Nusa Tenggara Timur", *Jurnal Penelitian Ilmiah Multidisiplin*, Vol. 8 No. 7, Juli 2024, hlm. 182-183

¹⁰ *Ibid.*, hlm. 183-184.

oversight leave communities without adequate waste management options. This situation encourages communities to maintain old, environmentally unfriendly practices, thus perpetuating the waste problem.¹¹

In analyzing the root of the problem, this study used the ROCCIPI (Rule, Opportunity, Capacity, Communication, Interest, Process, and Ideology) approach. This approach shows that waste management problems in Alor Regency are triggered by weak operational regulations, a lack of communication and outreach to the community, and the limited capacity of local governments to provide waste management facilities and infrastructure.¹² Thus, the waste problem is not merely technical in nature but also reflects interrelated social and administrative issues.

Institutionally, limited human resources, supporting facilities, and budgets for waste management further impair the effectiveness of the existing system. The availability of waste disposal sites (TPS3R) and landfills (TPA) that meet environmental standards remains limited, preventing optimal upstream and downstream waste management.

The impacts of these sociological conditions are clearly visible from the social, economic, and environmental perspectives, such as environmental pollution, declining public health, and impaired regional aesthetics. These impacts demonstrate that ineffective waste management has placed a growing social and economic burden on the community and local government.

Therefore, sociologically, successful waste management in Alor Regency cannot be achieved solely through technical approaches. It requires changes in community behavior, strengthening the institutional capacity of local governments, improving environmental education, and providing adequate budgetary and infrastructure support. In this context, the establishment of a Regional Regulation on Waste Management is crucial not only as a formal legal instrument but also as a means of social engineering to shape more environmentally responsible community behavior.¹³

3. The Urgency of Establishing Regional Regulations on Waste Management in Alor Regency

The urgency of establishing a Regional Regulation on Waste Management in Alor Regency is based on legal and sociological findings that indicate a gap between the national legal framework and social realities at the regional level. The academic paper confirms that Alor Regency currently lacks a regulatory

¹¹ *Ibid.*, hlm. 185.

¹² *Ibid.*, hlm. 184-185.

¹³ *Ibid.*, hlm. 186-187.

instrument that comprehensively regulates waste reduction, handling, sorting, and oversight. This situation has prevented the effective implementation of various provisions in Law 18/2008, Government Regulation 81/2012, Law 32/2009, and Law 23/2014.

The urgency of establishing this Regional Regulation aligns with the research findings of Sumanti et al., who emphasized that the Academic Paper is a crucial instrument in developing regulations because it serves as a scientific basis that guides regulations to align with social needs and community development.¹⁴ With the Academic Paper, the process of formulating Regional Regulations can be conducted objectively, systematically, and measurably. Therefore, the resulting Regulations are not only legally valid but also relevant and responsive to the current state of waste management in the region.

Normatively, waste management is a mandatory regional government responsibility related to basic services. Therefore, Regional Regulations are an absolutely necessary legal basis to ensure that regional governments can exercise their authority legally and measurably. Without a Regional Regulation, various government actions—such as establishing fees, imposing administrative sanctions, or regulating waste sorting—lack strong legitimacy and potentially create a legal vacuum in the provision of public services in the waste sector.

Sociologically, the urgency of Regional Regulations is increasingly evident in empirical conditions that demonstrate limited infrastructure, low public participation, and minimal environmental awareness. The Academic Paper explains that:

"Waste management in Alor Regency remains ineffective due to limited facilities and infrastructure, a lack of transportation vehicles, and low levels of public education."

The absence of a Regional Regulation leaves the local government without a clear regulatory mechanism to encourage public participation, strengthen environmental education, or establish obligations for businesses and communities. Therefore, a Regional Regulation is needed as a social and environmental protection instrument capable of systematically and sustainably changing public behavior.

From an institutional perspective, the establishment of a Regional Regulation is also urgent because the local government needs a legal basis to increase service capacity, including the provision of Waste Management (TPS3R), landfill management (TPA), waste management funding, and the involvement of producers in waste reduction schemes, as stipulated in Ministerial Regulation of

¹⁴ Genoveva Sumanti, Ferdinandus Lobo, dan Delfiana Bani, *Pentingnya Naskah Akademik dalam Pembentukan Peraturan Perundang-undangan terkait Pengelolaan Sampah di Kabupaten Flores Timur*, Volume 8 Nomor 1 Tahun 2025.

the Environment and Forestry P.75/2019. Without a Regional Regulation, the local government cannot establish minimum service standards, financing mechanisms, or formal inter-agency and cross-sectoral collaboration.

The urgency of a Regional Regulation is also reinforced by the social, economic, and environmental impacts of ineffective waste management. An academic paper asserts that:

"Ineffective waste management has the potential to cause pollution, reduce public health, and damage the aesthetics of an area."

These consequences demonstrate that regional regulations are not merely administrative requirements, but are a crucial part of fulfilling the public's right to a clean and healthy environment. Furthermore, regional regulations are needed to establish law enforcement mechanisms, including sanctions for violators, to ensure public and business compliance with waste management regulations.

The same research also shows that without an Academic Paper, regional regulations are vulnerable to being drafted solely based on bureaucratic or political interests, rather than the empirical needs of the community. This reinforces the argument that the drafting of the Regional Regulation on Waste Management in Alor Regency must be based on adequate scientific research to function as an effective social engineering instrument.

Thus, the urgency of establishing a Regional Regulation on Waste Management in Alor Regency can be summarized in three main points:

1. Regulatory Urgency
 - a. Requires an operational legal basis to translate national norms to the regional level.
 - b. Closes legal gaps and clarifies the authority of regional governments.
2. Sociological Urgency
 - a. Addressing low public participation through educational instruments, obligations, and sanctions.
 - b. Addressing the gap between social customs and regulatory demands.
1. Institutional and Environmental Urgency
 - a. Ensure adequate infrastructure.
 - b. Protect communities from the impacts of pollution and environmental degradation.
 - c. Strengthen cross-sector coordination and producer involvement.

With all these considerations, the formation of Regional Regulations is a strategic step that is very necessary to realize effective, participatory, and sustainable waste management in Alor Regency.

CONCLUTION

Based on the results of a legal, sociological, and institutional analysis of waste management in Alor Regency, it can be concluded that waste management in the region still faces various normative and empirical challenges. Legally, a comprehensive legal framework for waste management exists, including Law Number 18 of 2008, Government Regulation Number 81 of 2012, Law Number 32 of 2009, Law Number 23 of 2014, and other sectoral regulations such as Ministerial Regulation of the Environment and Forestry P.75/2019 and NTT Provincial Regulation Number 3 of 2018. However, all of these provisions have not been optimally implemented in Alor Regency due to the absence of Regional Regulations that detail and operationally regulate waste reduction, handling, sorting, financing, and supervision. From a sociological perspective, the main problems lie in low public awareness and participation, limited waste management facilities, minimal environmental education, and weak institutional capacity of the local government. This situation is exacerbated by a shortage of transportation vehicles, inadequate waste disposal (TPS) and landfill (TPA) facilities, and the local government's inability to drive behavioral change without the support of strong legal instruments. The social, economic, and environmental impacts of ineffective waste management also increasingly threaten public health and environmental quality in Alor Regency. These legal and sociological findings indicate that the establishment of a Regional Regulation on Waste Management is an urgent need that cannot be postponed. The regulation is needed to provide legal certainty, clarify the authority and responsibilities of local governments, regulate the obligations of communities and businesses, and provide a legal basis for financing mechanisms, sanctions, supervision, and cross-sectoral collaboration. Furthermore, the regulation serves as an instrument of social change that can raise public awareness, strengthen institutions, and realize more effective and sustainable waste management. Therefore, the establishment of a Regional Regulation on Waste Management in Alor Regency is a strategic step that must be taken immediately to ensure environmental protection, improve the quality of life of the community, and ensure the implementation of regional authority in accordance with the principles of sustainable development.

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