

THE ROLE OF ENVIRONMENTAL LAW IN ENHANCING CORPORATE SOCIAL RESPONSIBILITY FOR ENVIRONMENTAL PROTECTION

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Abstract

Environmental law plays an important role as a regulatory instrument that strengthens the implementation of CSR. By accentuating CSR, environmental rules serve to ensure that corporations do not merely prioritize profit, but are also accountable for the ecological consequences of their activities. This research utilizes the normative jurisprudence method. This approach technique was chosen because the primary data used is secondary data, namely data collected through literature review and supporting data such as interviews and sources related to information on the role of Environmental Law in CSR accessntuation. The effectiveness of CSR, although guided by regulation, depends heavily on the integration of social and environmental responsibility in the company's business. The Karawang Regency Government and Tegal Sawah Village play a crucial role in ensuring that environmental CSR is effective. Weak oversight will damage the environment and hinder sustainability. The government can create positive impacts for the environment and Tegal Sawah Village community through better supervision, community engagement and collaboration with companies.

Keywords: *role, environmental law, corporate social responsibility*

A. Background

Indonesia is blessed with rich natural resources. This condition implies an obligation for every individual citizen to participate in protecting the environment. A healthy and clean ecosystem is an important foundation for the existence of humans, plants, animals, and natural products. This is also guaranteed by Article 28 Paragraph 1 H of the 1945 Constitution of the Republic of Indonesia. "Every person has the right to live in physical and spiritual prosperity, to have a place to live, and to have a good and healthy environment, and to receive health services."⁴

Progress in Indonesia is aimed at advancing the living standards of everyone and the entire society. The expansion of the industrial sector, an important component of the national development plan, should be aligned with environmental conservation efforts. Production facilities, at the heart of industrial activities, often produce residues that are detrimental to ecosystems and neighboring residents. Ineffective waste treatment can contaminate soil and water, trigger disease, and inhibit the growth of plants and microorganisms that are important to the ecosystem.

In order to dispel and overcome the adverse effects of the environment as required in international environmental forums, the government took the initiative by imposing the concept of Corporate Social Responsibility (CSR) for corporations and industry players. The program is a tangible manifestation of the company's concern for the

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⁴ Pasal 2 ayat 1. Undang-Undang Dasar Republik Indonesia 1945

community environment around the company. The company's inability to capture social issues that develop in the community will have an impact on the social life of the community, companies and communities need to synergize so that CSR programs from companies can occur.⁵

The idea of CSR was first introduced by Howard R. Bowen in 1953, which he described as: *"it refers to the obligations of businessmen to pursue those policies, to make those decisions, or to follow those lines of action which are desirable in terms of the objectives and values of our society"*⁶. In a straightforward sense, Jhonatan Sofian defines CSR as an idea that mandates corporations to accommodate and heed the needs of various interested parties in their business processes to generate profits. These parties include the workforce, clients, the public, the environment, state authorities, and non-profit organizations.⁷

An important moment in the development of Corporate Social Responsibility (CSR) discourse occurred in the 1980s and 1990s. The Earth Summit in Rio de Janeiro, Brazil, in 1992 was a historic event that fundamentally legitimized the idea of sustainable development and sustainable economy. A decade later, the Johannesburg summit in 2002, with the involvement of world leaders, incorporated the idea of social responsibility as an integral part. The combination of these three elements eventually became the foundation for companies to implement their social responsibility.⁸ On July 7, 2007, the city of Geneva in Switzerland took center stage as the host of a crucial meeting of the United Nations Global Compact (UN Global Compact). This event attracted worldwide attention with the intention of encouraging companies to internalize responsibility and ethical business practices, widely known as Corporate Social Responsibility.⁹

CSR is the foundation of corporate operations that demands social accountability from companies to internal organizations, various related parties, and society as a whole. CSR is a manifestation of a company's commitment to behave ethically, conduct business in accordance with the law, and participate in improving the living standards of workers and their families, local communities, and the population at large.¹⁰ CSR practices help companies realize how much effect their business activities have on the public sector, the economy, social life, and the environment.¹¹

In the context of environmental regulation, Corporate Social Responsibility (CSR) is the embodiment of a business entity's moral obligation to have a beneficial impact on

⁵ Astiti, N. P. Y., & Saitri, P. W. *Pengaruh Corporate Social Responsibility Terhadap Kesejahteraan Masyarakat dan Citra Perusahaan*. Jurnal Bisnis Dan Kewirausahaan, 12(2), (2016): 94–104. <http://ojs.pnb.ac.id/index.php/GBK/article/view/38>.

⁶ Marthin, Marthen B. Saliding, Inggit Akim, *Implementasi Prinsip Corporate Social Responsibility (CSR) berdasarkan Undang-Undang Nomor 40 Tahun 2007 tentang Perseroan Terbatas*, *journal of private and commercial law*, Vol. 1, No. 1, (2017): 112 [10.15294/jpcl.v1i1.12358](https://doi.org/10.15294/jpcl.v1i1.12358) Dikutip dari Ismail Solihin, *Corporate Social Responsibility: from Charity to Sustainability*, Salemba Empat, Jakarta, (2009), p.16

⁷ Jonathan Sofian Lusa, 2007, *Mencari Bentuk Ideal Tanggung Jawab Sosial Perusahaan*, <http://jsofian.wordpress.com/2007/06/10/>

⁸ Nancy Silvana Haliwela, *tinjauan hukum tanggung jawab sosial perusahaan (corporate social responsibility/CSR*, Jurnal sasi, vol. 17 No. 4 (2011): 53 <https://doi.org/10.33059/jhsk.v18i2.8612>

⁹ Peter Mamud Marzuki, *Penelitian Hukum*, Kencana Prenada Group, (2005), p. 96.

¹⁰ Lina Anatan, *"Corporate social responsibility"*, [112731-ID-cooperate-social-responsibility-csr-tin.pdf](https://doi.org/10.15294/jpcl.v1i1.12358)

¹¹ Yudhistira, *"apa itu CSR perusahaan ? dasar hukum, dana, dan contohnya"*, [√ Apa itu CSR Perusahaan? Dasar Hukum, Dana, dan Contohnya](https://doi.org/10.15294/jpcl.v1i1.12358)

the people and ecosystems in which it operates. The premise of CSR is the notion that a company is not a stand-alone entity, but rather a component connected to society and nature. Therefore, corporate social responsibility becomes a moral obligation that needs to be fulfilled to preserve the environment and the survival of future generations.

UUPLH is one of the legal foundations among various national legal instruments underlying environmental protection and management efforts. This regulation establishes principles that emphasize the importance of preventive and participatory approaches in maintaining environmental quality. It also recognizes the role of non-state actors, including corporations, in ensuring environmental sustainability. In the Company Law, the concept of CSR is clearly explained. In addition, Article 74 of the Company Law stipulates that corporations engaged in natural resource-related fields are required to carry out social and environmental responsibilities.¹² This requirement is a clear manifestation of the legal responsibility that corporations have to play an active role in sustainable development and mitigate the environmental consequences of their commercial activities.

However, the implementation of Corporate Social Responsibility (CSR) often does not go as expected, despite the availability of a clear legal framework. This condition is influenced by a number of aspects, including ineffective law enforcement, low levels of corporate awareness of the urgency of CSR, and weak monitoring of the implementation of these obligations. In this context, environmental law plays a significant role as a regulatory tool that can increase the effectiveness of CSR implementation. By paying special attention to CSR, environmental law can ensure that corporations are not only focused on making profits, but also on their responsibility for environmental impacts arising from their business activities.

In the context of environmental protection, environmental law comes as a response to social change due to the impact of environmental degradation that is increasingly felt by the community. Environmental degradation, such as water, air and soil pollution, has created a social crisis that threatens the sustainability of local communities, especially in areas vulnerable to natural resource exploitation.

Corporations, the main actors in economic development, are often held responsible for various environmental problems arising from their business activities. On the other hand, society also expects companies to play an active role in addressing negative social and environmental impacts by implementing corporate social responsibility (CSR). This perspective suggests that CSR is not just a matter of corporate values, but also a social mandate that is expected to address social disparities and maintain environmental sustainability.

The implementation of CSR reflects the reciprocal relationship between corporations and society. Companies utilize natural resources and labor from the surrounding environment, so it is natural that the community demands companies to provide balanced benefits. However, reality shows that the implementation of CSR is often sporadic, poorly planned, and lacks a significant impact on community welfare.

One example of a corporation that does not provide CSR to the community is in Tegal Sawah Village, East Karawang, Karawang Regency, namely PT Pertamina. Quoted from the results of the author's interview with the Head of Tegal Sawah Village,

¹² Pasal 74. Undang-Undang Nomor 40 Tahun 2007 tentang Perseroan Terbatas.

Mr. H. Ade Kardiatna said “that in Tegal Sawah Village there is PT Pertamina, but as long as Mr. Ade has been the Village Head, there is no CSR from PT Pertamina”.¹³

This study has a high urgency to comprehensively examine and understand how Environmental Law functions in highlighting the environmental consequences of a company's operations. The determination of these problematic issues will be an important evaluation material in relation to CSR practices.

Based on the description above, the researcher will discuss how the role of environmental law in accentuating corporate social responsibility to deal with environmental degradation for the realization of a prosperous community environment. The following authors include 2 previous studies related to the title of the research that the author wrote.

1. Marthin, Marthen B. Saliding, Inggit Akim, implementation of corporate social responsibility (CSR) principles based on Law Number 40 of 2007 concerning Limited Liability Companies, journal of private and commercial law, Vol. 1, No. 1, (2017).
2. Mentari Novia Umboh, Legal protection of the community from the impact of environmental pollution by companies. *lex et societatis*, Vol. VIII, No. 1, (2020).

B. Identified Problems

Having described the above, the focus of this research is on:

1. What is the role of Law No. 32/2009 on environmental protection and management in encouraging CSR that focuses on community environmental welfare in Tegal Sawah Village, East Karawang Sub-district, Karawang Regency?
2. What are the government's efforts in empowering corporations to enforce environmental laws and ensure that corporations carry out CSR that has a positive impact on the community environment in Tegal Sawah Village, East Karawang Sub-district, Karawang Regency?

C. Research Methods

As a normative research, this study adopts qualitative research methods. The author uses a normative juridical approach, According to Soerjono Soekanto, legal research is specifically carried out by examining library documents or secondary data as the basis of research, namely by looking for regulations or documents relevant to the problem under study.¹⁴

This type of research is descriptive analytical. The consideration in choosing this specification is to present a complete representation and in-depth study of how environmental regulations have an influence in underlining corporate social responsibility (CSR) to tackle the deterioration of environmental quality.

With this method, the author wants to understand in detail the characteristics, patterns, and relationships between various relevant variables. The analysis conducted will help reveal the meaning behind the data collected, so that it can make a significant contribution to our understanding of how the role of environmental law in accentuating corporate social responsibility to deal with environmental degradation.

¹³ Wawancara dengan H. Ade Karditna pada Tanggal 18 Maret 2025 pk. 13.14 - 14.15

¹⁴ Soerjono Soekanto, Sri Mamuja, *Penelitian hukum normatif (suatu tinjauan singkat)*, jakarta, rajawali pers, 2001, hlm, 13-14

D. Research Findings and Discussions

1. The role of Law No. 32/2009 on Environmental Protection and Management in Encouraging CSR that Focuses on the Welfare of the Community Environment in Tegal Sawah Village

a. The Role of Law No. 32 of 2009

As globalization and industrialization accelerate, attention to issues of environmental sustainability and community welfare is increasing in many countries, including Indonesia. Indonesia's significant natural resource potential attracts investment from domestic and international companies. However, the uncontrolled extraction of natural resources has the potential to cause adverse impacts on ecosystems and local communities. Thus, the role of environmental law in the regulation and facilitation of Corporate Social Responsibility (CSR) implementation is essential in responding to this challenge.

The Republic of Indonesia's environmental law establishes an imperative legal framework for business organizations to assume social and ecological responsibilities. CSR is not only seen as a moral imperative, but also a manifestation of the company's sincerity in achieving sustainable development. The Environmental Law is an important part of the national legal system that regulates environmental protection and management. This provision not only requires the maintenance of environmental sustainability for businesses, but also accelerates the implementation of CSR centered on environmental and community benefits.

Environmental Legislation is a set of legal rules that regulate environmental governance with the intention of avoiding the reduction of quantity and degradation of environmental quality.¹⁵ In the context of environmental law in Indonesia, UUPPLH plays a central role as an umbrella act. This means that UUPPLH is the main reference for all environmental regulations currently implemented (*lex lata*) and also for the formation of derivative regulations (*lex ferenda or organic provisions*).¹⁶

Mella Ismelina Farma Rahayu said¹⁷, The essence of Environmental Law is how this regulation can function optimally in caring for, protecting, and perpetuating the environment, in addition, avoiding the community from potential threats due to natural damage. He then explained that the law of preserving environmental functions is a legal instrument that seeks to maintain the sustainable use of natural resources and the environment and maintain the quality and sustainability of the environment through the process of planning, implementation, and protection. The existence of environmental regulation is to protect and ensure the sustainability of natural

¹⁵ Syahrul Machmud, *Penegakan Hukum Lingkungan Indonesia*, Graha Ilmu, Yogyakarta, (2012), p. 3. dikutip dari St. Munadjat Danusaputro, *hukum lingkungan Buku II: nasional, binacipta, bandung*, (1985), p 198-201.

¹⁶ Ibid. p. 4

¹⁷ Mella Ismeliana Farma Rahayu, *Fungsi Hukum Dan Pemberdayaan Masyarakat Pesisir Dalam Pelestarian Fungsi Lingkungan Pesisir*, Disertasi UNDIP, (2006), p. 100.

interests from quality degradation and destruction, with the intention of maintaining its sustainability.¹⁸

UUPPLH provides explicit provisions so that business entities are not only concerned with profit-making, but are also responsible for environmental maintenance. As an illustration, Article 68 of the Act states that every individual or business entity operating must ensure the maintenance of environmental functions and not deviate from predetermined environmental quality standards.¹⁹

UUPPLH is designed to harmonize economic growth, public welfare, and environmental sustainability. Its main objective is to serve as a legal foundation to anticipate and address environmental damage caused by harmful human activities, and to ensure the responsible and sustainable use of natural resources for present and future generations.

UUPPLH through Article 3 explains the purpose and direction of environmental protection and management actions, namely:²⁰

“Protect the territory of the Unitary State of the Republic of Indonesia from environmental pollution and/or damage; ensure safety, health, and human life; ensure the continuity of life of living things and the preservation of ecosystems; maintain the preservation of environmental functions; achieve harmony, harmony, and environmental balance; ensure the fulfillment of justice for present and future generations; ensure the fulfillment and protection of the right to the environment as part of human rights; control the wise use of natural resources; realize sustainable development; and anticipate global environmental issues.”

Further to the articles already mentioned, UUPPLH has several other relevant articles that contribute to the regulatory framework for environmental protection and management.

1) Article 68 (obligations of business actors)

UUPPLH through Article 68 explicitly states that businesses bear significant responsibilities in environmental protection and management. Interpretation of this article reveals that companies' obligations go beyond mere compliance with regulations to include integrating sustainability principles in their operations. Companies are required to prepare AMDALs, manage waste responsibly, and ensure that their activities do not cause environmental degradation or pollution to the surrounding ecosystem. Thus, this article plays a vital role as a mechanism to encourage business accountability towards environmental conservation.

2) Articles 76-82 (environmental law enforcement)

Through Articles 76 to 82, UUPPLH integrates comprehensive environmental law enforcement tactics, including administrative

¹⁸ Syahrul Machmud, 2012, Op.Cit, hal. 57. Di kutip dari Gatot P Soemaetono, *Hukum Lingkungan Indonesia*, Sinar Grafika, Jakarta, (1996), p. 25.

¹⁹ Pasal 68. Undang-Undang Nomor 32 Tahun 2009 tentang Perlindungan Dan Pengelolaan Lingkungan Hidup.

²⁰ Pasal 3. Undang-Undang Nomor 32 Tahun 2009 tentang Perlindungan Dan Pengelolaan Lingkungan Hidup.

measures, civil litigation, and criminal consequences for violating parties. A review of these articles confirms that UUPPLH places law enforcement as the main foundation in preserving the environment. Administrative enforcement, such as issuing warnings or revoking licenses, is intended to stop violations quickly. Meanwhile, civil mechanisms provide the right for victims or communities to sue for damages, and criminal proceedings are to provide a deterrent impact for perpetrators of environmental crimes. With this multi-faceted framework, the law provides authority to the government and participation space for the community to proactively protect the environment from destructive activities.

3) Article 70 (participation of communities and corporations in environmental protection)

The provisions of Article 70 underscore the significance of public and corporate entity participation in environmental protection initiatives. A comprehensive interpretation of this article shows that the law recognizes the strategic position of the public, both as individuals and groups, in carrying out the function of control, conveying information, and fostering understanding of environmental issues. In addition, businesses are advised to implement CSR, which is closely linked to environmental stewardship and responsible management of natural resources. This provision reinforces that the proactive participation of various stakeholders, through community consultation mechanisms, the exchange of constructive ideas, and the formation of strategic partnerships, is an absolute requirement for the establishment of a comprehensive and efficient environmental protection system.

The law also aims to promote increased public awareness about the importance of protecting the environment, encourage the use of environmentally friendly technologies, and establish an effective system of supervision and law enforcement to prevent violations. The ultimate goal of this law is to ensure sustainable national development, by maintaining the ecosystem as the main support for the earth's life.

b. Relevance of CSR with UUPPLH

The government is trying to prevent and overcome environmental impacts, as mandated in environmental meetings, one of which is through the application of the concept of corporate social responsibility (CSR) to the corporate and industrial sectors. As stated by McGuire in Douglas, corporate social responsibility is not limited to the economic dimension and legal compliance, but also involves the company's responsibility to various parties beyond these two aspects.²¹

Corporate Social Responsibility (CSR) is a business idea that emphasizes that corporations are not only oriented towards achieving

²¹ Fadilla Purwitasari, *Analisis Pelaporan Corporate Social Responsibility Perbankan Syariah Dalam Prespektif Shariah Enterprise Theory Studi Kasus Pada Laporan Tahunan Bank Syariah Mandiri dan Bank Muamalat*, Skripsi, Universitas Diponegoro, Semarang, (2011), p. 19.

material benefits, but also have an obligation to the social and ecological effects of their business operations. CSR embodies a company's dedication to contributing to the society and natural systems in which it operates. This understanding encompasses aspects such as the common good, environmental stewardship, and actions to generate sustainable progress.

Corporate social responsibility illustrates how a company is dedicated to conducting business activities with moral integrity and compliance with the law. More than that, CSR also means that the company actively takes part in advancing economic conditions and improving the lives of workers and their families, communities around the company's location, and society as a whole. Consistent with World Business Council for Sustainable Development (WBCSD)²², Corporate Social Responsibility (CSR) is “*a company's commitment to behave ethically, contribute to economic development, and at the same time improve the quality of life of workers and local communities and society at large*”. In Indonesia, the practice of CSR is also recognized and endorsed by a number of legislative regulations, as stated in Article 74 of the Company Law. This provision mandates corporations whose business activities are within the scope of or have an impact on natural resources to uphold social and ecological responsibilities.

The Company Law, especially Article 74, explicitly requires companies engaged in the natural resources sector to carry out social and environmental responsibilities. This provision establishes CSR as a legal obligation that must be fulfilled in order to maintain good relations with local communities and preserve the environment. The implementation of Article 74 of the Company Law is strengthened by Government Regulation No. 47/2012, which details the procedures for implementing CSR by companies.

The dimensions of CSR refer to the various facets or domains of social responsibility that must be implemented by business entities as a manifestation of their ties to the public and the surrounding ecosystem. Through review and available literature, CSR has several crucial dimensions that are commonly mentioned and applied in corporate studies and activities.

The environmental section is a crucial element in the corporate social and environmental responsibility (CSR) dimension. This element includes corporate initiatives to reduce adverse consequences on nature through waste management practices, energy optimization, sustainable material utilization, and biodiversity preservation. Every company should strive to minimize the negative effects of its business activities on the surrounding ecosystem.

The CSR program is able to improve the welfare of the surrounding community with the empowerment carried out by the company.²³ Of course,

²² Margaret Flaherty, “*corporate social responsibility the WBCSD's journey*”, https://www.globalhand.org/system/assets/f65fb8b06bddcf2f2e5fef11ea7171049f223d85/original/Corporate_Social_Responsibility_WBCSD_2002.pdf.

²³ Fajriana, A., & Priantinah, D. *Pengaruh Corporate Social Responsibility, Keputusan Investasi, Dan Struktur Modal Terhadap Nilai Perusahaan*. Jurnal Nominal, 5(2), (2016). <https://doi.org/10.21831/nominal.v5i2.11721>.

CSR is a solution to the good relationship between the company and the surrounding community regarding the environment and the welfare of the surrounding community.²⁴ However, CSR needs to be monitored so that the program runs regularly and sustainably so that it does not stop at any time. CSR programs have a significant and positive influence on the welfare of the community around the company.

Article 74 of the Company Law shows how important the link between CSR and the mandate for corporations is. Explicitly, this article states that companies whose activities are related to natural resources have the obligation to carry out social and environmental responsibilities. The purpose of this regulation is to direct companies to not only be profit-minded, but also to have a meaningful impact on the surrounding community and nature.

Meanwhile, UUPPLH reinforces this message by providing a more comprehensive legal framework on ecological responsibility. This law states unequivocally that every individual and legal entity, including corporations, has an obligation to maintain and manage the environment in a sustainable manner. These two laws form a collaboration in encouraging corporations to carry out social and environmental responsibilities comprehensively.

Here are some links between the Company Law and the Environmental Law:

1) CSR obligations under the Company Law

According to Article 74 of the Company Law, companies that conduct operations with significant impacts on natural resources are required to implement CSR programs as a form of responsibility towards the surrounding community and environmental sustainability. These initiatives cover a spectrum of actions such as environmental conservation, community capacity building, and management of social impacts arising from the company's activities.

2) Environmental approach in UUPPLH

The UUPPLH provides more detailed guidance with regard to environmental stewardship. Business entities have the responsibility to follow discharge management guidelines, maintain the ecological order, and reduce the environmental impact of their business operations. In addition, UUPPLH manages the enforcement system for those who violate environmental regulations, including administrative sanctions, civil suits, and criminal penalties.

3) Harmonisasi Tanggung Jawab Sosial Dan Lingkungan

In line with the principles of environmental protection in the UUPPLH, the CSR obligations contained in the UUPT emphasize that CSR is more than just legal compliance. Furthermore, CSR is an instrument for companies to realize their commitment to sustainability. To illustrate, companies can link their CSR programs to environmental

²⁴ Sa'adah, S., & Azis, E. *Pengaruh Pemberian CSR Dana Pendidikan dari PT. Internusa Jaya Sejahtera Terhadap Peningkatan Kesejahteraan Masyarakat*. Jurnal Ilmu Manajemen Dan Bisnis, 10(1), (2019). 43–50. <https://doi.org/10.17509/jimb.v10i1.15923>.

conservation actions, such as reforestation, switching to renewable energy, or minimizing carbon emissions, all of which are in line with the provisions of the UUPPLH.

2. The Government's Efforts in Empowering Corporations to Uphold Environmental Law Enforcement and Ensure that Corporations Implement CSR Programs that Positively Impact the Environment and Community in Tegal Sawah Village, East Karawang District, Karawang Regency

Human existence is always connected to the environment. The fact that humans live in a particular place inherently creates specific environmental conditions, and conversely, the environment is always an inseparable part of human life.²⁵ The pristine nature and environmental health are the aspirations of every individual. In principle, every person has an equal right to a good living environment. The presence of definitive and detailed regulations becomes essential to ensure legal certainty. Thus, every legal subject, whether acting as an individual or a business entity, will have a clear understanding of the limits of their rights and responsibilities in the context of environmental management.²⁶

The government's primary priority is to achieve harmony between development progress and environmental sustainability, one of the measures being the establishment of specialized organizations. The success of environmental organizations can be assessed by how governmental bodies operate, the quality of the prevailing legal regulations, and how government programs are implemented to preserve the environment and carry out responsible development for future generations.

a. Implementation of CSR Based on the Environmental Protection and Management Act (UUPPLH) in Tegal Sawah Village

Tegal Sawah Village, located in East Karawang District, Karawang Regency, has experienced both the positive impacts and challenges of industrial sector expansion. The presence of business entities around this village has resulted in ecological consequences that must be addressed responsibly. Therefore, the implementation of CSR in accordance with the Environmental Protection and Management Act (UUPPLH) is highly urgent to ensure environmental sustainability and the prosperity of local residents.

PT Pertamina EP Asset 3 Subang Field is one of Pertamina's entities operating in the East Karawang area, including Tegal Sawah Village. According to several Karawang media outlets, one of which is Karawangnews.com²⁷ Pertamina EP has implemented community empowerment programs through initiatives such as "Jejak Setapak," aimed at raising awareness and encouraging community contributions in preserving the environment and managing natural resources sustainably.

Nevertheless, the reality in Tegal Sawah Village is the opposite of what is reported in several Karawang media regarding corporate social responsibility (CSR). The head of Tegal Sawah Village said, 'There is PT

²⁵ Mentari Novia Umboh, *Perlindungan hukum terhadap masyarakat dari dampak pencemaran lingkungan oleh perusahaan. lex et societatis, Vol. VIII, No. 1* (2020): 109. <https://doi.org/10.35796/les.v8i1.28477>

²⁶ Lilik Mulyadi, *Hukum Lingkungan*, Intermasa: Jakarta, (2012), p. 89.

²⁷ Karawang.news, "jejak setapak" https://www.karawangnews.com/2019/03/pt-pertamina-ep-mulai-inisiasi-padi.html?utm_

Pertamina in Tegal Sawah, but during Mr. Ade's tenure as Village Head, there has been no CSR from PT Pertamina. Even though the village has communicated with them, there has been no response from Pertamina.”²⁸

From the results of the interview, it can be seen that in Tegal Sawah Village, the CSR implementation, whether it is based on UUPPLH or other frameworks, is not running as it should. Why could this happen? What is the role of the local government?

b. Evaluation of the Role of the Karawang Regency Government and the Tegal Sawah Village Government in Overseeing the Implementation of Environment-based CSR in Tegal Sawah Village

As a manifestation of corporate social responsibility, CSR that tends to focus on the environment prioritizes nature conservation and community empowerment. Given that Tegal Sawah Village is the location for industrial activities such as PT Pertamina EP, it is only appropriate that the village receives CSR benefits from the companies operating there. There are several benefits of CSR for both the community and the company itself, including:²⁹

- 1) Social benefits, increasing access to education and the implementation of educational programs, improving the quality of health services and access to health for the community, including healthy lifestyle counseling, as well as encouraging local economic growth.
- 2) Economic benefits, helping to reduce unemployment and improve the standard of living of the community, increasing community income and opening new business opportunities, and helping to improve access to insight into the basic needs of the community in order to contribute to economic growth.
- 3) Environmental benefits, improve waste management and reduce environmental pollution and help conserve natural resources through tree planting, forest rehabilitation and wild animal habitat protection.
- 4) Benefits for the company, improving the company's reputation in the eyes of the public, increasing company profits and helping the company become more competitive in the global market.

In this context, the effectiveness of CSR implementation becomes very significant.

Nevertheless, the success of CSR implementation that prioritizes environmental issues is largely determined by how the government acts as a supervisor, facilitator, and regulator. In this context, the Karawang Regency Government and the Tegal Sawah Village Government play an important role. However, various records and research findings show shortcomings in the implementation of these roles by both parties, which has implications for the suboptimal implementation of environment-based CSR in Tegal Sawah Village.

²⁸ Wawancara dengan H. Ade Karditna pada Tanggal 18 Maret 2025 pk. 13.14 - 14.15

²⁹ Ida Kholifatur Rohmah, *Memahami CSR: Pengertian, Fungsi, Manfaat Dan Contoh*, <https://skilvul.com/blogs/memahami-csr-pengertian-fungsi-manfaat-dan-contoh/>

Based on the results of the interview conducted by the author with the Head of Tegal Sawah Village, Mr. H. Ade Kardiatna stated, The Tegal Sawah Village Government has previously communicated or submitted an invoice regarding the CSR from PT Pertamina EP in the area, but it did not yield any results. Regarding the CSR from PT Pertamina EP, Mr. H. Ade Kardiatna mentioned that, according to information from the company, the CSR had been channeled to the local government. However, during Mr. H. Ade Kardiatna's tenure as the Head of Tegal Sawah Village, no CSR has been channeled to Tegal Sawah Village, either directly from the company or from the local government.

The process of distributing CSR funds from corporations can be carried out through various mechanisms, either directly or through intermediaries such as local governments (Pemda). This is referenced from the Regional Regulation of Karawang Regency Number 7 of 2020 concerning Corporate Social Responsibility and Environmental Responsibility,³⁰ CSR distribution can be carried out through several mechanisms:

- 1) Directly by the company to the community or the Village Government

The company can channel CSR directly to the community or through the Village Government, as well as support activities carried out by the community, in line with the annual work program that has been approved.

- 2) Through the Local Government

CSR can be channeled through local governments, either through the regional budget (APBD) as a grant or directly through technical agencies of regional devices without having to enter the APBD.

- 3) Through the Regional CSR Organization

Some regions form CSR organizations that accommodate companies to channel CSR in a coordinated manner, such as Banjarmasin Corporate Social Responsibility (CSR).

However, the community of Tegal Sawah Village, represented by the Village Head, stated that until now, there has been no CSR (Corporate Social Responsibility) implemented in Tegal Sawah Village, despite having coordinated with the company.

Evaluation of the Role of the Karawang Regency Government

From the interview results with the Head of Tegal Sawah Village, I can conclude that there are several factors causing the CSR not to run in the village, including:

- 1) The weakness of the implementation of regulations and supervision policies

The responsibility of the Karawang Regency Government includes regulation, supervision, and ensuring the implementation of environmental CSR by companies in accordance with the mandate of the UUPPLH No. 32 of 2009. However, until now, the implementation of local-level regulations and policies that specifically manage and oversee CSR is still minimal or inconsistent. The

³⁰ Pasal 26. Peraturan Daerah Kabupaten Karawang Nomor 7 Tahun 2020 Tentang Tanggung Jawab Sosial Dan Lingkungan Perusahaan

inconsistency can be seen from what happened in Tegalsawah Village, that there is no direct supervision from the Regional Government of the unimplemented CSR, whereas in the Karawang Regency PERDA Number 7 of 2020 it is clearly mandated that the Regional Head is the direct supervisor regarding the sustainability of CSR. Managing a good CSR program requires monitoring and consistency in the implementation of CSR programs because monitoring and consistency of CSR programs can be assessed to have a good impact or not.³¹ This situation causes CSR implementation to often be unplanned, lacking coordination, and more inclined towards charitable activities rather than environmental sustainability.

2) The lack of accountability in the company

As a regulator, local governments should establish strict accountability mechanisms for companies, including annual reporting related to CSR implementation. However, the lack of transparency and insufficient oversight from local governments have led many companies to implement CSR programs that have little impact on the environment, and some companies even fail to fulfill their obligations altogether.

Evaluation of the Role of the Village Government of Tegal Sawah

The Head of the Village of Tegal Sawah, during an interview with the author, stated that due to the lack of CSR (Corporate Social Responsibility) in the village, the village government has never communicated or filed a direct report with the Regional Government regarding the absence of CSR in the village, even though there is a company currently operating in the area.

From the results of the interview, the author concludes that there are several factors contributing to the lack of CSR in the village, including:

1) Indecisiveness in advocating for the interests of the citizens

The Tegal Sawah Village Government holds a strategic position in bridging the needs of the community with companies. Unfortunately, the village government's lack of firmness in advocating for the interests of residents, particularly regarding environment-based CSR programs, has led to several CSR initiatives not running optimally or even not being realized.

2) Dependence on the company

In some cases, the village government tends to be passive and delegates the entire responsibility of implementing CSR to the company, which sometimes results in the company neglecting to carry out CSR. In fact, the synergy between the company, the community, and the village government is crucial for the success of the CSR program.

The Impact of the Government's Indecisiveness

From various factors, both from the Local Government and the Village Government, that are not firm enough in regulating, supervising, and ensuring the smooth implementation of CSR programs, several impacts will result, including:

1) Unsustainable CSR Programs

³¹ Kusuma, J. P., & Ginting, A. L. Strategi Pemerintah Daerah Kabupaten Kolaka Dalam Pengelolaan Program Corporate Social Responsibility (CSR). Scientific Journal of Reflection, 4(1), (2021): 81–90. <https://doi.org/10.37481/sjr.v4i1.250>.

The lack of firmness from the government in supervising the implementation of environment-based CSR causes programs that should support environmental sustainability to not be optimally implemented, or even not implemented at all, as seen in Tegal Sawah Village.

2) Continued Environmental Damage

The minimal supervision from the government will lead companies to be irresponsible for their activities, including activities that could harm the environment and society.

3) Public Dissatisfaction

The lack of firmness from the government also triggers public dissatisfaction towards the company and the village government. The community feels their right to benefit from the company's presence is not fulfilled.

From the discussion above, there are several constructive suggestions from the author, including:

1) Strengthening regulations and oversight policies

The Karawang Regency Government needs to strengthen regulations related to environmentally-based CSR, including establishing clear key performance indicators for CSR programs and utilizing technology to monitor CSR implementation in real-time.

2) Enhancement of the Role of the Village Government

The Tegal Sawah Village Government needs to be more proactive in advocating for the community's interests and establishing more intensive communication with companies and the Regional Government.

3) Encouraging community participation

To ensure that environmental CSR programs are implemented sustainably and meet the needs, it is important to actively involve the community in the design, implementation, and evaluation processes. The Head of Tegal Sawah Village said "that in Tegal Sawah Village there is PT Pertamina, but as long as Mr. Ade is the Village Head there is no CSR from PT Pertamina, even though the Village has communicated but there is still no answer from Pertamina, obviously this has caused disappointment from me and the community because CSR is not running in our village." Said the Tegal Sawah Village Head in the author's interview with the Tegal Sawah Village Head.³²

In addition to the above factors, the failure of CSR programs in a region is often not only because the company is not serious, but also due to various complicated local problems. One of the main obstacles is **the bureaucratic culture** that is convoluted and slow. Companies that want to run CSR programs often have to deal with complicated permits, unclear procedures, and even illegal levies that cost a lot of money and time. As a result, companies spend more energy on bureaucracy, instead of focusing on implementing programs that benefit the community. This makes companies lazy or frustrated, resulting in ineffective CSR programs.

Power relations are also very influential. Often, local leaders, community leaders, or other powerful parties have personal interests that are not in line with

³² Wawancara dengan H. Ade Karditna pada Tanggal 18 Maret 2025 pk. 13.14 - 14.15

the objectives of the CSR program. They may interfere in determining the location, type of assistance, or even appoint program implementers. As a result, the focus of CSR programs shifts from meeting community needs to becoming a tool to strengthen the power or influence of a few people. Assistance becomes misdirected, unevenly distributed, and the benefits to the community are minimal or non-existent. CSR programs that are supposed to connect companies and communities end up becoming political tools.

Another important factor is **the low level of public literacy about CSR**. Many communities, especially in villages, do not fully understand what CSR is. They also do not know their rights or how to participate in the program. Due to this lack of understanding, communities tend to be passive and just accept whatever the company gives them, without any dialog or negotiation. In fact, CSR programs should be based on the needs and active participation of the community, not just a one-way “donation”. As a result, companies may run programs that look good on the outside, but actually do not solve the main problems faced by the community. Without supervision from an aware and critical public, CSR programs can easily be misused or become a formality.

E. Conclusions

More than just an ethical imperative, Corporate Social Responsibility (CSR) is a true corporate commitment that has a long-term positive impact on the company, society, and the environment. A series of applicable regulations provides clear guidance, but the optimal success of CSR is largely determined by the genuine commitment of companies to integrate social and environmental aspects into the core of their business strategies. The strong correlation between social responsibility and environmental preservation is reflected in the relationship between CSR and corporate obligations as stipulated in Article 74 of the Limited Liability Company Law (UUPT) and the Environmental Protection and Management Law (UUPPLH). By implementing CSR in harmony with these two legal provisions, companies not only fulfill legal requirements but also play a significant role in achieving the Sustainable Development Goals (SDGs) such as SDGs number 15 terrestrial ecosystems, SDGs number 9 industry, innovation, and infrastructure, SDGs number 7 clean and affordable energy, SDGs number 6 clean water and proper sanitation, and SDGs number 3 healthy and prosperous life. The proactive role of the government in monitoring and stimulating CSR implementation is crucial to ensuring benefits are felt by society and the surrounding environment.

The implementation of CSR based on the Environmental Protection and Management Law (UU PPLH) in Tegal Sawah Village highlights the importance of collaboration among companies, the government, and the community in preserving the environment. The role of the Karawang Regency Government and the Tegal Sawah Village Government is crucial in ensuring the effective implementation of environmentally-focused CSR. A lack of firmness in oversight will only worsen environmental conditions and hinder sustainable development. By improving oversight mechanisms, involving the community, and collaborating with companies, the government can create synergy that positively impacts both the environment and the community of Tegal Sawah Village.

REFERENCES

BOOKS

- Gatot P Soemaetono. *Hukum Lingkungan Indonesia*. Sinar Grafika: Jakarta, 1996.
- Ismail Solihin. *Corporate Social Responsibility: from Charity to Sustainability*, Salemba Empat: Jakarta, 2009.
- Lilik Mulyadi. *Hukum Lingkungan*, Intermasa: Jakarta. 2012
- Munadjat Danusaputro. *hukum lingkungan Buku II: nasional*, Binacipta: Bandung, 1985.
- Peter Mamud Marzuki, *Penelitian Hukum*, Kencana Prenada Group: 2005.
- Soerjono Soekanto, Sri Mamuja, *Penelitian hukum normatif (suatu tinjauan singkat)*, rajawali pers: jakarta, 2001.
- Syahrul Machmud. *Penegakan Hukum Lingkungan Indonesia*, Graha Ilmu: Yogyakarta., 2012.

SCIENTIFIC WORK

- Astiti, N. P. Y., & Saitri, P. W. (2016). *Pengaruh Corporate Social Responsibility Terhadap Kesejahteraan Masyarakat dan Citra Perusahaan*. Jurnal Bisnis Dan Kewirausahaan, 12(2), 94–104. <http://ojs.pnb.ac.id/index.php/JBK/article/view/38>.
- Carroll, A. B., Shabana, K. M., "The Business Case for Corporate Social Responsibility: A Review of Concepts, Research, and Practice," *International Journal of Management Reviews*. <https://doi.org/10.1111/j.1468-2370.2009.00275.x>
- Fadilla Purwitasari, 2011. *Analisis Pelaporan Corporate Social Responsibility Perbankan Syariah Dalam Prespektif Syariah Enterprise Theory Studi Kasus Pada Laporan Tahunan Bank Syariah Mandiri dan Bank Muamalat*, Skripsi, Universitas Diponegoro, Semarang.
- Fajriana, A., & Priantinah, D. (2016). *Pengaruh Corporate Social Responsibility, Keputusan Investasi, Dan Struktur Modal Terhadap Nilai Perusahaan*. Jurnal Nominal, 5(2). <https://doi.org/10.21831/nominal.v5i2.11721>.
- Kusuma, J. P., & Ginting, A. L. (2021). *Strategi Pemerintah Daerah Kabupaten Kolaka Dalam Pengelolaan Program Corporate Social Responsibility (CSR)*. Scientific Journal of Reflection, 4(1), 81–90. <https://doi.org/10.37481/sjr.v4i1.250>.
- Marthin, Marthen B. Saliding, Inggit Akim, *implementasi prinsip corporate social responsibility (CSR) berdasarkan Undang-Undang Nomor 40 Tahun 2007 tentang Persroan Terbatas*, *journal of private and commercial law*, Vol. 1, No. 1, (2017). DOI: [10.15294/jpcl.v1i1.12358](https://doi.org/10.15294/jpcl.v1i1.12358)
- Mentari Novia Umboh, *Perlindungan hukum terhadap masyarakat dari dampak pencemaran lingkungan oleh perusahaan. lex et societatis*, Vol. VIII, No. 1, (2020). 109 <https://doi.org/10.35796/les.v8i1.28477>
- Mella Ismeliana Farma Rahayu, *Fungsi Hukum Dan Pemberdsyaan Masyarakat Pesisir Dalam Pelestarian Fungsi Lingkungan Pesisir*, Disertasi UNDIP, 2006.
- Nancy Silvana Haliwela, *tinjauan hukum tanggung jawab sosial perusahaan (corporate social responsibility/CSR*, Jurnal sasi, vol. 17 No. 4 (2011). <https://doi.org/10.33059/jhsk.v18i2.8612>

Sa'adah, S., & Azis, E. (2019). *Pengaruh Pemberian CSR Dana Pendidikan dari PT. Internusa Jaya Sejahtera Terhadap Peningkatan Kesejahteraan Masyarakat*. Jurnal Ilmu Manajemen Dan Bisnis, 10(1), 43–50. <https://doi.org/10.17509/jimb.v10i1.15923>.

WEBSITE

Ida Kholifatur Rohmah, *Memahami CSR: Pengertian, Fungsi, Manfaat Dan Contoh*, <https://skilvul.com/blogs/memahami-csr-pengertian-fungsi-manfaat-dan-contoh/>

Jonathan Sofian Lusa, 2007, *Mencari Bentuk Ideal Tanggung Jawab Sosial Perusahaan*, <http://jsofian.wordpress.com/2007/06/10/>

Karawangnews. “Jejak setapak” <https://www.karawangnews.com/2019/03/pt-pertamina-ep-mulai-inisiasi-padi.html?utm>

Lina Anatan, “Corporate social responsibility”, [112731-ID-coorporate-social-responsibility-csr-tin.pdf](https://www.globalhand.org/system/assets/f65fb8b06bddcf2f2e5fef11ea7171049f223d85/original/Corporate_Social_Responsability_WBCSD_2002.pdf)

Margaret Flaherty, “*corporate social responsibilty the WBCSD's journey*”, https://www.globalhand.org/system/assets/f65fb8b06bddcf2f2e5fef11ea7171049f223d85/original/Corporate_Social_Responsability_WBCSD_2002.pdf

Yudhistira, “apa itu CSR perusahaan ? dasar hukum, dana, dan contohnya”, [√ Apa itu CSR Perusahaan? Dasar Hukum, Dana, dan Contohnya](#)

LEGISLATION

Undang-Undang Dasar Republik Indonesia 1945.

Undang-Undang Nomor 40 Tahun 2007 tentang Perseroan Terbatas.

Undang-Undang Nomor 32 Tahun 2009 tentang Perlindungan Dan Pengelolaan Lingkungan Hidup.

Peraturan Daerah Kabupaten Karawang Nomor 7 Tahun 2020 Tentang Tanggung Jawab Sosial Dan Lingkungan Perusahaan.