

The Application Of Criminal Sanctions In Environmental Pollution Cases: A Justice-Based Analysis Of Decision No. 321/PID.SUS/LH/2025/PN BDG

Apud Abdul Aziz¹, Suyud Margono², Hotman Sinambela³

^{1,2,3} Program Studi Ilmu Hukum, Universitas Mpu Tantular, Jakarta

E-mail: suyudmargono@gmail.com

Abstract

This study examines the application of criminal sanctions in an environmental pollution case from the perspective of justice, focusing on Decision No. 321/Pid.Sus/LH/2025/PN Bdg involving PT Mitra Light Block. The issue is significant because environmental criminal law is expected not only to enforce statutory compliance but also to ensure that punishment is imposed in a fair, proportionate, and legally reasoned manner. This article aims to analyze the correlation between environmental law enforcement and the principle of justice in the imposition of criminal sanctions. The study employs normative legal research using statute, conceptual, and case approaches. The analysis is based on primary legal materials, including statutory regulations and the court decision, as well as secondary legal materials in the form of legal doctrines and scholarly literature. The findings indicate that the application of criminal sanctions in environmental cases cannot be assessed solely on the basis of formal statutory violation. It must also consider culpability, proportionality, environmental risk, judicial reasoning, and the broader public interest protected by environmental law. The case demonstrates that although the prohibited act was legally established, the question of justice remains closely tied to the relationship between the unlawful conduct, the degree of harm, and the reasoning underlying the sanction. This study concludes that a justice-based approach to environmental criminal law requires punishment to reflect not only legal certainty but also substantive fairness in responding to environmental violations.

Keywords : Criminal Sanctions; Environmental Justice; Environmental Pollution; Legal Analysis; Normative Legal Research; Judicial Reasoning

INTRODUCTION

Indonesia has long possessed a formal legal framework for protecting the environment, most notably through Law of the Republic of Indonesia Number 32 of 2009 on Environmental Protection and Management. At the normative level, the system is not weak. It recognizes

environmental protection as a legal obligation, provides a regulatory basis for environmental permits and impact assessment, and allows the state to respond to environmental violations through administrative, civil, and criminal sanctions (Aziz et al., 2024; Hidayati et al., 2022; Law of the Republic of Indonesia Number 32 of 2009). Yet the real difficulty lies in implementation. Environmental governance in practice often collides with overlapping institutional authority, inconsistent enforcement, weak supervision, and the continuing tension between economic expansion and ecological protection. This tension becomes especially visible when large-scale industrial, mining, plantation, and infrastructure activities are treated primarily as engines of growth, while the rights of local communities and the long-term function of natural resources receive less serious attention. In that setting, environmental degradation is not merely a technical or administrative problem; it becomes a legal and justice problem because it affects public welfare, public health, and intergenerational interests (Aziz et al., 2023; Hidayati et al., 2022; Murhani, 2023).

The urgency of environmental law becomes even clearer when pollution involves hazardous and toxic waste. Industrial residue such as bottom ash and fly ash is not simply residual material left behind by production; it may carry serious ecological and health consequences when it is stored, handled, or disposed of outside the standards required by law. In legal and environmental terms, the danger lies not only in visible pollution, but also in the cumulative risk of contamination of soil, water, air, and the surrounding food chain. The issue is therefore inseparable from environmental health, waste technology, and the responsible use of industrial resources (Aziz et al., 2023; Haryanto, 2025; Nurhayati, 2025; Rahmadi et al., 2022; Riyanto, 2013; Suhartawan et al., 2023). For that reason, criminal law enters the environmental field not as an isolated punitive instrument, but as part of a broader legal strategy to deter harmful conduct, discipline corporate behavior, and preserve the public's right to a good and healthy environment.

From the perspective of criminal law, the application of sanctions in environmental cases cannot be reduced to a simple question of whether a statute has been formally violated. It also requires a careful assessment of culpability, legal responsibility, proportionality, and the purpose of punishment itself. Indonesian criminal law doctrine has consistently emphasized that punishment must remain tied to legal certainty while also reflecting fault, accountability, and justice (Hiariej, 2014; Huda, 2008; Mahrus, 2012; Marpaung, 2005; Tongat, 2008; Waluyo, 2004). This is particularly important in environmental cases, where the conduct may be committed by or through a corporation, where harm may unfold gradually rather than instantly, and where the evidentiary structure is often more complex than in ordinary criminal cases. In such cases, criminal sanctions function not only as retaliation for unlawful conduct but also as a legal signal that environmental protection is a public interest worthy of strong judicial protection (Rahmat, 2022; Republik Indonesia, 2023). At the same time, the use of criminal sanctions should not escape the demands of fairness, since a just judgment must weigh the nature of the act, the degree of fault, the seriousness of the risk, and the wider consequences of the conduct.

This is where the present study finds its point of departure. Existing legal discussions have extensively explained environmental norms, criminal liability, legal proof, judicial reasoning, and normative legal method, but they have not always examined with sufficient precision how the principle of justice should operate when environmental harm is legally present yet direct social consequences have not fully materialized, or when a licensing process is still ongoing through a third party (Agustine et al., 2021; Aries, 2022; Bambang, 2009; Santoso et al., 2022; Sudihar et al., 2024; Suteki & Taufani, 2020). Likewise, discussions on judicial power, judicial ethics, judicial freedom, acquittal, and legal interpretation offer important theoretical tools, yet they still leave open a concrete question: when should criminal punishment in an environmental case be regarded as substantively fair, rather than merely formally lawful? (Joint Decree of the Chief Justice of the Supreme Court of the Republic of Indonesia and the Chairperson of the Judicial Commission of the Republic of Indonesia, 2009; Maula & Ariyanti, 2024; Sembiring & Sitorus, 2025; Sibuea, 2006). In other words, the gap is not simply doctrinal. It lies in the relationship between legal norms, judicial reasoning, and the lived implications of environmental adjudication.

Against that background, this article focuses on the application of criminal sanctions in environmental pollution case Number 321/Pid.Sus/LH/2025/PN Bdg involving PT Mitra Light Block, represented by Suryanto Tohir. The case is particularly significant because it concerns the alleged dumping or improper placement of hazardous and toxic waste—specifically bottom ash and fly ash—without the permit required by Article 60 of Law Number 32 of 2009, which in turn activates the criminal provision under Article 104 in conjunction with Article 116 paragraph (1) letter a. The case also raises a difficult legal question: is the imposition of criminal sanctions justified when the unlawful environmental conduct has been established, yet direct social harm to nearby residents has not been concretely demonstrated, and the relevant licensing process is still underway through a third party? (Law of the Republic of Indonesia Number 32 of 2009; Decision Number 321/Pid.Sus/LH/2025/PN Bdg). This question matters because environmental justice cannot be measured solely by the existence of a statutory breach or by the symbolic severity of punishment. It must also be measured by whether the decision reflects proportionality, legal accountability, public protection, and substantive fairness.

Accordingly, this study aims to examine the application of criminal sanctions in that case through a normative legal approach using statute, conceptual, and case approaches. More specifically, it seeks to analyze the legal correlation between the implementation of environmental norms and the imposition of sanctions from the perspective of justice. This article argues that in environmental crime cases, justice should not be interpreted narrowly as either leniency or severity. Rather, justice must be understood as the proportional alignment between the unlawful act, the legal basis for punishment, the environmental risks involved, and the broader public interest protected by environmental law. From that standpoint, the case of PT Mitra Light Block provides a useful entry point for evaluating whether Indonesian environmental criminal law is being enforced in a way that is not only legally valid, but also substantively fair.

METHOD

This study employs **normative legal research**, as the inquiry is directed not toward measuring social behavior in the field, but toward examining legal norms, legal principles, statutory provisions, and judicial reasoning relevant to the application of criminal sanctions in environmental pollution cases. Normative legal research is appropriate for this article because the central issue is a question of legal justification: whether the imposition of criminal sanctions in environmental pollution case No. 321/Pid.Sus/LH/2025/PN Bdg can be considered legally and substantively fair when direct social harm to the surrounding community had not yet been concretely demonstrated and the relevant licensing process was still underway. In that sense, the main object of analysis is the law as a normative system, including the coherence between statutory commands, doctrinal concepts of criminal liability, and judicial application in a specific case (Bambang, 2009; Suteki & Taufani, 2020; Agustine et al., 2021).

The use of normative legal research is also justified by the character of the problem itself. This article does not seek to calculate the empirical level of environmental damage, to survey public perception, or to test causal relationships statistically. Rather, it focuses on how the law is structured, interpreted, and applied in a concrete judicial setting. Because of that, the study places legal materials—not social facts—as the primary source of analysis. Such a design allows the article to assess whether the sanction imposed on the defendant corporation and its representative was aligned with environmental law, criminal law principles, and the principle of justice that underlies judicial decision-making (Bambang, 2009; Hiariej, 2014; Huda, 2008).

This research uses three interconnected approaches: the **statute approach**, the **conceptual approach**, and the **case approach**. The statute approach is used to identify and interpret the legal provisions governing environmental pollution, hazardous and toxic waste management, and the imposition of criminal sanctions. The main statutory basis examined in this study is Law of the Republic of Indonesia Number 32 of 2009 concerning Environmental Protection and Management, especially the provisions related to dumping without a permit and corporate criminal liability (Republik Indonesia, 2009). This approach is necessary because the legal issue in the present case cannot be assessed without first clarifying the normative content of the relevant statutory provisions, the structure of prohibition they establish, and the legal consequences attached to their violation.

The **conceptual approach** is used to examine the legal doctrines and theoretical concepts relevant to the case, particularly those concerning criminal sanctions, criminal liability, proof, justice, and judicial reasoning. This approach is important because environmental criminal cases often involve more than a literal reading of statutory rules. They also require an understanding of how legal concepts such as culpability, proportionality, accountability, and fairness operate in judicial assessment. For that reason, this study draws on doctrinal and theoretical works on criminal law, legal proof, legal reasoning, and judicial consideration to interpret whether the sanction imposed in the case may be justified not only

formally, but also substantively (Aries, 2022; Hiariej, 2014; Mahrus, 2012; Marpaung, 2005; Santoso et al., 2022; Tongat, 2008; Waluyo, 2004).

The **case approach** is employed because the core of this article lies in the analysis of a specific judicial decision, namely Decision Number 321/Pid.Sus/LH/2025/PN Bdg. Through this approach, the article examines the factual construction of the case, the legal issues identified by the court, the judge's reasoning, the correlation between established facts and applicable norms, and the fairness of the sanction imposed. The case approach is particularly relevant because legal meaning in environmental criminal cases is often clarified through judicial application rather than through statutory text alone. By closely reading the decision, this research seeks to understand how the court assessed the unlawful disposal or placement of bottom ash and fly ash, how it viewed the absence of direct social harm at that stage, and how it treated the fact that the licensing process was still being handled by a third party (Agustine et al., 2021; Sudihar et al., 2024).

The material object or unit of analysis in this study is therefore not a population, respondent group, or field-based sample, but a **set of legal materials** centered on the environmental pollution decision under study. The main legal materials consist of statutory provisions, court decisions, criminal law doctrine, and legal scholarship discussing environmental law enforcement and judicial reasoning. This unit of analysis was selected because the article seeks to answer a normative question about the legal appropriateness of punishment in a particular environmental case, rather than to generalize empirical patterns across many cases. Accordingly, the decision under review functions as the focal point through which broader questions of environmental criminal enforcement and justice can be examined.

The legal materials used in this study are divided into **primary, secondary, and tertiary legal materials**. Primary legal materials include binding legal authorities, especially Law Number 32 of 2009 concerning Environmental Protection and Management, relevant criminal law provisions, procedural law, judicial ethics instruments where relevant to legal reasoning, and Decision Number 321/Pid.Sus/LH/2025/PN Bdg as the principal case examined in this article (Republik Indonesia, 2009; Tim Permata Press, 2019; Undang-Undang Republik Indonesia Nomor 1 Tahun 1981 tentang Hukum Acara Pidana, 1981). These materials are central because they provide the normative rules and authoritative legal framework against which the sanction in the case must be assessed.

Secondary legal materials consist of books and scholarly works that explain, interpret, or critique legal norms and judicial reasoning. These include works on Indonesian law, criminal law, criminal liability, proof, judicial power, judicial freedom, legal research methodology, and legal argumentation (Agustine et al., 2021; Aries, 2022; Aziz et al., 2024; Bambang, 2009; Hiariej, 2014; Hidayati et al., 2022; Huda, 2008; Mahrus, 2012; Marpaung, 2005; Maula & Ariyanti, 2024; Santoso et al., 2022; Sembiring & Sitorus, 2025; Sibuea, 2006; Sudihar et al., 2024; Suteki & Taufani, 2020; Tongat, 2008; Waluyo, 2004). These sources are used to build

the conceptual lens through which the statutory provisions and the court decision are interpreted. Tertiary legal materials are used in a limited supporting function, mainly to clarify legal terms, locate statutory instruments, and support the systematization of the analysis.

The collection of legal materials in this research was carried out through **library research and document study**. The process began with identifying the main legal issue in the case, followed by collecting statutory materials, court documents, and supporting legal literature relevant to environmental criminal sanctions and the principle of justice. The selected materials were then classified according to their function in the analysis: normative basis, doctrinal explanation, and judicial application. This process is important because normative legal research depends heavily on the accuracy of legal material selection and on the ability of the researcher to place each source within an appropriate analytical framework (Bambang, 2009; Suteki & Taufani, 2020). In this study, document study is not merely a mechanical compilation of legal texts; it is a structured reading process aimed at tracing the relationship between the facts of the case, the applicable law, and the judge's legal reasoning.

The analytical technique used in this study is **normative juridical analysis**. This means that the legal materials are not treated as neutral descriptions, but are examined critically to assess whether the normative requirements of the law have been fulfilled and whether the application of sanctions is consistent with the legal system as a whole. The analysis was conducted in several steps. First, the relevant legal provisions were identified and interpreted systematically. Second, the concepts of criminal sanction, liability, proof, and justice were clarified through doctrinal analysis. Third, the court decision was examined in light of both the statutory provisions and the doctrinal concepts. Finally, the legal reasoning and sanction imposed in the case were evaluated from the perspective of justice, with particular attention to proportionality, accountability, and the broader purpose of environmental law enforcement (Aries, 2022; Hiariej, 2014; Santoso et al., 2022; Sudihar et al., 2024).

Through this method, the study seeks to produce an analysis that is not only legally grounded but also conceptually rigorous. The normative legal method enables the article to move beyond a simple retelling of the case and toward a more precise legal evaluation of whether the punishment imposed in environmental pollution case No. 321/Pid.Sus/LH/2025/PN Bdg reflects a fair application of criminal sanctions. In that respect, the method supports the broader aim of the article, namely to examine the correlation between the enforcement of environmental law and the principle of justice in the imposition of criminal punishment.

RESULT AND DISCUSSION

1. Factual and Regulatory Setting of the Case

The case under review concerns the criminal liability of PT Mitra Light Block, represented by its President Director, Suryanto Tohir, for the placement and accumulation of fly ash and bottom ash generated by the company's light-brick production process in an open area without a roof and in direct contact with soil. The core factual issue is not merely that the company generated hazardous and toxic waste, but that the waste was allegedly stored or dumped outside the legally required management system, including the absence of a licensed temporary storage facility (TPS LB3) and the absence of a permit for dumping into environmental media. As reconstructed in the case materials, the relevant conduct was discovered by investigators after they found approximately 54.13 m³ of coal-combustion residue placed beside the boiler building in an open area. The prosecution then framed the conduct through two alternative charges: failure to manage hazardous and toxic waste and dumping waste into the environment without a permit (Republik Indonesia, 2009; Putusan Nomor 321/Pid.Sus/LH/2025/PN Bdg).

From a legal perspective, the factual structure of the case is significant because it shows that environmental criminal liability may arise even before direct and visible injury to nearby residents is fully demonstrated. Environmental law is designed not only to respond to damage that has already materialized, but also to prevent conduct that creates a serious risk of contamination. That is why the environmental protection regime under Law No. 32 of 2009 combines preventive, administrative, civil, and criminal instruments in one enforcement architecture. In that architecture, the absence of proper storage, the absence of a permit, and the use of open dumping practices are not treated as minor technical defects. They are treated as normatively relevant violations because they increase the probability of long-term contamination of soil, air, and water and undermine the state's control over hazardous waste management (Aziz et al., 2023; Haryanto, 2025; Nurhayati et al., 2025; Rahmadi et al., 2022; Riyanto, 2013; Suhartawan et al., 2023).

The manuscript materials further describe the nature of fly ash and bottom ash as industrial residues that may contain heavy metals and therefore require strict handling, storage, and disposal controls. This description matters because it helps explain why the legal

system does not wait for catastrophic social damage before responding. In environmental cases, the protected legal interest is broader than individual injury. It includes ecological integrity, public health, and the collective right to a good and healthy environment. Therefore, once hazardous waste is placed in a manner that directly exposes it to soil and open air without the required permit or storage safeguards, the violation acquires a public-law dimension that justifies state intervention. In other words, the case is not only about whether residents had already suffered measurable illness or economic loss. It is also about whether the defendant corporation complied with a legal regime built precisely to prevent that outcome.

To clarify the structure of the case before turning to doctrinal analysis, Table 1 summarizes the factual and legal elements that frame the dispute.

Table 1. Summary of the Main Factual and Legal Elements in the Case

Element	Description	Legal Relevance
Defendant	PT Mitra Light Block, represented by its President Director	Corporate liability may be attributed through Article 116(1)(a).
Nature of activity	Production of light bricks using a coal-fired power plant and boiler	The industrial process generated fly ash and bottom ash as by-products.
Waste handling practice	Waste was placed in an open area, without roof cover, and in direct contact with soil	This indicates noncompliant storage and possible dumping into environmental media.
Waste volume	Approximately 54.13 m ³	The conduct was not trivial in scale.
Permit status	No licensed TPS LB3 and no dumping permit were identified in the case materials	This is central to applying Article 60 in conjunction with Article 104.
Social impact	No direct social impact on surrounding residents had yet been concretely proven in the manuscript's account	This is relevant primarily to proportionality and sentencing, not necessarily to the existence of the offense.
Licensing process	The manuscript states that a permit process was still ongoing through a third party	An ongoing application does not automatically eliminate prior illegality if the required permit had not yet been granted.

2. Legal Qualification of the Defendant's Conduct

The first analytical question is whether the defendant's conduct satisfies the legal elements of the environmental offense charged in the case. Here, the most important distinction is between material offenses that require proof of actual harmful consequences and formal offenses that focus on prohibited conduct itself. Article 104 of Law No. 32 of 2009 penalizes any person who dumps waste and/or materials into environmental media without a permit as referred to in Article 60. The wording of the provision suggests that the central element is unauthorized dumping, not the prior occurrence of a completed social harm event. For that reason, once the court is satisfied that hazardous waste was placed into environmental media without the legally required permit, the offense may be established even if direct social injury to nearby residents has not yet been concretely proven (Republik Indonesia, 2009).

This point is essential for interpreting the fairness argument in the present case. The defense-oriented concern raised in the manuscript—that no direct social impact had yet been shown and that the licensing process was still being handled by a third party—may be relevant to sentencing, but it does not automatically negate the unlawfulness of the act. Environmental criminal law often works at the stage of prohibited risk creation. If the state were required to wait until contamination produced immediate, measurable, and socially visible harm, environmental protection would become reactive rather than preventive. Such a reading would weaken the function of environmental criminal law as a safeguard against serious ecological and public-health risk. Accordingly, the absence of proven direct social injury should not be treated as erasing criminal liability where the statutory prohibition itself has been violated (Hiariej, 2014; Huda, 2008; Mahrus, 2012; Tongat, 2008).

At the same time, a rigorous legal analysis must avoid overstating the scientific findings. The laboratory matrix reproduced in the manuscript shows measured concentrations for several heavy-metal parameters and compares them with three regulatory threshold categories. On its face, the table does not support a simplistic claim that every measured substance exceeded every applicable standard. This is precisely why the legal reasoning should remain disciplined. The strongest basis for criminal qualification in this case is not that all laboratory indicators conclusively proved severe contamination of the surrounding area, but that the company generated hazardous and toxic waste and placed it in an open,

unlicensed setting directly connected to environmental media. That distinction strengthens the analysis because it aligns the discussion with the actual structure of Article 104 and avoids confusing risk-based illegality with result-based pollution proof.

Because the original manuscript includes a laboratory matrix, that evidence should remain part of the discussion. Presented carefully, it supports the legal analysis without forcing scientific claims that go beyond the case record.

Table 2. Laboratory Matrix Reproduced from the Case Materials

Sample Code	Ag	Cd	Cu	Pb	Zn	Ni	B	Ba	As
683/TOKLING/2024	<LO D	<LO D	2.42	<LO D	1.346 2	1.564	<LO D	<LO D	<LO D
684/TOKLING/2024	<LO D	<LO D	1.49	<LO D	2.152	1.786	<LO D	<LO D	<LO D
685/TOKLING/2024	<LO D	<LO D	0.58 0	<LO D	0.561 0	0.396	<LO D	<LO D	<LO D
Standard TK-A (mg/kg)	720	400	3000	6000	15000	1200 0	6000 0	2500 0	2000
Standard TK-B (mg/kg)	180	100	750	1500	3750	3000	1500 0	6250	500
Standard TK-C (mg/kg)	10	3	30	300	120	60	36	160	20

Note. The matrix is reproduced from the manuscript's description of laboratory testing of suspected bottom ash and fly ash samples collected at the PT Mitra Light Block site on 25 November 2024. The table is retained because it forms part of the evidentiary discussion in the original article.

The legal significance of Table 2 lies less in proving that every parameter exceeded every threshold than in reinforcing the court's concern that hazardous waste was generated and handled outside the legally required management framework. The matrix should therefore be used to support a careful conclusion: the case involved an objectively risky waste stream, but the most decisive element for criminal liability under Article 104 remained the unauthorized placement or dumping of such waste into environmental media.

3. Corporate Criminal Liability and the Role of Judicial Reasoning

The next analytical issue concerns corporate criminal responsibility. Indonesian environmental law expressly recognizes that criminal liability may be imposed on corporations and on those

who act for or on behalf of them. This is especially important in environmental cases because environmentally harmful conduct is often embedded in production systems, managerial choices, operational neglect, and institutional noncompliance rather than in the isolated acts of a single individual. In the present case, the manuscript shows that the company's production process regularly generated fly ash and bottom ash and that the management structure gave operational authority to designated personnel while ultimate corporate authority remained with the company's leadership. That arrangement is legally important because it connects the unlawful handling of waste to corporate activity carried out within the scope of business operations, rather than to an accidental private act detached from the company's commercial benefit (Republik Indonesia, 2009; Agustine et al., 2021).

A strong discussion section must therefore emphasize that environmental corporate crime is not assessed solely through the language of personal fault in the narrowest sense. Corporate liability in environmental law is grounded in the company's organizational responsibility to design compliant systems, secure permits, supervise production, and prevent unlawful waste handling. If hazardous waste was left in an open and unlicensed area as part of routine industrial practice, the company cannot easily shift responsibility by pointing to internal delegation or to the involvement of a third party in the permit process. Administrative incompleteness and managerial delegation may explain how the violation occurred, but they do not automatically excuse the corporation from responsibility for unlawful waste handling performed in the course of its business activity (Marpaung, 2005; Waluyo, 2004).

Judicial reasoning is decisive at this point. A legally persuasive judgment should do more than restate the facts. It should demonstrate why the conduct meets the statutory elements, why the corporation can be treated as a subject of criminal law, and why the chosen sanction reflects a principled balance between legal certainty, proportionality, and environmental protection. This is where legal proof and legal argumentation become central. In a case of this kind, the court should clearly connect the operational facts—waste generation, storage location, permit absence, laboratory findings, and management structure—to the legal norm in a step-by-step manner. Without that structure, the judgment risks appearing punitive without analytical depth. With that structure, however, the judgment can be defended as both doctrinally coherent and normatively legitimate (Aries, 2022; Santoso et al., 2022; Sudihar et al., 2024).

The judicial dimension is also important because the manuscript repeatedly frames the issue as one of justice. Justice in environmental adjudication cannot be assessed solely by asking whether the defendant was punished. It must also ask whether the judgment explains why punishment was necessary, why that particular form of punishment was chosen, and how the sanction responds to environmental risk, corporate responsibility, and public protection. In that sense, the discussion of justice is inseparable from the quality of judicial reasoning itself.

4. Justice Analysis: Between Legal Certainty, Utility, and Proportionality

The most important contribution of this article lies in its justice analysis. The manuscript invokes Hobbes, Bentham, and Radbruch, and these theoretical perspectives can be sharpened into a more coherent evaluative framework. From a Hobbesian standpoint, justice begins with obedience to law because law expresses the authoritative order necessary to prevent social disorder. Applied to the present case, this means that once the environmental statute clearly prohibits dumping waste into environmental media without a permit, the court is justified in treating the violation as punishable even before direct social harm is fully manifested. A legal system that tolerated unauthorized handling of hazardous waste until visible harm occurred would undermine the very order that environmental law seeks to protect.

From Bentham's utilitarian perspective, however, punishment must also be measured by its practical consequences. Criminal sanctions should deter future violations, encourage corporate compliance, and protect the wider public from environmental risk. On this reading, a sanction is fair if it produces more social benefit than social loss. In environmental cases, that benefit lies not only in punishing one company, but also in signaling to other business actors that hazardous waste obligations are real, enforceable, and costly to ignore. Yet Bentham's approach also raises a caution: if a sanction is so light that it becomes merely symbolic, its preventive value diminishes. A token fine may communicate that environmental noncompliance is a manageable business cost rather than a serious legal wrong. Therefore, utility requires more than conviction; it requires a sanction severe enough to influence behavior.

Radbruch adds a third and especially useful layer. His triad of justice, legal certainty, and expediency helps explain why the present case cannot be evaluated through legality alone. Legal certainty supports the application of Article 104 because the statute clearly prohibits

dumping without a permit. Expediency supports enforcement because the state must prevent future environmental risk. But justice requires proportionality. The court must distinguish between conduct that has already produced severe demonstrated community harm and conduct that has created unlawful environmental risk without yet producing a fully evidenced social impact in the immediate surroundings. If that distinction is ignored, punishment may become excessive. If, on the other hand, the violation is minimized simply because social harm is not yet visible, justice to the environment and to the public may be sacrificed.

Viewed through this threefold lens, the sanction in the case can be described as legally justifiable and normatively arguable, but not beyond criticism. It is legally justifiable because the prohibition on dumping without a permit was capable of being applied on the facts presented. It is normatively arguable because the company's conduct involved hazardous waste, open placement, direct contact with soil, and the absence of a licensed temporary storage mechanism. At the same time, the fairness of the sanction depends on whether it was calibrated to the actual risk profile of the case. The manuscript's own narrative suggests two mitigating considerations: first, direct social harm to surrounding residents had not yet been conclusively demonstrated; second, the licensing process was reportedly still being handled by a third party. These factors do not erase unlawfulness, but they may justify a sanction that emphasizes a corporate fine rather than imprisonment, especially where the court aims to preserve proportionality while still affirming the seriousness of the offense.

To sharpen that proportionality analysis, the justice dimensions relevant to the case may be stated in matrix form.

Table 3. Justice-Based Assessment of the Criminal Sanction

Dimension of Justice	Relevant Consideration in the Case	Assessment
Legal certainty	Article 60 and Article 104 prohibit dumping into environmental media without a permit.	Supports conviction where unauthorized dumping is proven.
Corrective justice	The unlawful act disturbed the legal order of hazardous-waste management.	Supports sanctions as a form of legal accountability.
Preventive justice	Open dumping of hazardous waste creates future risk to soil, air, water, and public health.	Supports criminal enforcement even before full social harm materializes.

Dimension of Justice	Relevant Consideration in the Case	Assessment
Proportionality	No direct social impact had yet been conclusively demonstrated in the manuscript's account.	Supports moderation in sentencing rather than maximal punishment.
Corporate accountability	The waste arose from routine industrial operations conducted for business benefit.	Supports treating the corporation and its management structure as responsible subjects.
Substantive justice	A fair outcome should combine punishment with compliance pressure and environmental remediation logic.	The sanction is partly fair, but would be stronger if accompanied by clearer restorative obligations.

This table shows why the article should avoid two extreme positions. The first extreme position is that punishment was unjust simply because nearby residents had not yet suffered demonstrable direct harm. That position is too narrow because it ignores the preventive character of environmental criminal law. The second extreme position is that any conviction automatically satisfies justice. That position is also incomplete because justice in environmental cases should include not only conviction, but also proportionality, restoration, and deterrence. A sanction may therefore be lawful and still open to criticism if it is too light to create real compliance incentives or too detached from environmental restoration.

In my assessment, the imposition of criminal sanctions in this case can be justified under Indonesian environmental law, but its fairness should be understood as relative rather than absolute. It is fair in the sense that the company's conduct appears to have crossed a clear legal boundary and that environmental law must be able to respond before hazardous waste mismanagement turns into irreversible harm. It is also fair in the sense that a monetary penalty may reflect the mitigating factual context better than a harsher custodial model. However, the sanction would better embody substantive environmental justice if it were paired with stronger restorative consequences, such as verified waste removal, compliance orders, licensing correction, environmental supervision, and, where necessary, recovery costs. Such measures would align punishment not only with blame, but with the broader public purpose of environmental law.

For that reason, the central contribution of this discussion is not simply that the defendant could be punished. It is that environmental criminal sanctions should be read as a proportional legal response to unlawful ecological risk. In the case of PT Mitra Light Block, the principle of justice is best understood as requiring three things at once: fidelity to the statutory prohibition, recognition of the preventive function of environmental criminal law, and careful moderation of punishment in light of the factual circumstances of the case. When these three elements are held together, the court's response can be defended as legally grounded and broadly fair, while still leaving room for future improvement in the restorative dimension of environmental adjudication.

CONCLUSION

This study has examined the application of criminal sanctions in an environmental pollution case through a justice-based legal analysis, with particular focus on Decision No. 321/Pid.Sus/LH/2025/PN Bdg involving PT Mitra Light Block. The analysis shows that the enforcement of environmental criminal law cannot be assessed solely on the basis of whether a formal legal prohibition has been violated. In environmental cases, especially those involving hazardous and toxic waste, the imposition of criminal sanctions must also be evaluated in light of proportionality, culpability, environmental risk, judicial reasoning, and the broader public interest protected by environmental law.

The case demonstrates that environmental criminal sanctions serve an important function in affirming that the unlawful handling or disposal of hazardous waste is not merely an administrative irregularity, but a matter of public protection and legal responsibility. From that perspective, criminal law remains a legitimate instrument for responding to conduct that threatens environmental safety and undermines the regulatory order established by environmental legislation. At the same time, the study also shows that justice in environmental punishment cannot be reduced to the mere existence of a statutory violation. A fair sanction must reflect a careful relationship between the unlawful act, the degree of fault, the seriousness of the environmental risk, and the reasoning provided by the court in justifying punishment.

The findings further indicate that the central legal issue in this case lies in the tension between formal illegality and substantive fairness. Although the prohibited act was legally established, the question of whether the sanction was fully just depends on how the court weighed the absence of clearly demonstrated direct social harm, the status of the licensing process, and the nature of the defendant's responsibility within the broader structure of environmental protection. For that reason, this study concludes that a justice-based approach to environmental criminal law requires punishment to do more than enforce legal certainty; it must also embody measured, reasoned, and proportionate judicial judgment.

In a broader sense, this article highlights the need for Indonesian environmental criminal law enforcement to maintain a balance between deterrence and fairness. Strong enforcement is necessary to prevent environmental harm and to reinforce corporate compliance. However, criminal punishment should not be imposed in a purely mechanical manner. Courts must ensure that sanctions are grounded not only in statutory authority, but also in sound legal reasoning that reflects accountability, proportionality, and the protective purpose of environmental law. In that respect, the case analyzed in this study confirms that justice in environmental adjudication is achieved not simply by punishing violations, but by ensuring that punishment itself remains legally justified and substantively fair.

References

- Agustine, O. V., et al. (2021). *Perkembangan hukum acara pidana dalam teori dan praktik*. Rajawali Pers.
- Aries, A. (2022). *Hukum pembuktian*. Rajawali Pers.
- Aziz, A. A., et al. (2023). *Pengantar kesehatan lingkungan*. CV Eureka Media Aksara.
- Aziz, A. A., et al. (2024). *Pengantar hukum Indonesia*. CV Eureka Media Aksara.
- Bambang, S. (2009). *Metode penelitian hukum*. Raja Grafindo.
- Hamidi, J., & Christian, C. (2015). *Hukum keimigrasian*. Sinar Grafika.
- Haryanto, M. V. (2025). *Pemanfaatan limbah FABA (fly ash–bottom ash) pembangkit listrik tenaga uap*. PT Literasi Nusantara Abadi Grup.
- Hiariej, E. O. S. (2014). *Prinsip-prinsip hukum pidana (Rev. ed.)*. Cahaya Atma Pustaka.
- Hidayati, R., et al. (2022). *Pengantar ilmu hukum*. CV Literasi Nusantara Abadi.
- Huda, C. (2008). *Dari tiada pidana tanpa kesalahan menuju kepada tiada pertanggungjawaban pidana tanpa kesalahan*. Kencana Prenada Media Group.
- Keputusan Bersama Ketua Mahkamah Agung RI dan Ketua Komisi Yudisial RI. (2009). *Kode etik dan perilaku hakim*.
- Mahrus, A. (2012). *Dasar-dasar hukum pidana (Cet. 2)*. Sinar Grafika.
- Marpaung, L. (2005). *Asas-teori-praktik hukum pidana*. Sinar Grafika.
- Maula, B. S., & Ariyanti, V. (2024). *Asas kebebasan hakim*. Pustaka Ilmu.
- Murhani, S. (2023). *Hukum pertanahan (Alih fungsi tanah dan fungsi sosial hak atas tanah)*. LaksBang Justitia.
- Nurhayati, et al. (2025). *Teknologi pengelolaan limbah*. CV Hei Publishing Indonesia.
- Rahmadi, A., et al. (2022). *Buku ajar pemanfaatan limbah industri*. CV Banyubening Cipta Sejahtera.
- Rahmat, A. (2022). *Kitab undang-undang hukum pidana*. Pustaka Yustisia.
- Republik Indonesia. (2009). *Undang-Undang Republik Indonesia Nomor 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup*.
- Republik Indonesia. (2023). *Kitab undang-undang hukum pidana tahun 2022*. Pustaka Yustisia.
- Republik Indonesia. (2026). *Undang-Undang Republik Indonesia Nomor 1 Tahun 2026 tentang Penyesuaian Pidana*.
- Riyanto. (2013). *Limbah bahan berbahaya dan beracun (Limbah B3)*. Deepublish.
- Santoso, A. P. A., et al. (2022). *Argumentasi hukum terminologi hukum*. Pustaka Baru Press.

- Sembiring, S., & Sitorus, N. T. (2025). Putusan bebas (vrijspraak) dalam hukum pidana. CV Alinea Edumedia.
- Sibuea, P. H. (2006). Kekuasaan kehakiman Indonesia. Krakatau Book.
- Sudihar, A., et al. (2024). Memotret pertimbangan putusan hakim dari berbagai perspektif. Bunga Rampai.
- Suhartawan, B., et al. (2023). Pengelolaan limbah padat, limbah industri dan B3. Get Press Indonesia.
- Suteki, & Taufani, G. (2020). Metodologi penelitian hukum (Filsafat, teori dan praktik). Rajawali Pers.
- Tim Permata Press. (2019). Himpunan kitab undang-undang hukum pidana, kitab undang-undang hukum acara pidana. Permata Press.
- Tongat. (2008). Dasar-dasar hukum pidana Indonesia dalam perspektif pembaharuan. UMM Press.
- Undang-Undang Nomor 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup. (2009).
- Undang-Undang Republik Indonesia Nomor 1 Tahun 1981 tentang Hukum Acara Pidana. (1981).
- Waluyo, B. (2004). Pidana dan pembedaan. Sinar Grafika.
- Putusan Mahkamah Agung RI No. 321/Pid.Sus/LH/2025/PN Bdg.