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# Juridical Analysis of Flood Disaster Management and the Role of the Community in the Villa Patumbak Permai Housing Complex, Jalan Siswa Marindal 1, Patumbak District, Deli Serdang Regency

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### Article History

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**Abstract:** The flood disaster that hit the Villa Patumbak Permai Housing Complex, Jalan Siswa Marindal 1, Patumbak District, Deli Serdang Regency, had a significant impact on the social and economic life of residents. This study aims to analyze the juridical aspects of flood disaster management in the location and examine the role of the community in post-disaster mitigation and recovery. The research method used is normative and empirical juridical, with primary data in the form of field documentation and direct observation, and secondary data in the form of laws and regulations related to disaster management (Law Number 24 of 2007). The results show that despite the regulation, its implementation in the field still faces challenges, especially in terms of response speed and long-term recovery. However, the very active role of the community, as evidenced by the existence of the Citizen Post and solidarity in distributing aid and mutual cooperation to clean up the environment, is a crucial factor in reducing the impact of disasters. This study concludes that synergy between disaster management law enforcement and active community participation is needed to create regional resilience to disasters.

**Keywords:** Flood Disaste; Disaster Management; Community Role; Juridical Analysis; Patumbak District

### Introduction

The existence of natural disasters, especially floods, is a challenge that is often faced by people in various regions in Indonesia, including in Deli Serdang Regency. One of the locations that was severely affected was the Villa Patumbak Permai Housing Complex, Jalan Siswa Marindal 1, Patumbak District. This disaster not only causes material losses, but also disrupts the stability of citizens' social lives, damages infrastructure, and threatens health and life safety (Observation Results, 2025).

According to Kusumasari (2014), disasters are basically events or series of events that threaten and disrupt people's lives and livelihoods caused by both natural and/or non-natural factors and human factors resulting in human casualties, environmental damage, property losses, and psychological impacts. In this context, disaster management cannot be done partially, but must be a shared responsibility between the state and society.

In the legal context, the state has a constitutional obligation to protect its citizens, including in disaster situations. This is as mandated in the 1945 Constitution of the Republic of Indonesia, especially Article 34 paragraph (3). More specifically, Law Number 24 of 2007 concerning Disaster Management has regulated the rights and obligations of the state, local governments, and communities in

comprehensive disaster management. Indrati (2007) emphasized that law functions as a social regulatory tool that aims to create order, justice, and legal certainty, including in disaster emergency situations.

However, in practice, there is often a gap between the written legal rules and the reality of implementation in the field. Anggono (2010) stated that although regulations already exist, their implementation often faces obstacles both in terms of institutions, resources, and coordination. This can be seen from the frequent complaints related to the speed of response, availability of logistics, and long-term recovery that has not been maximized.

Based on observations made at Villa Patumbak Permai, it can be seen that the physical impact is quite severe due to flooding, such as houses covered with thick mud, damage to residents' belongings, muddy and dirty roads, and disruption of accessibility (Observation Results, 2025). On the other hand, there is also an extraordinary active role of the community in handling disasters. According to Rejeki et al. (2024), community participation is a crucial element because the community has local wisdom that is very valuable in disaster mitigation and response. This involvement starts from the establishment of a Citizen Post, mutual cooperation to clean up the environment, to the distribution of aid from various parties.

Therefore, this research is important to analyze how the legal aspects of disaster management are applied in the location, identify the obstacles to its implementation based on the theory of Good Governance as stated by Sedarmayanti (2017), and how the role of the community contributes to the existing legal framework. This research is expected to make a scientific contribution to the development of disaster management law in Indonesia, especially at the local level.

## **Theoretical Foundation**

The theoretical foundation is an important element in research that functions as a basis for thinking or a frame of reference to analyze and discuss the problem being researched. The theories used in this study are formulated as follows:

### **Legal Protection Theory**

Legal protection is a system to protect the interests of a person by granting rights to him, and any violation of these rights will be sanctioned (Indrati, 2007). In the context of disasters, legal protection for disaster victims is a manifestation of the state's obligation to guarantee human rights, including the right to a sense of security and welfare.

According to Maria Farida Indrati (2007), law functions as a social regulatory tool that aims to create order, justice, and welfare. In disaster management, the law serves to provide legal certainty regarding the division of authority and responsibility between the central government, regions, and the community, as well as to guarantee the rights of disaster victims in order to ensure that the rights of disaster victims are fulfilled as stipulated in Law Number 24 of 2007. This theory is used to analyze the extent to which the state is present to provide legal protection and security guarantees for the residents of Villa Patumbak Permai.

### **Disaster Management Theory**

Disaster management is the process of planning, organizing, implementing, and supervising disaster management efforts. Kusumasari (2014) stated that disaster management does not only focus on when disasters occur, but includes three main phases: pre-disaster (mitigation and preparedness), disaster time (emergency response), and post-disaster (rehabilitation and reconstruction).

The effectiveness of disaster management is highly dependent on the capacity of local governments to manage resources and coordinate with various stakeholders. This theory emphasizes that good disaster management must be comprehensive, integrated, and sustainable. In this study, this theory is used to assess how the stages of flood management are carried out in the field, starting from preparedness before flooding to recovery efforts afterwards.

### **Community Participation Theory**

Community participation in the context of disaster management means the active involvement of citizens as subjects, not just objects of disaster management. According to Law Number 24 of 2007, the community has the right and obligation to participate in every stage of disaster management.

Rejeki et al. (2024) added that this participation can be in the form of preparing plans, implementing activities, and supervision. This theory emphasizes that people have local wisdom that is very valuable in dealing with disasters, so their involvement can increase the effectiveness and efficiency of disaster management. This theory is the basis for an analysis of the role of the Citizen Post and mutual cooperation activities carried out by residents.

### **Good Governance Theory**

The theory of Good Governance or good governance has become very relevant in the context of disaster management. According to the World Bank (1992), Good Governance is a way of managing public resources and public problems that are oriented towards efficiency, effectiveness, and accountability.

In disaster management, the principle of good governance requires transparency in aid distribution, responsiveness to the needs of victims, and accountability of every policy taken by the government (Sedarmayanti, 2017). This theory emphasizes that disaster management should not be done carelessly, but must be done through careful planning and neat coordination. This theory is used to assess the performance of local governments in handling flood cases at the research site.

### **Social Justice Theory**

Social justice is one of the main goals of the state, as contained in the Preamble to the 1945 Constitution. In the context of law and disaster, social justice theory can be reviewed through the view of John Rawls who put forward the principle of justice as "justice as fairness". Rawls argued that everyone has an equal right to the broadest basic freedoms, and that social inequality should be regulated in such a way that it benefits everyone.

Soerjono Soekanto (2001) added that social justice in society is realized when there is a balance between rights and obligations, as well as between the interests of individuals and society. In disaster situations, this theory emphasizes that aid and protection must be distributed fairly without discrimination, so that the burden of recovery is borne not only by the community, but also by the country with greater resources.

### **Research Methods**

This research is descriptive and analytical which aims to provide a detailed description of the phenomenon being studied and analyze the relationship between variables through a juridical approach. According to Ibrahim (2008), descriptive legal research aims to provide a description of the rule of law, legal principles and legal doctrines related to the legal issue being studied.

### **Types and Approaches to Research**

The research methods used are normative juridical and empirical juridical

#### **1. Normative Juridical Approach**

This approach is carried out by researching relevant laws and regulations, legal principles, and legal theories related to disaster management. Indrati (2007) explained that the normative approach emphasizes the law as a norm or rule written in laws and regulations. In this study, the 1945 Constitution, Law Number 24 of 2007, and Law Number 23 of 2014 were examined in depth, and were associated with theories such as Legal Protection Theory, Disaster Management Theory, and Good Governance Theory.

## 2. Empirical Juridical Approach

This approach is carried out by observing and documenting real conditions in the field. Harahap (2005) stated that empirical research sees law as real behavior or human actions in social relations in society. This approach is used to look at the implementation of the law, social interaction, and disaster management efforts carried out by residents and related parties in the Villa Patumbak Permai Complex.

### Data Types and Sources

The data used is of two types:

#### 1. Primary Data

The data obtained directly from the field was in the form of participatory observation results and photo documentation at the research site. Observations were carried out to see firsthand the physical condition of the environment, the impact of disasters, and community activities in disaster management (Sugiyono, 2017). This data is the main basis for seeing the empirical reality in the field.

#### 2. Secondary Data

Data obtained from legal materials, including:

- a. Primary Legal Materials: Basic law (1945 Constitution), laws and regulations (Law No. 24 of 2007, Law No. 23 of 2014).
- b. Secondary Legal Materials: Reference books, scientific journals, previous research results, and other literature relevant to the topic of disaster management, the role of society, and governance (Marzuki, 2014).

### Data Collection and Analysis Techniques

The data collection technique is carried out in two main ways, namely:

- a. Literature Study: Conducted to collect secondary data by studying, studying, and citing various theories, concepts, and expert opinions from books and journals related to the research object.
- b. Field Study: Conducted through direct observation techniques to obtain valid and objective primary data regarding the real conditions at the research site.

Furthermore, the data is analyzed qualitatively, namely data analysis expressed in the form of sentences or descriptions that are systematically arranged. According to Miles and Huberman (2014), qualitative data analysis is carried out interactively and takes place continuously until it is complete. The method of drawing conclusions uses inductive and deductive methods.

- a. Inductively, conclusions are drawn from specific things (phenomena in the field) to general things (legal rules/theories).
- b. Deductively, conclusions are drawn from general things (laws and regulations/theories) to specific conclusions (implementation at the research site). This is done to obtain comprehensive, systematic, and scientifically accountable conclusions (Harahap, 2005).

### Research Location

This research was carried out in the area of the Villa Patumbak Permai Marindal 1 Complex, which is administratively located in Patumbak District, Deli Serdang Regency, North Sumatra Province. The selection of this location was not done randomly, but through in-depth consideration based on specific hydrometeorological phenomena that had a significant impact on the local community.

## Results and Discussion

### Implementation of Disaster Management Law in Villa Patumbak Permai: Between Regulation and Reality

#### 1. Legal Framework for Disaster Management in Indonesia

Indonesia has a fairly strong and comprehensive legal framework in disaster management, which is specifically regulated in Law Number 24 of 2007 concerning Disaster Management. This law is the main legal umbrella that regulates all aspects of disaster management, ranging from principles, rights and obligations, to responsible institutions.

According to Indrati (2007), the establishment of this law aims to provide legal certainty and protection for the community. Some of the key articles that are the basis of this research include:

- a. Article 4 Paragraph (1) of Law No. 24/2007: Declares that disaster management aims to: (a) provide protection to the community from disaster threats; (b) align policies; (c) determine authority and responsibility; (d) ensuring the preservation of the order of life; (e) recover damages and losses; and (f) motivate the spirit of mutual cooperation.
- b. Article 5 Paragraph (1) of Law No. 24/2007: Affirms that the Government and Regional Governments are authorized and responsible to establish policies and implement disaster management.
- c. Article 13 Paragraph (1) of Law No. 24/2007: Regulates the rights of disaster victims, including the right to human rights protection, health services, basic needs, social protection, and sustainable recovery.

In addition, Law Number 23 of 2014 concerning Regional Government in Article 14 paragraph (1) letter h also emphasizes that disaster management is a mandatory government affair that is the authority of the regions. This strengthens the position of local governments as the most responsible party in handling disasters in their respective regions.

#### 2. Reality at Villa Patumbak Permai Field

Based on the field data and observations obtained, the flood disaster at Villa Patumbak Permai caused significant damage. It is clear that residents' houses and residential complex environments are covered by thick mud, roads have become unusable, and many belongings belonging to residents have been severely damaged (Observation Results, 2025).

Viewed from the perspective of law implementation and Good Governance theory (Sedarmayanti, 2017), there are several important findings that show the gap between legal norms and the reality on the ground:

- a. Emergency Response and Recovery Stage: Based on the mandate of Article 13 of Law No. 24/2007, victims should immediately receive health services and basic necessities of life quickly. However, conditions on the ground show that the process of cleaning and restoring the environment takes a considerable amount of time and enormous effort. Although the local government is known to have provided assistance, the role of the community seems to be very dominant in the initial cleaning process and handling logistics. This indicates that the principle of responsiveness in Good Governance has not been fully realized optimally, where the government should be present faster and more agile in handling crises.
- b. Limitations of Infrastructure and Resources: Documentation shows that mud cleaning is done manually by residents with simple tools. This indicates that heavy equipment support or technical assistance from relevant agencies may not be optimal or arrive late, even though Law No. 23/2014 has given clear authority to local governments for this matter.

From the perspective of Social Justice Theory (Rawls, 1999), this situation demands further attention so that the burden of recovery is not only borne by the community itself, but is helped fairly by the state with greater resources. This is in line with the opinion of Kusumasari (2014) who states

that the effectiveness of disaster management is highly dependent on the government's capacity to manage resources and coordination between institutions.

## **The Role of Society in Disaster Management: Legal Perspectives and Field Reality**

### **1. The Active Role of the Villa Patumbak Permai Community**

The documentation obtained shows that the role of the community in Villa Patumbak Permai is very extraordinary and is the main pillar in disaster management. This participation is not just a social activity, but an organized form of involvement. These forms of roles include:

- a. Establishment of Citizen Post: The establishment of the "Villa Patumbak Permai Citizen Post" is a clear proof of excellent local initiatives. This post functions as a center for coordination, collection, and distribution of aid, as well as an information center for all residents (Observation Results, 2025).
- b. Mutual Cooperation Cleaning: It can be seen the activities of residents who work hand in hand to clean the environment from mud and garbage. This shows high social solidarity and a strong sense of togetherness.
- c. Distribution of Aid: The community and community organizations are actively involved in distributing aid in the form of basic necessities, mineral water, and hygiene equipment equally.

### **2. Juridical Analysis of the Role of Society**

Viewed from a legal perspective, this community participation is in line with and even explicitly encouraged by the applicable laws and regulations. This strengthens the argument that society is not just an object, but a subject in disaster management.

Based on Law Number 24 of 2007, the role of this community has a strong legal foundation, including:

- a. Article 3 Paragraph (3) of Law No. 24/2007: Declares that disaster management is carried out based on participation and independence. This principle is very evident in the actions of the residents of Villa Patumbak Permai who move quickly and independently.
- b. Article 8 Paragraph (1) of Law No. 24/2007: Affirms that the community has the right to participate in planning, implementation, and supervision in disaster management.

Therefore, what is done by citizens is a role that is recognized and protected by law. According to Rejeki et al. (2024), community participation is very important because they have local knowledge about the condition of their area. In the perspective of Good Governance, this role supports the principle of participation, where decision-making and the implementation of activities involve directly interested parties (Sedarmayanti, 2017).

However, even though the role of the community is very optimal, ideally, this role should be synergized with the role of the government. Local governments have greater authority and resources to handle disasters as a whole. Therefore, the overly high dependence on citizens' initiatives indicates that the function of local government still needs to be improved to comply with the standards set in laws and regulations.

## **Conclusions and Suggestions**

### **Conclusion**

Based on the results of the research and discussion that has been described regarding the juridical analysis of flood disaster management and the role of the community in the Villa Patumbak Permai Housing Complex, several conclusions can be drawn as follows:

#### **1. The Gap between Legal Norms and Implementation in the Field**

Juridically, the legal framework in Indonesia is already very strong and comprehensive, especially through Law Number 24 of 2007 concerning Disaster Management and Law Number 23 of 2014. This regulation has clearly regulated the rights of victims, state obligations, and disaster management

mechanisms. However, in practice in the field, there is still a significant gap. The implementation of the law has not been fully optimal, as can be seen from the delay in response, limited supporting infrastructure, and the recovery process that takes a long time. This shows that Good Governance principles such as efficiency, effectiveness, and responsiveness have not been fully realized as they should be.

## 2. Dominance of the Role of the Community as the Main Pillar

The role of the community in Villa Patumbak Permai is very dominant, active, and is a determining factor in the success of disaster management. Society does not only play a role as an object, but also as an independent subject. This is evident through the establishment of Citizen Posts, mutual cooperation activities, and organized distribution of aid. This participation is in line with the principles of participation and independence mandated by law, and proves that local wisdom and social solidarity of the community have a very high value in minimizing the impact of disasters.

## 3. The Urgency of Synergy and Social Justice

Ideal disaster management should be a form of synergy between the role of the state and the role of the community. Conditions on the ground show that the burden of recovery is too predominantly borne by the community itself. Based on the perspective of Social Justice Theory, the state has a greater obligation to be present and bear this responsibility so that the burden is not borne unilaterally by citizens who have suffered losses. Therefore, law enforcement and the certainty of public services in emergency situations are very important to realize real legal protection for all people.

## Suggestions

Based on the above conclusions, there are several suggestions that can be submitted for disaster management improvements in the future:

### 1. Improved Implementation and Law Enforcement

The Regional Government of Deli Serdang Regency and related agencies should be more decisive in implementing the mandate of Law No. 24 of 2007. Concrete steps are needed to accelerate emergency response, equip disaster management facilities and infrastructure, and improve the coordination system so that there are no delays in handling in the field. The application of the principles of Good Governance must be truly embodied in concrete actions, not just norms.

### 2. Strengthening the Role and Capacity of the Community

The active role of the community, which has proven to be very good, needs to be supported, facilitated, and further empowered by the government. The government can provide disaster preparedness training and establish a better communication network with community leaders, so that citizen participation can go hand in hand with government policies in a more integrated manner.

### 3. Infrastructure Improvements and Long-Term Mitigation

Considering that the flood phenomenon occurs repeatedly at the same time and is influenced by geographical conditions and the existence of rivers around settlements, serious technical efforts are needed. The government needs to conduct an in-depth study related to water and drainage governance, as well as build or improve flood control infrastructure (such as embankments or river normalization) as a long-term mitigation measure so that material losses and psychological impacts on residents do not continue to recur.

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