

Localizing Global Constitutionalism Through Pancasila: A Study on Urban Environmental Governance in Semarang

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Abstract

Global constitutionalism highlights universal principles like the rule of law, environmental justice, public participation, and the protection of human rights. However, applying these principles requires adapting them to fit a nation's foundational values. In Indonesia, Pancasila serves as the philosophical and constitutional foundation that guides public policy, including urban environmental governance. This study analyzes how Pancasila acts as a framework for adapting global constitutional principles in environmental policies in Semarang. By using a normative-empirical approach, it examines legal documents, local policies, and municipal climate adaptation programs. The findings reveal that Pancasila provides an ethical and constitutional basis for environmental governance that is socially just, inclusive, and focused on sustainability, despite ongoing challenges such as economic pressures, institutional limitations, and unequal public participation. The study concludes that Pancasila is essential in localizing global constitutional principles within Indonesia's urban context. It suggests that strengthening participatory

mechanisms and aligning cross-sectoral policies can improve equitable and effective environmental governance.

Keywords *global constitutionalism, Pancasila, environmental governance, local policy adaptation, urban environmental management, Semarang City, public participation*

A. Introduction

Climate change and environmental degradation have become major challenges for modern cities around the world, especially in coastal and delta regions that are under development pressure, rapid urbanization, and ecological degradation.¹ Phenomena such as land subsidence, tidal flooding, coastal abrasion, and rising surface temperatures are not only technical issues, but also governance issues that demand a strong and comprehensive normative framework.²

In a global context, constitutionalism has emerged as an important approach to respond to the environmental crisis by emphasizing the rule of law, protection of human rights, the principle of sustainability, and ecological justice.³ Global constitutionalism plays a role in expanding the scope of environmental protection as part of citizens' basic rights and the state's commitment to democratic and accountable governance.⁴ However, the application of global principles is not always universal without adjustments. Each country's value system, constitutional history, and constitutional identity influence how environmental norms are adopted in public policy.⁵ Indonesia makes Pancasila as a philosophical, ideological, and constitutional basis in the administration of the state.⁶

Pancasila not only serves as a moral guideline for social life, but also as a normative reference in policy formulation, including

¹ Neil Adger, "Social Vulnerability and Climate Change," *Science* 305, no. 5695 (2003): 75–78.

² IPCC, *Climate Change 2021: Impacts, Adaptation and Vulnerability* (Geneva: IPCC, 2021).

³ Mattias Kumm, "The Cosmopolitan Turn in Constitutionalism," *Modern Law Review* 72, no. 3 (2009): 1–32.

⁴ Antje Wiener et al., "Global Constitutionalism: Human Rights, Democracy and the Rule of Law," *Global Constitutionalism* 1, no. 1 (2012): 1–15.

⁵ Louis Kotzé, *Global Environmental Constitutionalism* (Oxford: Hart Publishing, 2016).

⁶ Kaelan, *Philosophy of Pancasila* (Yogyakarta: Paradigma, 2017).

environmental policy.⁷ This is an important basis for understanding how Indonesia's environmental governance develops in a dialogue between universal and local values.

The city of Semarang is one of the major cities in Indonesia that faces complex environmental challenges, especially in its coastal areas.⁸ Flash flooding, land subsidence, seawater intrusion, and socio-economic vulnerability of coastal communities are strategic issues that must be responded to adaptively.⁹ The Semarang City Government has developed various policy initiatives including the preparation of RTRWs, the integration of KLHS, the "Resilient City" program, mangrove rehabilitation, and the strengthening of climate villages.¹⁰ However, the effectiveness of policies does not only depend on technocratic instruments, but also on the basic values that guide their formulation and implementation, including the principles of deliberation, mutual cooperation, social justice, and the protection of vulnerable groups as contained in Pancasila.¹¹

Research on the relationship between Pancasila, global constitutionalism, and urban environmental governance is still limited, especially at the level of local government implementation.¹² This research seeks to fill this gap by examining how Pancasila localizes global constitutional principles in the environmental governance of Semarang City, especially in the context of climate change adaptation, community participation, and ecological justice.¹³ This research seeks to fill this gap by examining how Pancasila localizes global constitutional principles in the environmental governance of Semarang City, especially in the context of climate change adaptation, community participation, and ecological justice.¹⁴ Academically, this research offers a new

⁷Jimly Asshiddiqie, *Indonesian Constitution and Constitutionalism* (Jakarta: Sinar Grafika, 2015).

⁸Muh Aris Marfai, "Impact of Coastal Inundation on Ecology and Society," *Indonesian Journal of Geography* 44, no. 1 (2012): 1–15.

⁹Tommy Firman et al., "Urban Climate Governance in Indonesia," *Cities* 95 (2019): 102357.

¹⁰Semarang City Government, *KLHS RTRW Semarang City 2021–2041*.

¹¹Franz Magnis-Suseno, *Political Ethics* (Jakarta: Gramedia, 2011).

¹²Abidah Setyowati, "Climate Adaptation and Local Governance in Indonesia," *Climate Policy* 20, no. 10 (2020): 1237–1252.

¹³Sudarmo, "Public Participation and Collaborative Governance in Indonesia," *Journal of Legal Studies* 15, no. 2 (2022): 45–63.

¹⁴Ratna Dewi, "Resilience in Coastal Cities in Indonesia," *Journal of Urban and Regional Studies* 7, no. 3 (2019): 211–225.

contribution by showing how the value of Pancasila works as an interpretive and normative framework in adapting global values, an aspect that is still rarely discussed in the literature on environmental glocalization.¹⁵ This study uses a normative-empirical approach by analyzing legal frameworks, regional policies, presenting further discussions on theoretical and practical implications, and containing conclusions and research recommendations.¹⁶

B. Method

This study uses a normative-empirical approach, which is a method that combines the analysis of legal norms with empirical observations through the study of policy documents and environmental data of Semarang City.¹⁷ The normative approach focuses on the review of national and regional legal frameworks, including the 1945 Constitution, the Environmental Protection and Management Law, the Semarang City Regional Regulation, as well as strategic planning documents such as RTRW and KLHS.¹⁸ Normative analysis is also used to understand the position of Pancasila as a source of constitutional values and how these values function as a filter in adapting the principles of global constitutionalism.¹⁹ This approach allows researchers to identify patterns of environmental policy implementation, map governance dynamics, and assess the extent to which Pancasila values are integrated in practice at the regional level.²⁰ The analysis technique uses content analysis and thematic analysis to identify key themes and relationships between variables.²¹ The analysis technique uses content analysis and thematic analysis to identify key themes and relationships

¹⁵ Isabelle Anguelovski, "Environmental Justice and Urban Resilience," *Urban Studies* 53, no. 6 (2016): 1203–1225.

¹⁶ Harriet Bulkeley and Michele Betsill, "Transnational Networks and Climate Governance," *International Studies Quarterly* 48, no. 2 (2004): 471–493.

¹⁷ Louis J. Kotzé, "Global Environmental Constitutionalism and Methodology," *Transnational Environmental Law* 3, no. 1 (2014): 1–22.

¹⁸ Government of the Republic of Indonesia, *Law No. 32 of 2009 concerning Environmental Protection and Management*.

¹⁹ Kaelan, *Philosophy of Pancasila* (Yogyakarta: Paradigma, 2017).

²⁰ Neil Gunningham, "Environmental Governance and Policy Mixes," *Policy Sciences* 47, no. 2 (2014): 123–152.

²¹ Neil Gunningham, "Environmental Governance and Policy Mixes," *Policy Sciences* 47, no. 2 (2014): 123–152.

between variables.²² Operationally, the research method is carried out through four stages: First, identification of constitutional values and Pancasila values, especially related to social justice, deliberation, environmental protection, and collective responsibility.²³ Second, an analysis of the integration of global constitutional norms such as environmental rights, sustainability, and public participation into the local policy framework of Semarang City.²⁴ Third, assessing the alignment of policy implementation with these principles through policy studies and regional documents.²⁵ Finally, the fourth stage is in the form of a synthesis between global values and local values, to see how both form a Pancasila-based environmental governance model that is adaptive and relevant to local needs.²⁶ In the context of the environment, the first and second precepts emphasize human moral responsibility in preserving nature as a mandate from God, as well as ensuring human welfare through a decent environment.

C. Discussion

This section discusses how the principles of global constitutionalism are adapted into the framework of the Pancasila ideology and implemented in the environmental policy of the city of Semarang. Global constitutionalism serves as a normative framework that emphasizes the protection of human rights, environmental justice, the rule of law, and public participation, while Pancasila provides an ideological and philosophical foundation for the Indonesian legal system.²⁷ By combining the two, Semarang City's environmental policy shows the dynamics of globalization, which is the process of translating

²² Virginia Braun and Victoria Clarke, "Using Thematic Analysis in Psychology," *Qualitative Research in Psychology* 3, no. 2 (2006): 77–101.

²³ Jimly Asshiddiqie, *Introduction to Constitutional Law* (Jakarta: Rajawali Press, 2016).

²⁴ David Boyd, "The Constitutional Right to a Healthy Environment," *Environment: Science and Policy for Sustainable Development* 25, no. 1 (2014): 4–17.

²⁵ Semarang City Government, *Semarang City Environment Agency Performance Report 2022*.

²⁶ Elinor Ostrom, "Polycentric Systems for Coping with Climate Change," *Global Environmental Change* 20, no. 4 (2010): 550–557.

²⁷ Mark Tushnet, "The Possibilities of Comparative Constitutional Law," *Yale Law Journal* 108, no. 6 (1999): 1225–1309.

global values into local contexts through Pancasila values.²⁸ The following analysis assesses the common points, differences, and challenges of applying the two frameworks in regional environmental governance practices.

A. *Pancasila as a Constitutional Basis in the Localization of Global Constitutionalism Values*

Pancasila functions as the main value framework in the Indonesian legal system, including environmental issues.²⁹ The application of global norms does not take place directly, but through the adjustment of the nation's identity. Therefore, it is necessary to understand how the value of Pancasila is the basis for adapting global norms in environmental policy.³⁰

1. The Normative and Philosophical Dimension of Pancasila in the Environment

Pancasila places the values of Godhead, Humanity, Unity, People, and Social Justice as the moral basis for the formation of a national legal system.³¹ In the context of the environment, the first and second precepts emphasize human moral responsibility in preserving nature as a mandate from God, as well as ensuring human welfare through a decent environment.³² Meanwhile, the fifth precept provides a philosophical basis for socio-ecological justice in the formulation of public policy.³³

2. Pancasila as a Constitutional Filter

The principles of *sustainable development*, environmental rights, and public participation are accepted as long as they do not conflict with social justice and local wisdom.³⁴ However, these values are not imported raw; Pancasila functions as a filter so that global norms are applied according to Indonesia's social,

²⁸ Thomas Hale, "Transnational Governance and Global Climate Policy," *Global Governance* 18 (2012): 57–72.

²⁹ Kaelan, *Philosophy of Pancasila*, 44–51.

³⁰ Asshiddiqie, *Indonesian Constitution and Constitutionalism*, 87.

³¹ Yudi Latif, *The Plenary State: Historicity, Rationality, and Actuality of Pancasila* (Jakarta: Gramedia, 2011).

³² *Ibid.*, 212.

³³ Louis Kotzé, *Global Environmental Constitutionalism*, 101.

³⁴ Boyd, "The Constitutional Right to a Healthy Environment" 6–9.

cultural, and political character.³⁵ Meanwhile, the fifth precept provides a philosophical basis for socio-ecological justice in the formulation of public policy.³⁶

B. Integration of Global Principles in Environmental Governance of Semarang City

The environmental policy of the city of Semarang shows a tendency to combine global norms regarding sustainability, community participation, and environmental resilience with the values of Pancasila as a normative basis.³⁷

1. Policy Instruments and Regulatory Frameworks

Regulatory instruments such as the Semarang City RTRW, the Strategic Environmental Assessment (KLHS), the Climate Change Action Plan, and *the 100 Resilient Cities document* are evidence of the application of global governance principles.³⁸ The regulation shows a commitment to overcome the threat of tide, land subsidence, coastal damage, and social vulnerability. However, the implementation of this policy does not just imitate the global model, but the government continues to make adjustments to national values such as deliberation, mutual cooperation, and the protection of vulnerable groups, in accordance with the mandate of the Social Justice precept.³⁹

2. Community-Based Implementative Programs

The implementation of Semarang's environmental policy involves many communities through climate village programs, mangrove rehabilitation, empowerment of coastal fishing communities, and strengthening RTRW-based waste banks. These programs show the value of deliberation and social participation in line with the Fourth Precept and mutual cooperation as the basis for collective action.⁴⁰ Communities are not only the beneficiaries of policies, but also key actors in

³⁵ Louis Kotzé, *Global Environmental Constitutionalism*, 101.

³⁶ Kaelan, *Philosophy of Pancasila*, 77.

³⁷ Firman et al., "Urban Climate Governance in Indonesia."

³⁸ Semarang City Government, *Semarang City RAD-PI 2020*.

³⁹ D. Sunaryo, "Integration of KLHS in Urban Planning," *Journal of Environmental Governance* 2021.

⁴⁰ R. Prasetyo, "Climate Villages and Community Empowerment," *Maritime Social Journal* 2020.

climate risk mitigation, environmental restoration, and social innovation.⁴¹ This model shows the localization of global constitutionalism, i.e. the global value of public participation applied in a typical Indonesian format that is more communal and based on collective culture.⁴²

C. Convergence and Divergence Points between Global Constitutionalism and Pancasila

The implementation of Semarang's environmental policy shows a common point between local values rooted in Pancasila.⁴³ Both of these values place human dignity, ecological balance, and social justice as the main principles. However, this internalization process also reveals the tension between the global technocratic-legalistic model and the ethical-communitarian model of Pancasila.⁴⁴

Thus, the relationship between Pancasila and global constitutionalism is not subordinate, but global dialogs are accepted, filtered, and then adjusted to the national socio-ideological structure.

1. Value Convergence Points

Convergence can be seen in the recognition of environmental rights, the principles of sustainable development, the importance of community participation, and the protection of future generations.⁴⁵ In the context of Semarang, the global concept is strengthened by the values of Pancasila, especially the second and fifth precepts which emphasize humanity and justice.⁴⁶ Thus, global constitutionalism finds the basis for moral legitimacy through the framework of Pancasila, not just through formal legal instruments.⁴⁷

3. Divergence Points

⁴¹ Ibid

⁴² Bulkeley and Betsill, "Transnational Networks," 480.

⁴³ Isabelle Anguelovski, "Environmental Justice," 1209.

⁴⁴ Dryzek, "Environmental Governance and Democratic Participation," 468.

⁴⁵ Wiener et al., "Global Constitutionalism," 5.

⁴⁶ Kaelan, *Philosophy of Pancasila*, 82.

⁴⁷ Asshiddiqie, *Indonesian Constitutionalism*, 127.

Despite the harmonization, the Indonesian model tends to prioritize social harmony and a deliberative approach over adversarial mechanisms such as environmental litigation.⁴⁸ While global constitutionalism emphasizes *rule-based* governance and strict oversight of the government, the Pancasila approach emphasizes the ethics of togetherness, social equality, and collective-based solutions.⁴⁹ As a result, although global norms on accountability are adopted, their implementation often relies on moral legitimacy, community partnerships, and deliberation values, rather than just formal mechanisms.⁵⁰

D. Structural Challenges in Implementation

1. Institutional and Bureaucratic Capacity

Limited inter-agency coordination, funding, and technical capacity are still obstacles to policy implementation.⁵¹ While the value of Pancasila provides normative direction, technical implementation requires stronger institutional capacity.⁵²

2. Inequality of Participation and Program Sustainability

Not all community groups are equally involved in decision-making.⁵³ Community-based programs risk being unsustainable if financial and political support weakens.⁵⁴

This section deepens the analysis by reviewing how the value of Pancasila shapes an adaptive and contextual environmental governance model in Semarang City. The findings of the study show that the application of global principles, such as public participation and sustainability is not adopted linearly as many have assumed in previous studies, but rather is absorbed through a framework of local values that emphasizes mutual cooperation, deliberation, and social justice. This difference confirms that Semarang's environmental governance is the result of active interaction between global norms and national

⁴⁸ Tushnet, "Comparative Constitutional Law," 1231.

⁴⁹ Magnis-Suseno, *Political Ethics*, 111.

⁵⁰ Setyowati, "Climate Adaptation and Local Governance," 1245.

⁵¹ Semarang City Government, *DLH 2022 Performance Report*.

⁵² Gunningham, "Environmental Governance," 130.

⁵³ Prasetyo, "Climate Village," 4.

⁵⁴ Ribot, "Vulnerability and Decentralized Governance," *Annual Review of Environment and Resources* 40 (2015): 45–70.

constitutional values, not just the implementation of technocratic policies as explained in previous research.

A. Pancasila-Based Adaptive Governance Model

Policy adaptation is important in dealing with the complexity of urban environmental crises such as robbery, land subsidence, and the vulnerability of coastal communities.

1. Policy Adaptation Principles

The Semarang City Government implements an adaptive approach based on scientific data through spatial analysis, ecological studies, and risk mapping.⁵⁵ However, this approach is not detached from the values of humanity and social solidarity as reflected in the program priorities for coastal areas and vulnerable settlements.⁵⁶

2. Multiactor Collaboration Mechanism

Pancasila-based adaptive governance requires the synergy of various stakeholders, namely the government, local communities, academics, the private sector, and NGOs.⁵⁷ This collaboration can be seen in mangrove restoration programs, climate resilience, and strengthening climate villages. The collaboration proves that effective environmental governance does not only rely on the government, but is formed through trust, mutual cooperation, and sustainable social communication.⁵⁸

B. Strengthening Ecological Democracy

The concept of ecological democracy is an important foundation in ensuring the involvement of citizens in decision-making related to the environment. Pancasila, especially the fourth and fifth precepts, provides an ethical basis for citizen involvement in the environmental policy process.

1. Public Deliberation and Environmental Justice

Deliberation for consensus is a basic mechanism to assist the public interest in regional planning, flood mitigation, and coastal adaptation. This approach complements formal legal instruments, so that public decisions are not only legally

⁵⁵ Semarang City Government, *Climate Risk Assessment* 2022.

⁵⁶ Setyowati, "Climate Adaptation and Local Governance," 1247.

⁵⁷ Bulkeley and Betsill, "Transnational Governance Networks," 486.

⁵⁸ Prasetyo, "Climate Village," 6.

valid, but also morally and socially valid.⁵⁹ This approach strengthens environmental justice because it considers the experiences and needs of vulnerable groups.⁶⁰

2. Access to Information and Inclusion of Vulnerable Groups

The Semarang city government continues to expand access to information through citizen forums and public consultations.⁶¹ However, vulnerable groups, especially coastal communities and low economies, still face barriers to participation.⁶² Pancasila-based environmental policy recognizes the importance of affirmation of this group so that there is no inequality in the ecological democratic process.

C. Glocalization of Environmental Constitutional Values

The process of localization of global values shows that universal constitutional ideas can be adapted through cultural institutions and local wisdom. In Semarang, this involves harmonizing international principles such as environmental rights, generational justice, and sustainable development with the values of Pancasila.

1. Adaptation of Universal Values

The global concept of rights-based environmental governance is adapted to responsibility-based governance, where the right to the environment is associated with a moral obligation to protect nature.⁶³ Indonesia's approach combines rights, obligations, and social solidarity. This is different from the western liberal model that emphasizes litigation. Indonesia's approach combines rights, obligations, and social solidarity. This is different from the western liberal model that emphasizes litigation.⁶⁴

2. Integration of Local Wisdom

⁵⁹ Dryzek, "Environmental Governance and Democratic Participation," 471.

⁶⁰ Anguelovski, "Environmental Justice and Urban Climate," 1213.

⁶¹ DLH Semarang City, *Public Transparency Report 2021*.

⁶² Ribot, "Vulnerability and Local Governance," 49.

⁶³ Boyd, "The Environmental Rights Revolution," 14.

⁶⁴ Boyd, "The Environmental Rights Revolution," 14.

Local values such as mutual cooperation, coastal rituals, and community-based conservation are the basis for the social legitimacy of policies.⁶⁵ This integration allows global values to be implemented without eliminating local identities⁶⁶

D. Governance Reform and Policy Implications

To strengthen the success of environmental governance, institutional and social reform measures are needed. The Pancasila Principles provide ethical direction in formulating inclusive, fair, and sustainable public policies.

1. Integration of Pancasila Values in Policy Evaluation

Policy evaluation needs to include indicators based on social justice, public engagement, ecological sustainability, and protection of vulnerable communities.⁶⁷ This ensures that the policy not only meets technical indicators, but also reflects the value of Pancasila substantially.⁶⁸

2. Strengthening Regional and Community Capacity

Future reform efforts include increasing the capacity of the apparatus, allocating environmental funding, and strengthening public education related to climate change.⁶⁹ Environmental education based on Pancasila values can strengthen people's ecological awareness.⁷⁰

E. Conclusion

This research shows that the localization of global constitutionalism in the environmental governance of Semarang City takes place through the integration of Pancasila values as an ethical, philosophical, and constitutional framework. Global principles such as environmental rights, sustainability, and public participation are not applied directly, but are adjusted through the values of social justice, mutual cooperation, deliberation, and moral responsibility as reflected in Pancasila. This adaptation resulted in a more contextual, communal,

⁶⁵ S. Dewi, "Local Wisdom and Coastal Resilience," *Indonesian Ecological Journal* 2020.

⁶⁶ Hale, "Climate Governance Beyond the State," 74.

⁶⁷ Gunningham, "Environmental Policy Design," 134.

⁶⁸ Asshiddiqie, *Indonesian Constitutionalism*, 130.

⁶⁹ Semarang City Government, *LKPJ Mayor 2022*.

⁷⁰ Latif, *Plenary State*, 289.

and responsive model of environmental governance to the needs of local communities, especially vulnerable groups in coastal areas. However, challenges such as institutional capacity, participation inequality, and economic pressures still limit the effectiveness of implementation. Therefore, it is necessary to strengthen the evaluation of policies based on Pancasila values, increase the capacity of regional apparatus, and expand public education on environmental ethics to ensure that urban environmental governance can take place in an inclusive, fair, and sustainable manner.

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