



Sustainable Development Goals: The Crème de la Crème Nexus to Enhance Indonesian Enterprise's Environmental Responsibility

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Abstract

Humanity is on the verge of the 2030 Agenda for Sustainable Development deadline. The tension between environmental and corporate-developmental interests has been a focal part of the law- and policy-making processes. These instruments reveal that the sustainable development agenda in the business and environmental sector has not been straightforward to accomplish. The balance, nonetheless, appears to bend in favor of securing the environment. This paper investigates how the "well-established" SDGs have matured as the nexus and affect the augmentation of the national corporate and environmental laws. In that respect, this work has delineated SDGs as a nexus for legislative improvement, proposed the possibility for mutuality with national corporate and environmental laws, and outlined the challenges impeding the purposeful implementation of SDGs. The purposes of this research are identifying the nexus between the SDGs and enterprise sustainability, to unravel the possibility for mutualism, and understanding the challenges hindering the implementation of SDGs in enterprises' activities. The normative juridical legal research was administered for this research, with a literature study approach to compile scientific literacy from within and outside the country. The analysis is conducted qualitatively. This study establishes and ascertains that the SDGs are the ultimate nexus for business-environmental sustainability that can be accustomed to the local wisdom of each nation, notwithstanding it is universal in nature. The mutuality within the SDGs and business-environmental law can also be accomplished, and there is urgent merit to surmount the challenges that have been outlined in this paper.

A. Introduction

The company law issues are on the rise. Nowadays, businesses were not just targeted by government oversight, but also activists' backlash. Business executives had largely focused on maximising shareholder dividends and profit. They believed that, especially in the short term, spending or investing on environment was tied to maximising the value

of company, rather than immediately maximising profits for shareholders. Business executives, meanwhile, have lately had to deal with burgeoning anxiety around the corporate responsibility of their businesses and the sustainable development of their company operations.

Over the last decades, the overall development of humankind has led to increasing-



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ly unfavourable climate changes and natural disasters. Human actions have negatively altered the environment, jeopardising the continuation of the Earth and future generations. These predicaments have prompted shifts in the behaviour directing towards more rational and effective supervision of all resources, allowing lighter pressure on the environmental impact. Such responsible behaviour will guarantee the long-term exploitation of resources without endangering future generations is regarded within the notion of sustainable development (Klarin, 2018).

The inception of the notion of “sustainability” can be traced back to the 18th century, while it had just become prevalent after 1987 when the UN World Commission on Environment and Development devised an ethical vision of answering the necessities of the present and later generations, which has been further embellished in the subsequent UN conferences (Rio de Janeiro in 1992 and 2012; and the UN Summit on Sustainable Development in 2002 and 2015). The sustainable development framework incorporates 17 Sustainable Development Goals (SDGs), with 169 targets and more than 500 indicators. Despite the elaborateness of sustainable development, it is crucial to assess the SDGs implementation, particularly in national laws (Lu et al., 2021).

The SDGs came into force in January 2016. These goals exemplify the scale and broadness of the 2030 Agenda for Sustainable Development, a development strategy for humankind, the planet, and prosperity (Hope, 2020). The United Nations (UN) General Assembly’s resolution ‘Transforming our world: the 2030 Agenda for Sustainable Development’ offers an extraordinary breakthrough in presenting a distributed global foresight towards sustainable development for all (Campo et al., 2020). The SDGs as globally acknowledged goals and targets are increasingly believed as holding a decisive political and instrumental importance, insofar as they present a “globally shared normative framework” that complements international conventions and other instruments of international law by catalysing progress, mo-

bilising stakeholders, and encouraging cooperation among members of the global community (Ntona & Morgera, 2018).

The SDGs signify a notable departure from the Millennium Development Goals (MDGs) in terms of substantive and geographical extent, moving from the predecessor MDGs with a deadline of 2015 (Hassan et al., 2019). Whereas the MDGs were predominantly ‘civil’ in nature, attempting to decrease poverty and galvanise human advancement in developing countries (Griffith, 2011; Ntona & Morgera, 2018), with the intention to incorporate the entire sustainable development universe – which covers all sectors of humanistic enterprise on Earth (Le Blanc, 2015; Ntona & Morgera, 2018). The SDGs have established a novel trajectory for addressing environmental catastrophe and advise major opportunities for nations to expand in an environmental-friendly and resilient manner (Antwi-Agyei et al., 2018).

Eventually, 17 SDGs and 169 targets were combined into the 2030 Sustainable Development Agenda (W. Tan, 2021), meant as a driver for actualising and mainstreaming sustainability throughout the UN system as a whole. Academically and legally, notwithstanding considerable scholarly discussion surrounding sustainable development and its likely customary international law status, it remains vague whether “sustainable development” is a binding principle of international law or simply an objective, idea or interpretative instrument (Ladan, 2018): At the global level, numerous countries have examined the alignment between their national legislation and the SDGs (Antwi-Agyei et al., 2018): Nevertheless, the synergy between the former and the latter has not yet been examined in-depth for its function as the ultimate nexus. Inquiry toward this hope to illuminate the significance to realise the SDGs, notwithstanding their status as a non-binding legal apparatus. Uncovering its mutualism also hope to attain valuable insight on the bond between national laws and the SDGs.

This research has some relevance to the topic under discussion. This study indicated that there is a correlation issues between a

corporation's market-to-book proportions and its ethical and ecological evaluations, and it discussed a number of potential understandings for why this might be the case, such as the impacts of good ecological and sustainability behaviour on a corporation's value and legal compliance. The legal and environmental issues if not being tackled with, might impact the company's operability, including but not limited to issues such as government intervention, public intervention, and peer pressures.

This paper adds to improving the literature surrounding the nexus between SDGs in the Indonesian context with a critical yet novel approach for mutuality between the soft law instrument¹ and the national law. It also aims to surmount the hurdles to fulfil SDGs in Indonesia by outlining the challenges presently faced and in the future, with the ultimate aim to contribute to increased capacity to achieve sustainable development.

Notwithstanding this, the SDGs still set a worldwide agenda expected to incite progress over the next nine years in sectors of utmost significance for humankind and the planet (Campo et al., 2020). It is against this introduction that this paper endeavours to effectuate the following objectives:

1. To identify the nexus between the SDGs and corporate-environmental sustainability;
2. To determine the possibility for mutuality between the SDGs and the Indonesian business and environmental law; and
3. To outline some challenges hindering to

¹ As an assortment of globally agreed-upon goals, the SDGs represent the sustainable development ambitions of every country and major stakeholder. Their voluntary characteristic, lack of penalties, and the less formal instruments guarantee the goals' accomplishment, providing for comprehending the SDGs as "soft" international law. Hence, an essential dimension of the SDG framework is the freedom it grants to governments and other stakeholders to determine which goals to work upon. Additionally, by beginning with ambitions without specifying detailed implementation methods, the SDGs are an opening for an institutional initiative concentrated on creative thought that includes increasingly diverse players. (Zanten & Tulder, 2018)

purposeful implementation of SDGs in the Indonesian context.

This research will establish and preserve an ethical environment stance from a legal academic standpoint that favours improving corporate substantive laws if we are to acknowledge the significance of decency for law-abiding in an environmentally-friendly behaviour. It is necessary to socialise the findings of this research into the general populace into adopt ethical standards that uphold conventional legal requirements. The development of this kind of ethical environment that benefits the law.

B. Research Methods

This is normative research with a legal approach. It emphasizes a common analysis through secondary data. Data were consolidated through an intensive literature study and examined using the legal norm method (Arliman, 2018; D. Tan, 2021). This is normative research with a legal approach. It emphasises a common analysis through legal materials. Data were consolidated through an intensive literature study and examined using the legal norm method. This research strives to present a systematic, factual and detailed insight into specific peculiarities, characteristics, or factors in a particular region, especially in an Indonesian environmental law context. It utilises a qualitative juridical analysis, which is a study on non-numerical aspects of the legal materials and data, based on logical legal analysis, logic, and argumentation (D. Tan, 2021).

A literature review was utilised as a research methodology to find existing related peer-reviewed studies based on prior formulated research questions and to assess their corresponding contributions. The methodical evaluation of the published scholarly literature was based on Google Scholar's internet search engine of full text and metadata of scholarly literature written in the English language. This search engine was preferred for its ease of use, but more importantly, because it facilitates the use of snowballing as it finds other studies correlated to the associated keyword or paper sought for. It also enables

users to explore a wide array of materials, including academic papers and grey literature, relevant to the characteristics and extent of the impact assessment literature. The material was then studied using both a legal and theoretical framework, embracing Roscoe Pound's theory of "law as a tool of social engineering."

C. Analysis and Discussion

1. The SDGs as the Ultimate Nexus for Corporate-Environmental Sustainability

The SDGs were formed through a bottom-up and consultative process and are meant to be holistic and universal in the sense that they incorporate social, economic, and environmental goals. In this understanding, the SDGs are already a nexus comprising humanity values. The SDGs have brought worldwide awareness of the critical need for new paradigms for sustainable development (Sanchez Rodriguez et al., 2018). Further, SDGs have been promoted as "an apparatus of transition towards more sustainable models of behaviour and development, by ensuring strategic reasoning and constructive approaches" (Partidario, 2015) with a sturdier information base for policy-making, planning and programme development (Campo et al., 2020; Stinchcombe & Gibson, 2001).

Firstly, the SDGs constitute direct and relevant thoughts reflecting the broader range of global environmental protection, such as the will to address decisively the risk posed by climate change; to preserve biodiversity, ecosystems and wildlife; tackle water insufficiency and water pollution, and to develop resilience and disaster risk mitigation. SDG targets expressly related to environmental management and planning. By combining the earlier considerations, SDGs can accomplish sustainable environmental growth at the national and local levels by encouraging informed and sustainability-driven strategic sectoral decisions (Campo et al., 2020).

Secondly, implementing and achieving the SDGs demand a level of commitment in which the method was participatory, accountable, and observed, with the degree of political conviction and ownership to deliver

the goals (Sachs & McArthur, 2005) that can only be accomplished by national dedication through legislation processes – which render a framework that helps improve the evidence basis in decision-making, making the method more austere, open, accountable, participative and inclusive (González et al., 2019; Lobos & Partidario, 2014; Noble et al., 2012). Therefore, SDGs maintain the attributes, principles and technical provisions that could help mitigate the hurdles encountered in the performance and conceivably expedite sustainability by forming a mutualistic association between the national laws and the goals for environmental protection (Morrison-Saunders et al., 2020; Partidario, 2015).

Thirdly, SDGs present a legal framework for monitoring and auditing the realisation of sustainable developments, where implanted into the monitoring programme. Leads such as these can contribute a framework for intelligible, consistent and dedicated monitoring stratagems that can indeed utter data and information beneficial for both policy tools whilst affording the essential framework to "thoroughly align data availability and decision-making rounds" (Macfeely, 2017).

Fourthly, the SDGs are designed to be comprehensive in the sense of personifying a universally² shared collective global vision of progression towards a secure, equitable and sustainable place for all human beings to flourish on the planet. They exhibit the ethical beliefs that no one and no country should be left behind. Everyone and every country should be deemed as possessing a shared obligation to achieve the global vision (Hope, 2020). This premise alone acknowledges that the SDGs contain universal values serving as nexus, which all human beings must recognise. As long as these values are linked to the environment, we must preserve them. Just like the sea, the environment itself relates to humankind and is a common heritage of humanity. Ergo should be handled in trust for future generations and shielded against ego-

² The global characteristics of the SDGs are reckoned to encourage integrated thought and harmonisation among the dimensions of sustainable development and a long-term aspect of law- and policy-making methods. (Pavoni & Piselli, 2016)

istic exploitation by individuals and states.

As a soft law, the SDGs are a transitional staging in forming commonly accepted standards where their substance is vague and their extent is not adequately defined.³ Soft law tools (including the SDGs) can acquire juridical authority and give rise to harder-edged legal duties, particularly through enacting laws at the national level. Noteworthy legislative improvements have taken place in numerous jurisdictions, denoting a revisionist 'hardening' of the United Nations' resolution through the construction of domestic-level legislation (Macchi & Bright, 2020).

SDGs to be universal in the applicability indicates that the goals should pertain to all nations. Here the requirement of universality commands that the problems addressed need be important global ones. Universal goals also undoubtedly have implications for ambition and progress in every country. To establish a universal goal is to anchor a goal for any countries, aggregated collectively, at the degree expected to realise the global goal (global goals become de facto national goals too) (Long, 2018).

The SDGs themselves are political goals, not juridical norms (Kotzé & French, 2018); still, the substance that the SDGs reflect is international custom (some of which is). The SDGs and targets are, therefore, adequately conceptualised as a subset of existing intergovernmental dedications. The precise fit between the SDGs and international law implies some level of dedication on both sides to consolidate the two approaches to deliver sustainable development. On the one hand, as numerous goals are already implant-

ed in multiple international agreements, the SDGs, to the degree they are genuinely unified, could act as a 'harmonising and synthesising framework' for tackling the fragmentation of global environmental law (Griggs et al., 2014). On the other hand, international law affords a normative setting in which the SDGs and goals should operate and engage with each other (Kim, 2016).

Eschewing conventional legal conceptualisation, the SDGs reside outside the framework of normative rules and global legal processes. Though embedded and affirming appearance inside the work plans and tactics of the UN and other international and regional bodies. The SDGs are not only explicitly political but are, more accurately and overtly, non-legal. Nevertheless, the point that they are political and non-legal does not suggest they are not correlated with the binding rules of (environmental) law. More commonly, as development targets are 'beneficial for seeking focused, logical, and sound action on sustainable development', nations perceived appropriate to acknowledge 'the significance and benefit of an assemblage of the SDGs' which are, inter alia, compatible with international law and which must add to the complete implementation of the results of sustainable development. While such accounts evince the dedication of states to support the developmental agenda of development, it also designates the corresponding pressure that nations accredit to international (environmental) law tools to accomplish the goals of globally agreed agendas. This is an essential recognition at the state and global environmental political level, considering it unlocks the opportunity to align environmental laws with the development goals and potentially assure the SDGs' fulfilment through laws and vice versa (Kotzé & French, 2018).

The SDGs do not act in a normative vacuity. They are indoctrinated in international law, which acknowledges the goal of sustainable development. The notion of sustainable development as appreciated in international law demands additional interpretation by international judicial institutions. However, at its heart, it indicates preserving the global

3 Hard law encompasses 'juridically binding duties that are specific (or can be made definite by adjudication or the issuance of specific regulations) and delegating power for interpreting and executing the law'. Soft law arises 'once juridical systems are relaxed along one or more dimensions of duty, accuracy, and delegation'. This strategy accepts the 'grey zone' among what is the law and what is not law. Soft law is celebrated with the ability to establish global agendas and generate norms progressively under unpredictable circumstances about the characteristics of the query and value disagreements over how to react. (Pickering et al., 2019)

environment as a precondition for social development. Human growth must not induce substantial and irreversible injury to the integrity of Earth's life-support system (Kim, 2016). Therefore, it is crucial to address the SDGs in an integrated and coordinated way, exploring the pathways that can maximise synergies and reduce trade-offs (Elder et al., 2016).

The 2030 Agenda for Sustainable Development and the SDGs provide the potential to modify the prevailing approaches to economic, social, and environmental difficulties (Stevens & Kanie, 2016). Environmental law and regulation were formulated upon the proposition that law can influence social transformation by immediate and purposive interference in the minute detail of social relationships. In this instrumentalist model (Teubner, 1983) the dependency of environmental law was to pronounce common environmental intentions, such as clean air or water, or more explicit objectives for environmental quality, and command in detail the practice expected to accomplish these goals. These goals (the SDGs) are the *crème de la crème* nexus for regulators and law-makers in doing their responsibilities. By passing environmental statutes and instituting functional administrative offices with delegated rulemaking and enforcement power, governments constructed complex, finely particular regulatory regimes to intrude directly in environmentally damaging social actions (Orts, 1995).

2. Potential for Mutualism between the SDGs and the Indonesian Business and Environmental Law

Orchestrating environmental movement with SDGs will expect substantial reformation to the policy and governance arrangements in both realms. Globally, there is a necessity for new joining approaches and considerations. Domestically, there is a compelling urgency to devise ambitious and organised policy frameworks for environmentally sustainable development. This sequence can be started by the mutuality of SDGs and the national environmental legislation (Nerini et al., 2019).

From a juridical viewpoint, and not-

withstanding the concerns correlating to the normative importance of the SDGs that will be discussed infra, the incorporation of a robust set of environmental goals and objectives in the 2030 Agenda beckons for joint supportiveness to be established among the SDGs and the evolving form of international environmental law (D. Tan & Sudirman, 2020). On the one hand, it hints explicitly at the requirement to recognise (and harness) the essential governance role that international environmental law should perform in their implementation. On the other, it suggests the potential for the SDGs to become a blueprint for the improvement of international environmental law itself, encouraging cross-fertilisation amongst juridical regimes, granting insights into how to load existing gaps, and more regularly improving and further defining the notion of sustainable development as a legal principle. This double-edged relation is explicitly reaffirmed in the 2030 Agenda (Pavoni & Piselli, 2016).

Appreciating that both environmental law and SDGs are facultative (i.e., they can operate on their own to accomplish their mission) rather than obligate mutualists (where one cannot function without the opposite), contemporary advancements in policy and spatial planning frameworks establish a solid claim to be made for a mutual benefit between the environmental law mechanism and the SDG initiatives, where SDGs specify the 'ends', and environmental law can render the 'means' (Campo et al., 2020). Legislation can be utilised to operationalise and execute the SDGs in the context of national workability. A recent analysis of law for instituting firms with environmental impact assessment based on risk rather than the license-based approach (in the novel Job Creation Law), for example, has underlined the significance of calculating environmental impact assessment and business development in realising the 2030 Agenda for Sustainable Development (Sembiring et al., 2020).

The corporate sectors are confronting a number of difficulties in reaching the SDGs. In reality, a trustworthy set of indications is urgently needed to help the corporate in-

dustry track the effects of actions focused on the ecological components of the SDGs in so as to present quantifiable information on the advancement and attainment of the SDGs. Continued progress is required for the targeted assessment and indication requirements (Tng et al., 2021). Therefore, the SDGs ought to be in sync with the country's national policies and programs in order to achieve actual and noticeable effects. In addition, prior for preparing to undertaking every other actions, it is crucial to comprehend the sequencing relationship even among SDGs as this might help in defining the required aim (Rashed & Shah, 2021).

Sustainable development law concentrates on fashioning the land and economic growth to have a fewer impact on the environment (Nolan, 2013). After all, environmental legislation has been accepted as a principal means "for devising and executing national development policies and programmes that are best arranged to sustain the recently embraced sustainable development goals" (Mukherjee & Rajvanshi, 2016). More recently, research by the International Association for Impact Assessment (IAIA) has maintained that: "on the one side, legislated impact assessment mechanisms can perform a pivotal function in mainstreaming sustainability deliberations in development planning and decision-making; and on the other, employing SDG targets will help make impact assessment more objectives-driven, rather than process- or impacts-oriented, and might enhance its significance as a planning basis for developing strategies and project judgments" (Partidário & Verheem, 2019). Broadly speaking, SDGs are performing their function at desegregating environmental reflections into plan-making. It can also assist several missions in assistance of helping planning and decision making means for sustainable development (Stinchcombe & Gibson, 2001; Thérivel & Minas, 2002). These involve: 1) uniting the substantive SDG concerns in decision-making; 2) presenting a formal, lawful, methodical and rational framework for doing so, with SDGs serving as the nexus between the law and the policy simultaneously with resolutions at hand; and 3) proposing an im-

plementation structure for evaluation and auditing. Plausibly, these proposals also introduced synergism and mutual improvement possibilities, including policy, institutional, and procedural synthesis hurdles (Campo et al., 2020; Nilsson & Dalkmann, 2001).

Law as an engineering tool according to Roscoe Pound's "Theory of Law as a Tool of Social Engineering," govern, and modify community. The shift in discussion is a shift in one's thought process in a way that is consistent with the laws and promotes growth. A civilised community can result from this and the advancement of the law itself. Thus according to Roscoe Pound, being civilised means that: 1) Everybody can regulate the objectives that are beneficial about what people discover, what they build, and what they receive within the societal and economic system that was in position at the time; 2) Everybody can perceive that others cannot abuse them; 3) Everybody can foresee that individuals they interact with in overall interactions will act with integrity as well as satisfy their commitments in accordance with current societal values (Agustianto, 2022).

This theory can be used to argue that the legislation was not capable of influencing people's conduct, bring about change, and establish a civilised society. The presence of occurrences and/or instances where the application of entrepreneurial environmental concerns that subsequently affect the broader public serve as evidence of this. By using Roscoe Pound's definition of a civilised society, it may be argued that the use of the legal instruments currently has not been successful in encouraging the growth of a civilised society (D. Tan, 2022).

In relation to the progress of socio-environmental SDGs issues in Indonesia, we can see based on the studies done by several researchers, that approximately 20% of Indonesia's residents (especially in metropolitan areas), has access to safe water as from 2016, this falls under the sixth SDG, "Clean Water and Sanitation" (Gunawan et al., 2020). Philip J Landrigan and others, provide additional substantiation. According to their study, diarrhea is the most common cause of

newborn deaths, which accounts for almost 100,000 in Indonesia each year. The principal factor of this is due to 60% of Indonesia's river system that have been contaminated (Landrigan et al., 2017). The seventh SDG is "Affordable and Clean Energy." Indonesia possesses enormous opportunity for the creation of clean energy. Sadly, barely 6.8% of the nation's energy comes from sustainable sources (Chrisbiyanto, 2016). The use of fossil fuel contains externalities that have an impact on air and environmental pollution, as well as an increase in respiratory-related diseases due to polluted air. The fifteenth SDG is titled "Life on Land." This objective is crucial since it touches on numerous underlying ecological concerns as well as the quality of life for individuals. According to The Guardian, there were 61,000 air pollution-related deaths in Indonesia, and a mean of 25 fatalities for every 100,000 people (Gunawan et al., 2020). Jakarta is listed by the World Bank as being among "the most polluted cities." According to estimates, 85% of Indonesia's carbon emissions comes from vehicular combustion and industrial enterprises, which is significantly impacted by the country's swift economic expansion.

The SDGs have shown how these rules correlate the goals to broader inquiries in the political theory of sustainable development and international justice. That these targets are less of a global strategy blueprint and more of a model in which nations can verbalise their individual perceptions of their expectations *vis-à-vis* its universality (Long, 2018). The United Nations revealed the 17 SDGs to harmonise national and global strategies to realise an environmentally, socially and economically sustainable world. The SDGs are not just for policy-making,⁴ but

4 *Policymakers* are the personalities or bodies entrusted with creating and altering laws, such as Members of Parliament, or in some political systems, somebody within the executive who is endowed with legislative authority. Regulators, by contrast, are persons granted delegated power under a particular part of legislation to administer that law. The significance of the contrast among regulators and policymakers is that regulators do not possess a legislative or law-making capacity except in the narrow understanding stated earlier.

they are also designed as a framework for public discourse, stakeholder engagement and outreach to encourage sustainability. Notable endeavours have been dedicated to whence policymakers ought to comprehend and adopt the SDGs to enhance policy development (Bain et al., 2019).

Law- and policy-makers in the government sector also require to split down obstacles among various sectors and departments, facilitate more unified plans that consider for interdependencies athwart SDG ideas (Le Blanc, 2015). In practice, this suggests law- and policy-makers necessitate remodelling the method and mainstream environmental concerns into local, national, and global law- and policy-making to answer the increasing request from local, regional, and national authorities for support in sustainable law- and policy-making (Maes et al., 2019). Mainstreaming environmental concerns in local, national, and international urban law- and policy-making also indicates changing how nature is observed in society from an infinite, exploitable resource towards an exhaustible and indispensable part of our civilisation on which our economy is established upon (Mace, 2014).

While the initial Constitution⁵ of Indo-

Gordon Walker, 'Facilitating Sustainable Development Goal 8 by Legal Reform Measures', in *Sustainable Development Goals: Harnessing Business to Achieve the SDGs through Finance, Technology, and Law Reform*, ed. by Julia Walker, Alma Pekmezovic, and Gordon Walker, First Edition (West Sussex: John Wiley & Sons Ltd, 2019), pp. 287–302 <<https://doi.org/10.1002/9781119541851.ch16>>.

5 Francis Wormuth (1949) and Alexander Hamilton (1966), as cited by Sarah Tan (2019), explains that the conception of constitutionalism sprawls in the understanding that "in devising a government which is to be administered by men over men, the most significant challenge rests in this: you need first empower the government to control the governed, and in the next place compel it to control itself. Simplistically, the theorem for forming a government of law, not of men, appreciates that constraints must be laid upon the powers of government. The notion of practical restraint includes various hallmarks; amidst these is the principle that a constitution is a root of legal rights and is pre-eminent, that regard of law or 'the rule

nesia passed in 1945 had barely one stipulation that referenced the environment subordinate to a citizen-primacy precept, the Constitution as altered in 2002 presently holds two critical reserves for safeguarding the environment: Article 33(4) endeavours to blend economic development with sustainability, and Article 28H(1) appreciates the right to a “safe and healthy environment.” While the ambit and significance of these stipulations have not been examined in the judiciary, they are regularly attributed to numerous environmental laws and policies. The Indonesian 1945 Constitution underscores the significance of the republic to guarantee a healthy and sound living environment for each resident (Tobing & Sudirman, 2022). This value corresponds to the SDGs’ values at preserving environmental sustainability, which is globally and universally acknowledged. The right in the constitution indicates that there is a ‘bigger command’ on everyone to preserve the environment for future generations. The right to a sanitary and healthy environment suggests a duty of stewardship to help environmental protection both now and in the long run (even if it is at the cost of economic benefit in the short term) (Soyapi, 2019). The most straightforward way to describe being capable of forming as a beneficial business is more of an inducement. The factual findings of these can be seen in research in 2019 by Sarah E. Light that argues the beneficial business advocates for ecological ideals and objectives more vehemently. The very first US state to establish a beneficial business act that actually improved corporate governance in terms of business administration and environmental compliance was Maryland in 2010. Then by 2018, 34 states

have passed similar legislation. (Light, 2019).

The SDGs supplement international conventions and other instruments of international law by offering a globally shared normative structure that promotes collaboration across nations. As an apparatus supporting the economic and socially inclusive expansion and environmental sustainability, the law endeavors to address inequalities, foster an inclusive community wherein growth is inclusive and integrated; and defend the environment from any kinds of degradation or abuse. Henceforth the law is both an enabler and facilitator of growth that is inclusive and integrative of all the dimensions of sustainable development, which underlines the law’s potential for escorting the implementation of the 2030 Agenda and its SDGs through the utilisation of the fundamental postulates of sustainable development. At the domestic level, the purpose of the Indonesian Parliament (including law-making, oversight duties, budgetary allocation, advocacy, and exchange with the civic community and other stakeholders) is crucial for the SDGs to be delivered. Therefore, there is an excellent demand for transboundary collaboration and domestic strategic efforts to optimise the rule of law in every three dimensions of sustainable development (Ladan, 2018).

Although the SDGs are not juridically binding, in some circumstances, it may be plausible to make applications within national legal tools to keep governments accountable for the 2030 Agenda commitments, significantly where dedications to aims and objectives overlap with prevailing juridical or constitutional guarantees. Although the outcome document’s slightly elusive and optional character may not do enough to coerce or spur progress from those governments that hold no plan of accomplishing the goals for sustainable development, national players could entreat the SDG dedications themselves (Donald & Way, 2016). What is left is that the domestic governments now confront the difficulty of devising and executing a strategy that acknowledges this intangible sustainability agenda (Sinkovics et al., 2021).

of law’ leads all decision. It acknowledges the needful equilibrium between authority and accountability. Hence, at the very heart of constitutionalism are the notions of restraint, regard for the law, and accountable government. This pressure between authority and accountability is existent in all government systems, today and the past. In light of this picture and the necessity to preserve the environment, the issue of a constitutional environmental stipulation for Indonesia grows imperative if she is circumscribed to satisfy her SDGs. (S. Tan, 2019)

3. The Challenges for the SDGs in the Indonesian Context

a. *Participation and Collaboration in Governance and Human Capacity*

Participatory governance underscores the value of democratic engagement in decision-making methods. It is an indispensable foundation for 'deliberation' that numerous political and juridical theorists deem essential to present practical explications to society's complicated queries.⁶ After all, deliberation is one of the central values of Pancasila – the philosophical grounds of the Indonesian people. Cooperation and deliberation are firmly linked to the concept of 'collaborative governance,' which is perceived as a foundational belief of environmental decision-making. In this setting, it can be crucial in guaranteeing the incorporation of local and traditional ecological awareness while fostering society response to discuss the challenges identified (Wal et al., 2014). Functional evaluation of SDG implementation relies on empirical data and emerging remarks tendered by society members and practitioners in the discipline (Swamy et al., 2018). The informative and communicative government allows members of the public to comprehend the ramifications of enacted statutes and policies, and it helps promote inclusion in decision-making processes (Ludwig, 2017).

Though, ineffectual capability in the human resource area also comes into play. Although there have been notable achievements toward capability advancement in most nations over the past decades, there is still low implementation capability in numerous nations. Some nations succumb terribly to the migration of their highly proficient workforce (brain drain). This insufficient capability, in turn, affects the overall vulnerability of organisations as they are incapable of satisfying their commitments to execute policies and programs, either in whole or

on time, to influence improvement in coinciding SDGs adequately (Hope, 2020). The people must be involved in this ambition. As people's awareness extends exceeding the society to which they are exposed daily, so does their comprehension that everything and everyone is interconnected. People are the driving energy of transformation (Maes et al., 2019).

b. *Adaptive and Inclusive Law- and Policy-Making*

Political and legal systems are traditionally asserted on demand for long-term certainty. However, adaptive management necessitates versatility in decision-making methods to consider and re-evaluate based on current information and data (Doremus, 2001). Thus, it is essential to empower decision-makers' discretion to react to global advancements in scientific expertise and comprehension of the particular ecosystems they endeavour to manage at an institutional level. Knowledge of ecosystems involves scientific and technical data regarding the work of those systems and socio-ecological intercommunications. This can be obtained not just from inquiries by institutional decision-makers but also from stakeholders at the regional level. The ambiguities associated with managing ecosystem resilience almost unavoidably pointed to a propensity to permit experimentation to maximise the rate and degree of 'learning' from the management method (Doremus, 2001; Jenkins, 2018). Adaptive law-making and experimentalism require structure rule-making and improvement by recursive analysis of implementation know-how in various regional settings. Furthermore, it demands the government grant institutions adequate versatility in decision-making to react to evolving knowledge about the ecosystems. This can compel broad administrative discretion that remains uneasily with conventional understandings of accountability. These difficulties can be surmounted by rendering consistency in the exercise of discretion, robust tools for evaluation, concentrating on outcomes to present accountability to stakeholders, and guaranteeing transparency in decision-making methods.

⁶ Deliberation is intended to promote a reasoned manner of conversation about values, different from minor bargainings between clashing interests and opposing likings, in this fashion to permit the resolution of the most recalcitrant issues. (Steele, 2001)

c. *Socio-Economic Development Paradox*

The cause-effect correlation between poverty and environmental degradation is casually explained in theory, while in fact, this relationship is very complicated and associated with specific historical, socio-economic, and political circumstances. Further on, the operationalisation of goals is not explicitly disclosed, such as delivering economic growth and abolishing poverty. The eradication of poverty unquestionably demands economic development, but at the same time, it ought to be sustainable and must not harm the environment. Research discovered that by studying the scope of complexity, sustainable applications might not be feasible for doing business in the short term owing to ambiguity in the environment and business demand (Modgil et al., 2020). Research by Gupta and Vegelin insists that accomplishing sustainable development has been hindered by trade-offs favouring economic growth over social well-being and ecological viability (Gupta & Vegelin, 2016). Another paradox of the concept originates from the market liberalisation and globalisation to assure equity among developed nations and sustainable development. However, it turned out the opposite because globalisation had more adverse outcomes, notably in equity, taking into account the amplified contrast between the underdeveloped and developed nations (MacDonald & Majeed, 2010). Moreover, a study reveals that the gap between developed and underdeveloped nations has intensified; therefore the issue of equity and sustainability established in the concept is very questionable and even more challenging (Holden et al., 2014). It is a shame how some of the underlying pillars of sustainable development can barely be accomplished at the expense of the other pillar; in other words, while a single pillar of sustainable development grows sustainable, others can become unsustainable, mainly if it immediately impacts ecological sustainability (Klarin, 2018).

d. *Low Technological Impact on Environment and Tendency to Greenwash*

While the dominating advancement of

technology has witnessed fascinating noticeable positive enhancements in the application of renewable energy sources, decreased emissions, environmental supervision, and the restoration of the ozone layer, once again it has been stressed how environmental degradation has been ongoing, with the destruction of biodiversity, natural ecosystems, habitats, species, and additional contamination of space and water (Bisong & Sylvester, 2020; Nicholson, 2019; Wynne, 2002). The equivalent can also be noticed on “greenwashing.” This generates a danger of abusing the SDGs for “greenwashing” and “impact washing” their practices by selective reporting of favourable data. Fallacious and non-transparent disclosure can also present information asymmetries that twist and can harm decision-making in the future.⁷ The likelihood of picking what to disclose in the sustainability report can prompt private and public sectors to be selective and prefer to report on those environmental features which beget positive results on their value. As it is likely for institutions to determine what actions to perform and what to report, notwithstanding the sustainability reportation of CSR initiatives’ implementation should not differentiate between words and action. In conclusion, greenwashing leads to shaping public sentiment to build and sustain a good prominence (Lu et al., 2021).

e. *The SDGs as a Resolution is a Soft Law*

The SDGs have been described as “a contract for the fate of the planet.” Notwithstanding the UN General Assembly’s acceptance of the 2030 Agenda as a resolution, resolutions are not juridically binding, unlike international treaties. They compound soft international law, which is a non-legally binding apparatuses that are commonly believed by nations (universality) (Long, 2018), but which do not render binding responsibilities or enforcement stipulations (mere courtesy or non-committal commitment) (Caiado et al., 2018). Question appears concerning what sort of legal significance a document like

⁷ Greenwashing is a method to raise the thought that innovative products and services can adhere to SDGs and are environmentally friendly. (Lashitew, 2021)

this truly possesses, and admittedly doubts are widespread. At least from the viewpoint of international law, the SDGs (as with the MDGs) rest conceptually and programmatically indefinite (French, 2017).

The political ramification of soft law is conceivably even more critical. Globally speaking, governments perceive it is increasingly challenging to find common ground to resolve new extensive negotiations because of complicated challenges. Therefore, it frequently makes sense to resort to "soft" governance mechanisms in such circumstances (Langer, 2020): Soft law rules do not demand parliamentary consent or the long-drawn years of utilisation that customary law is based on. Thus, soft law rightly serves to react to international difficulties rapidly than hard law does (Galbraith, 2017). Though domestically speaking, soft laws are difficult to execute and enforce internally. Juxtaposing the sovereign rights of a nation with international accountability may also create international tension.

The applicability of soft law depends on reception rather than legal enforcement. In the realm of politics, this may denote an advantage or disadvantage. High recognition and peer pressure are essential motivators, and regard for soft law is expressed by compliance. There is a scarcity of vital importance on accomplishing the SDGs and can only be accomplished through a mandatory provision. Plus, the absence of national and regional organisations to observe the progress and check on the implementation level seldom presents anyone the feeling of leeway to disregard the fulfilment of SDGs (Modgil et al., 2020). The truth, though, is that soft law rules usually propel the advancement of international law. They lay the foundation for codification and support to develop novel customary international law. The soft law will also render the groundwork for further enhancing more well-defined, juridically compelling commitments if only we manage to follow up (M'Gonigle, 1990).

f. Minimal Political and Leadership Will

Without political determination and

leadership, there can be no dependable and meaningful pressure for policy improvement and application. In other words, political leaders ought to be at the lead of anything that a government gets done. Political desire is the extent of pledged assistance amongst key decision-makers for an appropriate policy answer to a specific query. It, accordingly, means that a bureaucratic or political player is prepared to allocate valuable time, work, and political resources and incur opportunity costs to effect transformation, in this case, the will to achieve the 2030 Agenda. All of the evidence reveals that in Africa and Asia, for example, the shortage of political determination and leadership is an influential factor restraining the accomplishment of SDGs (Hope, 2020). Even awkwardly, states can frequently be complicit in devising policies that operate opposite the SDGs and their ambitions (El-Zein et al., 2016).

g. Complex and Overly Ambitious Targets with No Accountability Mechanisms

In the shift from the MDGs to the SDGs, the number of goals grew from eight to seventeen, and the targets rose from 21 to 169. Rather than establishing particular concentration areas, the SDGs seek to drive too many outcomes, few of which are far excluded from the appropriate policies that define the outcomes. First, the SDGs are utterly too vast in the extent to be effective. Anyone who devotes time scanning through their 169 targets will endure a sensation of cognitive overload. Admittedly, they are so complicated that researchers have resorted to network analysis techniques to comprehend them (Le Blanc, 2015). Dryly quipping that 'Moses carried ten commandments down from Mount Sinai. If only the UN's suggested agenda of SDGs were as compact as that' (Macfeely, 2017). Their overly broad scope, executed throughout the UN system, consumes time and resources. Second, numerous SDG goals are too obscure. These are sought-after outcomes, but even if it were technically feasible to satisfy these targets, it would be practical futility to gauge whether this had transpired. Neither of which will ever be accomplished entirely and indeed not by 2030 (Reinert,

2020). Thirdly, The challenges in gauging progress became apparent in the UN (Langford, 2016).

Low implementation has been the Achilles heel of international sustainable development governance. Indeed, there is usually inadequate monitoring and reporting to render a solid foundation for assessing implementation. There are numerous causes for the deficiency of implementation, but the ill-famed one is the ineffective accountability (Karlsson-Vinkhuyzen et al., 2018). While governments neglected to set out a comprehensive accountability structure in the outcome document itself, this does not imply that everything is lost. The priority will be to devise SDG accountability tools at the domestic level. National accountability methods will unquestionably seem varied in each nation, but some general components, based on the broad policies for study inserted in the 2030 Agenda, could be generated. Existent oversight bodies such as functional parliamentary institutions, administrative organisations, or nonpartisan oversight institutions such as ombudsman agencies could be involved in ingenious methods (Donald & Way, 2016).

In the setting of learning countries in the worldwide community may cooperate in conversations on devising more favourable policy unification and coherence. Nevertheless, who minds if SDGs are achieved? Notwithstanding world leaders' commitment that no one will be left behind (Nanda, 2016), even if nations are enthusiastic about evaluating global progress, they are not keen to hold particular fellow states to account for where-with they fulfil SDGs. Nations will especially not criticise on the degree of enthusiasm of individual nations, their priorities amongst the SDGs, or how they bargain with trade-offs (Karlsson-Vinkhuyzen et al., 2018). To be frank, notwithstanding the SDGs attempt to develop biospheric egalitarianism (Kopnina, 2016), we as humans have not achieved 'global comradery' to ultimately realise SDG, and undoubtedly not by 2030.⁸

⁸ It is frequently asserted that time-bound objectives serve as a benchmark for evaluating progress, thereby boosting

h. Insufficient Financing and Infrastructures

Funding is a decisive element for executing and accomplishing the 2030 Agenda as it is for every development method. The majority of developing nations are financially stifled as a consequence of their lower-level development. Consequently, numerous developing countries do not possess adequate monetary resources to engage in public or private investment, let alone the luxury to prefer over more sustainable alternatives (Hope, 2020). The realisation of the SDGs will oblige nations worldwide to finance sufficiently in addressing their hurdles (Leal Filho et al., 2019). The investments for sustainable development will not be huge globally speaking, surely not contrasted with the exorbitant losses if no investments are made (Sachs, 2012). Instituting an investment and capital bureau would further shape the structure and the resources required to kick start financing streams (Manurung et al., 2022). In particular, this drive can promote technical aid for developing nations, as well as public-private cooperation, to address financing bottlenecks and restraining factors in funding sustainable investments (Stephenson et al., 2021). Ironically, we need to bear in mind that energy and resources alone do not equal capacity or effective development (Sinkovics et al., 2021; Wettstein, 2012). Physical and social foundations connect ambitions for well-being and prosperity with the underpinning natural resources (Nerini et al., 2018). A scarcity of financing usually prompts poor infrastructure. In contrast, the 'truly' sustainable infrastructure will need to be significantly studied, developed, and applied to conserve the environment and attain prolonged sustainability goals.

i. Replication of Success Stories May Not Be the Viable Option

A concern unusually conspicuous for sustainable development scholars emerges from the complexity of implementing SDGs in various country contexts. Context matters,

performance evaluation, aiding policy planning, and conveying a sense of urgency, which in turn gathers more enormous efforts and fosters innovation. (Pavoni & Piselli, 2016)

and “what works hither may not work there.” A modest but revealing case is the necessity for and complexity of embracing policies that work in developed nations to the very diverse and differing institutional settings of developing economies. Hence, replication may not be the fittest alternative here. Nations are left with the critical duty to recognise what goes best for them. The grounds for why SDGs ambitions may have the potential to fail in developing nations include the implementation of conservative strategies unsuitable to nations at various degrees of development, weaker economic predicaments, sub-par educational level, and more complex political environments (e.g., political volatility, corruption), and institutional voids. Even for a single developing nation, the impediments can be interactive and correlated with one another. The heterogeneity of developing countries also makes it challenging to elucidate the lessons from performing SDGs case studies in one developing nation to another because the environmental contexts are so diverse (Eden & Wagstaff, 2021). After all, the SDGs endeavour to induce resolutions tailored to the demands and conditions of every particular nation (Fisse, 2019).

The aforementioned points are several challenges that this paper argues might hinder the implementation of SDGs in Indonesian enterprises' activities. Addressing such challenges might be beneficial in the improvement of ecologically-sound corporate governance and policy oversight in Indonesia.

D. Conclusion

This paper endeavoured to investigate the mutualistic bond between the SDGs and the environmental laws by contemplating the level of commitment among the two apparatuses depicted in the published scholarly literature and reviews. It examines SDGs momentum towards engaging with the domestic legislation both in theoretical and practical terms, and outlines possible benefits and contemporary constraints.

This paper proves and successfully identify the nexus between the SDGs and corporate-environmental sustainability, with

regards to the substantive legal development in Indonesia. The SDGs can really be a bridge to interpret and become a sort of benchmarking instrument for devising legal development. There is also a chance for mutualism between the SDGs and the Indonesian business and environmental law. This paper also outline some challenges hindering to purposeful implementation of SDGs in the Indonesian context, such as: lack of participation and collaboration in governance and human capacity; the non-adaptive and inclusive law- and policy-making; the socio-economic development paradox; low technological impact on environment and tendency to greenwash; the SDGs itself as a soft law; the minimal political and leadership will; the complex and overly ambitious targets with no accountability mechanisms; insufficient financing and infrastructures; and merely replication of success stories may not be the viable option.

In the setting of national environmental law, SDGs are laden with complexity and concerns that policy and law-makers may justifiably advance with prudence. Enthusiasm is everything in the first stages of improving a juridical framework, and Indonesia has been gallant in venturing to took the first step in sustainable development. Law has a vital function in anchoring out both principles and methods for SDGs to face governance challenges. Transmuting the SDGs to a civic audience is an essential feature of legislative design; broadly speaking, SDGs are a handy instrument to nexus the gap. Nonetheless, mutuality can occur encompassing the global setting of SDGs and the national environmental legislation. Prominently, the beneficial anecdotes around ‘cooperative legal regimes’ can prove just as notable as those associating with environmental resilience and sustainability.

I sustain that if their mutualistic bond is recognised and nurtured, environmental legislation can eventually help secure that improvement plans/programmes, whilst encouraging joined-up reflection and effort towards sustainable development. Notwithstanding the prevailing deficiencies remarked

above and throughout this paper, a level of promising momentum towards more proactive consolidation of SDGs into policy-making and laws enhancement can be witnessed in contemporary practices. To promote and expedite this process further, there are merits in educating law-makers while consolidating practitioners, scholars, scientist, the society (members of the public), and the appropriate stakeholders to voluntarily and proactively integrate SDGs into every phase of law-making and to follow up and consider upon the practicalities and results of this synthesis, and test and validate the mutualistic association between the SDGs and national laws. Spanning the theory-practice gap can only help to further this cooperation, which so far has been broadly hypothesised yet inadequately inquired, and optimise or maximise the reciprocal benefits of both policy tools towards a more sustainable future.

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