

DYNAMICS AND CONCEPT OF THE ROLE OF LAW IN SUSTAINABLE DEVELOPMENT

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Abstract

The concept behind meeting current sustainable development aims to meet needs without endangering the capacity of future generations to meet their own. In this sense, ensuring the achievement of sustainable development goals depends heavily on legislation. The application of sustainable development and its encouragement are greatly aided by the law. Through appropriate regulations, effective law enforcement, and the application of principles of justice, law can be a main pillar in achieving development objectives that prioritize not just economic advancement but also environmental preservation and social welfare for future generations. Overall, the role of law in sustainable development is crucial. Law not only regulates but also protects the rights of the community and the environment, and ensures that development is carried out in a sustainable and responsible manner. With a strong legal framework, Indonesia can achieve sustainable development goals that balance economic, social, and environmental needs.

Keywords: Dynamics, role of law, sustainable development

INTRODUCTION

According to Tomislav (2018), the process of sustainable development, which strikes a balance between the demands of growing populations and available natural resources in order to maximize the benefits of both. Its execution, however, is still poorly understood, which results in several symptoms in the implementation or implementation sequence as well as significant ambiguity in terms of regulations and policies. The concept of

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sustainable development involves growth that considers environmental factors. Discussions about its application date back to the 1972 Stockholm conference, which promoted progress to be carried out by considering environmental factors¹, according to Mensah, J. (2019) In order to carry out development while taking environmental carrying capacity into consideration, the Stockholm Conference addressed environmental issues and potential remedies. The summit was carried out in accordance with the UN's intention to reverse and restore environmental harm. A method of A sustainable development is one that meets present needs without endangering the ability of future generations to meet their own. Social, environmental, and economic sustainability are the three main tenets of sustainable development.

Sustainable development according to Ruggiero, C. A. (2021) is a method of development that, via weighing the demands of people and natural resources, maximizes the advantages of both. In the meantime, sustainable development, as defined by Polasky et al. (2019), is a development process wherein institutional reforms, resource use, investment direction, and technical development direction are carried out in a harmonious manner while paying close attention to the potential for both present and future fulfillment of community needs and goals. According to the above description, it is clear that sustainable development an intentional and planned the integrity of the environment is guaranteed, along with the security, ability, well-being, and standard of living of both the current and next generations, through any endeavor that integrates social, environmental, and economic factors into a development plan. Sustainable development, according to Leal Filho et al. (2018), is an intentional attempt to incorporate social, economic, and environmental factors into plans for development. Maintaining the environment's sustainability and the welfare of the present and upcoming generations is the aim. In this situation, legislation plays a critical role, particularly in the management of natural resources and environmental preservation. Law Number 32 of 2009, which establishes Indonesia's environmental regulations, stipulates a legal framework that supports sustainable development by prioritizing a long-term perspective (Rahma et al., 2019).

The First World the 1972 Stockholm Environment Conference was one of the important moments that encouraged Indonesia to commit to sustainable development. This encouraged a paradigm shift in natural resource management, where policies must consider social and environmental aspects in an integral manner. Legal dynamics also include the challenges

faced by various communities competing for control of territory and resources (Kotzé, L. J., & Adelman, 2023). Therefore, it is important to involve the community in the process of making decisions and carrying out sustainable development policies. Overall, the law acts as a tool to ensure that development is carried out in a way that does not damage the environment and can provide benefits to all levels of society, as well as maintaining individual rights in the context of the environment.

According to Gostin et al., (2019) law has an important role in supporting sustainable development. Law can be used to regulate relations between individuals, groups, and countries. Law can also be used to protect human rights, the environment, and natural resources. Law is an important instrument that are able to assist in promoting sustainable development. Sustainable development can be achieved more successfully and economically with just and robust regulations. Still, there are a number of obstacles to overcome before the law supporting sustainable development can be put into effect. The public's ignorance of the role that law plays in sustainable development is one issue (Fang, C., Liang, L., & Wang, 2019). Furthermore, a lot of laws and rules still exist that are against sustainable growth. It will take a team effort from society, the government, and other interested parties to overcome this obstacle. The government must keep spreading awareness and educating the public about the role that law plays in sustainable development. In addition, the government also needs to revise laws and regulations that do not support sustainable development. The community also needs to deepen its comprehension and awareness of the importance of law in sustainable development.

RESEARCH METHOD

This study uses a descriptive method by collecting data from various reliable sources, including literature studies and recent publications. A descriptive approach is used to describe the dynamics and concepts regarding the legal aspect of sustainable development. The first stage in this research method is the collection of literature relevant to the research topic. A literature search is conducted through academic databases, scientific journals, and related publications that discuss the dynamics of social adaptation of students from abroad. The selected literature must be of good quality and relevant to the research objectives. After collecting the literature, an analysis and synthesis of the information found is carried out. Relevant data and information on sustainable development, the role of law in supporting

sustainable development in the economic sector, the role of law in supporting sustainable development in the social sector, the role of law in supporting sustainable development in the environmental sector related to the research topic.

RESULT AND DISCUSSION

Sustainable Development

A kind of development known as "Sustainable development" maximizes the utilization of the natural resources at hand. Silvestre and Țîrcă (2019) describe sustainable development as satisfying the demands of the present generation without endangering the security and well-being of future generations in the process. This indicates that economic growth always makes use of natural resources and enables the advancement of current development to be continued by future generations. Law 32 of 2009 set the legal foundation for sustainable development. Law Number 23 of 1997, which also addresses environmental management, is superseded by this law. Development that satisfies present need without sacrificing the potential of future generations is referred to as sustainable development. This definition was suggested by the World Commission on Environment and Development. Law Number 32 of 2009 concerning Environmental Protection and Management similarly defines sustainable development as a deliberate and planned undertaking that incorporates social, economic, and environmental issues into a development strategy to protect the integrity of the environment as well as the security, well-being, and standard of living of the current and future generations. Put differently, it might be said that sustainable development is an ongoing development strategy that aims not to damage the environment, deplete natural resources excessively, and create social disparities for the benefit of both the current and upcoming generations. There are differences between this notion of sustainable development and the previous perspective on development which assumes that the use of nature and the resources in it are available and can be utilized continuously (Silvestre, B. S., & Țîrcă, 2019).

There is potential for this sustainable development to improve living quality. Among the ideas of sustainable development is welfare. In addition to this idea, other ideas are also implemented, such as development that can boost naturally occurring resources that are renewable and preserve or improve the standard of living for people today as well as later on. Utilizing natural resources as efficiently as possible to prevent waste and

environmental damage is the next concept. Managing natural resources wisely will ensure their continued availability for usage in the future.

These are the tenets of sustainable development (Thacker, 2019):

1. The financial sector
2. In terms of the economy, the sustainable development concept can offer workers better skills, which boosts their competitiveness even more. It is believed that greater competition will lead to more people in society having good employment and earning more money. Furthermore, it can facilitate the development of fundamental infrastructure, including water systems, real estate, and similar components of information infrastructure.
3. Energy
For sustainable development, energy consumption needs to be done more efficiently. There are a number of ways to reduce energy use, including making better use of renewable energy sources, conserving energy when it is available, and giving mass transit construction priority.
4. Environmental
Ecology is the following premise. Ecology is the application of sustainability in an environment that is still protected. There are a number of things that can be done to ensure that environmental preservation is carried out as best as possible, including making sure that there is green open space and well-integrated transportation and building systems.
5. Involvement or Attendance
The entire community must be involved in sustainable development, and the ability of the government to supply the necessary infrastructure. The process of sustainable development requires strong community participation. In addition, the government can support community objectives and act as a catalyst for community empowerment.
6. Parity or Parity
The primary goal of Equity is the foundation of sustainable development. Ideally, this breakthrough will help close the economic gap. All members of society can also benefit from equal opportunities by maintaining the equality principle.

The following are some objectives to be met by sustainable development (Khosla et al., 2021):

1. Ending the poverty rate.
2. Reducing hunger, securing food, enhancing nutrition, and advancing sustainable agriculture.

3. A happier and healthier existence. able to encourage good health and wellbeing in people of all ages.
4. Achieving education that is more decent, inclusive, and of higher quality.
5. Gender equality and women's empowerment.
6. Constructing robust infrastructure, fostering creativity, advocating for sustainable industrial growth, and so forth.
7. Ensuring patterns of production and consumption that are sustainable.
8. Taking significant action to mitigate the effects of climate change, among many other things.

Some examples of The following are some examples of how sustainable development ideas are being applied (Khosla, 2021):

1. Reducing excessive exploitation of nature which risks damaging the environment widely and massively.
2. Using natural resources according to the environmental carrying capacity to minimize the impact of environmental damage that may occur.
3. Management of natural resources according to the idea that eco-efficiency or the principle of managing natural resources at low cost and minimizing negative impacts on the environment.
4. Making use of renewable energy. The swap out fossil fuels for sustainable energy sources including wind, solar, and water aims to reduce dependence on limited resources and the negative impacts of emissions.
5. Prioritizing energy savings and environmentally friendly development, including in industrial sectors.

Thus the explanation of sustainable development. Sustainable development is the key to creating an ideal and sustainable future. By adhering to the sustainable development concepts, it can create better conditions and future generations.

The Role of Law in Supporting Sustainable Development in the Economic Sector

According to Mauerhofer, (2015) law can contribute to the promotion of sustainable development in the economic sector by:

1. Creating a conducive investment climate

The law can create a conducive investment climate by providing legal certainty for investors. This legal certainty is important to ensure that investors will benefit from their investments. Strong and fair laws can also help reduce investment risks, thereby attracting more investors to invest in a country.

2. Protecting consumer rights

The law can protect consumer rights by regulating rights of the customer, including the rights to safety, information, and recompense. Protection of consumer rights is important to ensure that consumers get quality and safe products and services.

3. Preventing unfair business competition

By regulating healthy competition among businesses, the law can prohibit unfair commercial practices. healthy rivalry among businesses is important to encourage efficiency and innovation in the market.

Rahmani, T., & Mirzadeh Koochshahi, N. (2013) stated that law has a very significant part in promoting sustainable growth, particularly within the financial sector. To meet current needs without sacrificing the capacity of future generations to meet their own needs is the aim of sustainable development own development. In this context, law functions as a tool to create certainty and justice in the management of economic resources. Legal certainty is very important for economic actors. The government is responsible for making the law authoritative and responsive to economic needs, so that the law can function as a guide and create a climate conducive to economic growth. With clear regulations, business actors can operate with more confidence, which in turn encourages investment and innovation.

Regulations that support the private sector are also needed to advance the economy together. The state must continue to manage strategic resources that control the livelihoods of many people, while the private sector can contribute in areas that are not vital. This creates synergy between the public and private sectors in achieving sustainable development goals (Leal-Arcas, 2018). Law enforcement also plays a role in preventing corrupt practices and financial irregularities that can harm society. By enforcing fair laws, the state can ensure that the benefits of economic development can be felt by all levels of society, thereby creating socially just welfare. Overall, the law functions as a foundation that supports inclusive and sustainable economic development, by ensuring that all parties can participate fairly and responsibly in the development process.

The Role of Law in Supporting Sustainable Development in the Social Sector

The application of law can help promote sustainable development in the social sector by (Segger, 2004):

1. Protecting human rights

The law can protect human rights by enforcing laws that protect fundamental freedoms including the right to an education and the right to live one's own life. Respecting human rights is essential to ensuring that everyone has an equal opportunity to develop and achieve prosperity.

2. Realizing gender equality

The law can realize gender equality by regulating gender equality in various fields, such as education, work, and politics. Gender equality is important to guarantee that every individual, irrespective of gender, has an equal opportunity to participate in development.

3. Preventing discrimination

The law can prevent discrimination by regulating the prohibition of discrimination based on race, religion, ethnicity, and gender. Discrimination can hinder development because it can cause inequality and social conflict.

According to Vilks and Kipāne (2020), legislation is essential for promoting sustainable development in the social sector, by ensuring that all individuals and groups in society have equitable access to resources and opportunities. Sustainable development focuses not just on environmental and economic issues, but also on social justice and community welfare. Social justice is one of the basic principles of sustainable development. The law serves to create a framework that ensures equitable distribution of resources and equal opportunities for all, including women and other vulnerable groups. For example, regulations that support As stated in the Goals for Sustainable Development, Parity in Gender, and Empowerment of Women are crucial to reaching sustainable development goals.

Legal protection is also needed to prevent violence and discrimination. The government must provide legal protection for victims of violence and ensure that they have access to the necessary services (Lee, 2020). With laws that protect individual rights, communities can actively participate in sustainable social development. Community Engaging in the process of making decisions is another crucial facet of sustainable development. The law may promote participation from the community in the planning and implementation of development projects, so that community voices are heard and considered. This not only increases transparency, but also ensures that development is completed in compliance with the requirements and expectations of the community. Overall, the law serves as a tool to create an inclusive and equitable social environment that supports the achievement of sustainable development goals. With effective law enforcement and policies

that favor the community, social development can go hand in hand with economic growth and environmental preservation (Dernbach, 2017).

The Role of Law in Supporting Sustainable Development in the Environmental Sector

Law can contribute to the promotion of sustainable development in the environmental sector by (Sands, P. (2023):

1. Protecting the environment

The law can protect the environment by regulating environmental protection, such as regulations on environmental pollution, regulations on natural resource management, and regulations regarding the conservation of natural resources. Environmental conservation is essential if we want to guarantee that the environment will be sustainable and healthy for coming generations to live in.

2. Preventing environmental damage

The law can prevent environmental damage by regulating sanctions for perpetrators of environmental pollution. These legal sanctions are important to provide a deterrent effect on perpetrators of environmental pollution, so that environmental damage can be prevented in the future.

3. Promoting the prudent utilization of natural resources

By limiting the effective and economical use of natural resources, the law can promote their sustainable usage. To guarantee that The natural resources remain accessible to future generations they require, sustainable resource usage is crucial.

According to Rashed, A. H., & Shah, A. (2021), law is crucial for promoting environmentally sound growth. The goal of sustainable development is to preserve equilibrium balancing the requirements of the economy, society, and environment, making legislation an essential instrument in doing this. According to the rules of Environmental Protection and Management Law Number 32 of 2009, environmental legislation in Indonesia provide a clear legal framework to protect the environment. This law regulates various aspects, from natural resource management to pollution control, all of which aim to maintain environmental quality for the welfare of the community.

Community participation is also recognized as an important element in environmental management. The law gives the community the right to be involved in the decision-making process related to the environment, such as in the preparation of the Environmental Impact Analysis. By involving the community, the decisions taken will better reflect local needs and aspirations,

and increase government accountability. Effective law enforcement is essential to ensure that environmental regulations are followed. Without strict enforcement, violations of environmental laws can occur, which can damage ecosystems and threaten the sustainability of natural resources. Therefore, the government must be committed to enforcing the law and providing appropriate sanctions for violators (Yang, 2022).

Awareness of the right to a good and healthy environment must also be increased. The law must create channels for the protection of these rights, so that people can seek justice when their environment is threatened. Thus, the law serves not only as a regulator, but also as a protector of human rights in the environmental context. Overall, the law acts as a key pillar in supporting sustainable development in the environmental sector, by ensuring fair protection, participation, and enforcement (Ladan, 2018). With a strong legal framework, sustainable development can be achieved, maintaining a balance between human needs and environmental sustainability.

CONCLUSION

The concept the aim of sustainable development is to meet present needs without endangering the capacity of future generations to meet their own. In this regard, legislation is crucial to guaranteeing that sustainable development goals are achieved.

The role of law in sustainable development can be seen through various aspects, including:

1. Policy and Regulation Formation
2. Law Enforcement
3. The Role of Law in Protecting Human Rights

The law has a crucial role in supporting and realizing sustainable development. Through appropriate regulations, effective law enforcement, and the application of the principles of justice, law can be a main pillar in achieving development goals that are not only focused on economic progress, but also on environmental preservation and social welfare for future generations.

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