SDG 16 IN ASEAN: CASE STUDY ON BUILDING JUST AND INCLUSIVE SOCIETIES IN INDONESIA

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Abstract

Achieving sustainable development has been confronted with many challenges both coming from the society and institution, and what we mean by the institution is not limited by the state government only. Sustainable goals are expected from relations of mutual dependence between society and institutions (such as governments and international organizations), which we call as the Sustainable Development Goals (SDGs) ratified by the member states of the United Nations. The idea of inclusive development is multifaceted, but ultimately it places emphasis on the social, ecological, and political spheres of development at the national and regional levels. In this context, this paper addresses the question what do the challenges of building a just and inclusive society as part of goal 16 of SDGs in ASEAN and then elaborate from a specific case study of Indonesia on the challenge and obstacles of the building just and inclusive societies. Although the main topic is discussing the challenge of the implementation, this paper also discusses how some regulations, structures, and values within the state have also been a driving factor of SDGs 16 implementation. To analyze and frame the SDGs implementation and its challenges, the paper uses the social control theory from Durkheim. This paper finds that, while SDG implementation performs well in terms of social inclusion in the local community (a smaller area of development), it performs poorly in terms of human rights and tolerance. This paper suggests that there is a risk of failure in the actual implementation of SDG Goal 16 in a large and diverse country like Indonesia.

Keywords: Sustainable Development Goals, SDGs 16, ASEAN, Indonesia, Inclusive Society.

1. **Introduction**

It is estimated that the world's human population will almost double by 2050 (United Nations, 2022). This increase in population will have a sequent impact affecting economic, social and cultural interaction activities as well as impacts on the environment and humanity, including in terms of housing infrastructure, services, education, and others. Therefore, the United Nations has introduced the New Urbanization Agenda 2030 to achieve the Sustainable Development Goals, which engages the political, social, and economic roles of every community in the world and seeks to overcome all obstacles that stand in the way of the agenda. This paper aims to discuss the challenges of implementing the Sustainable Development Goals (SDGs) in ASEAN, especially Indonesia, regarding the 16th point (specifically sub-point 16.7 and 16.8) of the SDGs.

It is essential, when discussing the SDGs, to specify where our focus lies; otherwise, the discussion will be too broad and difficult to analyze. The vast majority of civic and political aspects of human rights are addressed by Goal 16. This goal includes the right to life, freedom from torture and slavery, freedom of expression, political participation, legal personality, and the administration of justice (Hoeffler and Fearon, 2014). All of these rights are guaranteed by the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and many other international human rights instruments. The majority of them, including the Convention Against Torture (CAT) and the Convention on the Rights of the Child (CRC), have been approved by several ASEAN members, including the Government of Indonesia, but on the implementation of the action towards SDG goal 16 itself is still far from the expected progress, even further from done.

So this journal aims to analyze the challenges in implementing Goal 16 SDG in ASEAN, especially goals 16.7 and 16.8 with the case study of Indonesia's implementation of a just and inclusive society. For the theoretical framework, we are using a socio-criminology theory called Social Control Theory and addressing the nature of society to explore how anarchy society is connected with challenges of SDG 16 implementation in Indonesia and in broader ASEAN in general.

2. **Literature Review**

2.1 Society and Social Control Theory

2.2 The Nature of Society

It is reasonable to assume that social interaction creates the circumstances necessary for a criminal with rebellion and delinquency behavior to exist and emerge (banks to be robbed, property rights to be invaded). Some sociologists see crime as the warp that is required for social survival. According to this viewpoint, crime is not the 'shadow' of civilization but rather the normal adaptation to an abnormal structure — a reflection of economic and societal dissatisfaction that shows the need for radical change (Monk, 1998).

Historically, criminologists have had a tendency to disregard the political, social, and economic factors that contribute to crime. Indeed, there are numerous reasons why explanations for crime should not be limited to political variables. It is well established that whatever society does to produce crime through its laws and whatever forces exist in society to create conditions for crime, not everyone responds in the same way to such pressures and stimuli. Viewing criminology solely as the study and support of political dissent is an affront to human nature and social behavior. The extent to which criminology is involved in the crime, anomaly, and problem that it tries to solve is a basic issue for it.

According to social structure theory, factors like family dysfunction, economic inequality, and educational failure are all embedded in the fabric of society and lead to an increase in criminal activity (Monk, 1998). The approach developed by Durkheim is considered fundamental by a large number of criminologists, and in particular by structural functionalists. Structural functionalists seek to determine what interaction patterns or structures exist in different groups, as well as how to direct individuals into regulation.

2.3 Social Control Theory

Adopting Durkheim's figure of colére publique or public temper (Durkheim, 1960, Chapter 2, especially page 10), the concept of scandalization describes a formation process of norms or expected behavior by establishing the visibility of crimes or, in terms of common law, (perceived) unfairness through media exposure that results in public outcry (Fischer-Lescano, 2005; Fischer-Lescano & Teubner, 2004). In a global society,

public indignation is typically directed toward the economic sphere, where 'soft spots' offer the greatest leverage for policy change (International Labor Rights Fund, 2007).

The UN's Sustainable Development Goals (SDGs) are a set of global objectives for the betterment of people, planet, and prosperity that "seek to strengthen universal peace in greater freedom" (UN, 2015). The 17 Sustainable Development Goals (SDGs) and their 169 targets provide a comprehensive framework for assessing and monitoring the multifaceted task of development work in UN member countries. "Just, tranquil, and inclusive societies" is the objective of Goal 16. This is the first time that the international community has come to an agreement on a shared vision of the critical role of efficient and inclusive institutions in achieving sustainable development (Whaites, 2016).

In practice, an inclusive environment is a society that welcomes and celebrates differences among its members and finds ways to integrate those differences into its norms and institutions. Cultural diversity, language, gender, race, ethnicity, economic strata, and differences in physical/mental abilities, which we will refer to as disabilities, are all examples of various forms of difference and diversity.

In essence, we are in an inclusive environment and must have an inclusive "attitude" because an inclusive environment is a social environment that is open, friendly, eliminates barriers, and is fun because every member of society, without exception respects and embraces every difference. That is, an inclusive society consists of several differences, such as religion, race, ethnicity, and culture (Damman, 2012). How do we accept and appreciate these differences so that we can be called an inclusive society?

An inclusive society is all of us in a certain area who are mutually responsible for seeking and providing convenience in the form of service assistance and facilities so that each of us can fulfill our needs, carry out our obligations and obtain our rights (Hosono. 2022). In general, efforts can be made to provide services and facilities for all members of the community, but with a note that it cannot be the same for all people even though they live in the same community. That's because every individual in society is unique and different.

Coming from this understanding and point of view, and quoting what Durkheim said as one of the efficient ways to control society is through media exposure (Fischer-Lescano, 2005; Fischer-Lescano & Teubner, 2004), which although can be used to control society on the other hand if the media shows nothing but news of intolerance, persecution,

human trafficking, mass killing, it's not going to create a safe, just, and inclusive image that the citizens view, it's even further from something that people can take as example moreover inspiration. No wonder why Indonesia and ASEAN are facing a lot of problems and challenges in building a just and inclusive society nowadays. It's because of how the media content the influencers construct the people into.

3. Results and Discussion
3.1 Implementation of Goal 16 in ASEAN

Goal 16 addresses the vast majority of civic and political aspects of human rights. This objective encompasses the right to life, freedom from torture and enslavement, freedom of the press, social inclusiveness, political representation and participation, legal personality, and access to justice (Hoeffler and Fearon, 2014). All of these rights are enshrined in the Universal Declaration of Human Rights (UDHR), the International Convention on Civil and Political Rights (ICCPR), and other international human rights treaties. The majority of which, including the Convention Against Torture (CAT) and the Convention on the Rights of the Child, have been approved by several ASEAN members, including the Government of Indonesia (CRC).

A higher standard of living throughout the ASEAN region is one of the goals of the ASEAN Vision 2025 initiative, which places emphasis on democracy, good governance, the rule of law, human rights, and the fight against corruption. These are SDG 16 components. The ASEAN Integrity Dialogue, a mechanism to promote anti-corruption that is specified in the ASEAN 2016-2025 work plan, has already gotten off to a good start in its construction (Winkler and Williams, 2018). Not only anti-corruption, the ASEAN 2016-2025 work plan also emphasized human rights and discussion about a just environment and social inclusiveness in society.

It is important to fight and combat corruption, and bribery, stop illegal financial flows, and enact and enforce right-to-information laws which recognize people's right to seek, receive, and share information, as well as establish strong institutions. The Jakarta principles are the objectives of the ASEAN network of strong anti-corruption commissions (Sachs, 2015).

It is critically important to emphasize that Southeast Asia is a region distinguished by institutional differences in governance. This is a crucial point to make and to take into consideration. So, most governments in the region are held accountable in three ways: vertically through formal elections, horizontally through institutional restraints, and diagonally through the media and civil society. Nonetheless, a major obstacle to reaching SDG Target 16 is the existence of "accountability deficits" in one, two, or all of these dimensions in some countries. As much as accountability is a huge issue and part of Goal 16, this journal is not going to focus on addressing the issues of accountability but on the social inclusiveness that ASEAN and Indonesia are dealing with.

For an inclusive society, ASEAN lets the respective members do and adjust the goals based on their own values, principles, and norms. This is wise in the sense of how multi-culture Southeast Asia is a region, especially Indonesia as one of the most diverse countries in terms of culture and heritage in the world. As much as we seek higher results on the implementation within the state and what we aim to have a bigger chance to success may not always be the case, especially in Indonesia.

In the case of Myanmar, specifically where there are Rohingyan issues. Unlike NATO, which has the power to do an intervention with and for the members of the organization, ASEAN decided a long time ago to stand on the principle of non-intervention. The other members have the same rule to obey as well. So, in this case, there's a bit of a dilemma of how ASEAN can actually promote and build a just and inclusive society with its own principle of non-intervention while the other hand, it also has the benefit of letting the members have their own space for governance, making it diverse since ASEAN is very multi-culture, and so there will be more specified local-based policy to support the goal 16 implementation.

To conclude this section, although ASEAN is indeed a supranational structure in contrast to the European Union, ASEAN does not have any regional legal instruments or institutionalized mechanisms that are mandated for the legal and binding resolution of human rights issues. Some examples of these issues include the killings that occurred during the Drug War in Indonesia and the Philippines, as well as the Rohingya refugee crisis in Myanmar. By ignoring SDG 16, ASEAN exposes itself to the risk of "scandalization" rather than managing these issues proactively and consensually.

3.2 Case Study: Implementation Goals 16.7 and 16.8 in Indonesia

The new paradigm brought about by the SDGs has changed the approach of the Government of Indonesia in planning and implementing their development policies at both the central level and local/provincial level. In line with the principle of "*No One Left Behind*," the SDGs encourage the National Development Agenda to be more participatory and involve a wide range of stakeholders, both government and non-government. Development policies are prepared together with multi-stakeholders. Development partners involved in this discussion included the United Nations (UN) representative in Indonesia, Embassies of all ASEAN members, Embassies of friendly countries which are Indonesia's closest development partners from the continents of Australia, Europe, Africa, Asia, and America (SDGs Bappenas, 2018).

The Japanese Embassy, through JICA, has supported monitoring and evaluation, as well as the 2017 Voluntary National Review (VNR) also, in the preparation of the National Action Plan (RAN) and the draft Regional Action Plan (RAD) for DKI Jakarta. The German Embassy, through GIZ, is currently supporting the SDGs Secretariat and assisting in the implementation of SDGs in four provinces. UNICEF and UNFPA for their support in the development and publication of a child and youth poverty database.

Appreciation is also given to the EU, which continues to support the implementation of SDGs at the regional level and strengthens the role of the community and local government through its support for NGOs in Indonesia. Finally, the Danish Embassy, through DANIDA, is developing the National Roadmap for the Implementation of the 2030 SDGs. In its own application, Indonesia already has several regulations and legal bases that support and assist in implementing the SDGs goals based on indicators set by the UN (see Table 1.1).

Table 1.

Global Target	Global Indicator	National Target	National Indicator
16.7 Ensure responsive, inclusive, participatory,	– Decisions are made with a broad spectrum of individuals and perspectives in mind, which helps to ensure	– Guarantee and carry out citizens' civil and political entitlements and	– Civil liberties index: 87 in 2019. – Political rights index:

and representative decision-making at all levels (UN, 2015)	that everyone benefits from them and that society as a whole receives the best possible care. – The percentage of the population (audience/users/non-users) who believe decision-making is inclusive and responsive, subdivided by gender, age, disability, and population group. – Compared to national distributions, the number of positions in public institutions (such as national and local legislatures, the public sector, and the judiciary) by sex, age, people with disabilities, and population groups. (UN, 2015)	responsibilities; promote equal political participation of men and women; (Book II, 5.2.1 & 5.3.1). – Ensure civil rights, the fulfillment of people's political rights, and public information disclosure through the implementation of strategies designed to increase public participation in the policy-making process, public policy programs, public decision-making, and the explanations behind public decisions. (Book II, chapter 5.2.1)	68 in 2019 (Komnas HAM, 2020). – Women's representation in political parties: 30% in 2019 (Komnas HAM, 2020).
16.8 Broaden and strengthen the participation of developing countries in the institutions of global governance (UN, 2015)	– Foster inclusive and peaceful societies as a means of achieving sustainable development; ensure that everyone has access to justice; and construct institutions that are efficient, accountable, and	– Increasing Indonesia's role at the global level; – Increasing the role and leadership of Indonesia at the ASEAN regional level;	– Percentage of Indonesia's acceptance in multilateral forums: 84% in 2019 (Komnas HAM, 2020); – Indonesia's leadership

	welcoming to all at all levels. – Number and types of activities that help developing countries and their institutions take part in global governance and projects. (UN, 2015)	– Increasing the role and leadership of Indonesia in the Global G-20 and APCE at the global level (Book II. 6.1.6).	percentage in multilateral forums: 78% in 2019 (Komnas HAM, 2020).

Albeit all the support Indonesia gains from the foreign partner (align with the goal 17 implementation: Partnership for goals) Indonesia is still struggling to resolve various issues related to the social inclusiveness and the protection of the civil and political rights of its citizens. For instance, there is still a lot of discrimination and persecution in Indonesia. Regarding the right to life, apart from the ongoing practice of the death penalty, deaths due to excessive use of force also occur, especially in conflict areas such as Papua (Human Rights Watch, 2015). Komnas HAM also reported that in 2016 alone, there were 230 reports of violations of the right to life. Furthermore, torture is still frequently practiced by law enforcement officials. In 2016, Komnas HAM received 142 reports about torture (Komnas HAM, 2016).

Additionally, Indonesia is still experiencing difficulties with the implementation of SDG 16 in the justice sector. Based on a scale of 0.00 as the lowest score to 1.00 as the highest score, the Indonesian criminal justice system scored 0.37 on the World Justice Index for 2015. However, the civil justice system scored 0.47 (Komnas HAM, 2016). This condition shows the need for the Government of Indonesia to improve the justice system to strengthen access to justice for all people.

To understand the struggle to implement the existing regulation in Indonesia we have to consider several things. First, we argue that it takes a deep analysis of the ideological structure of the government, the culture of the society and the topography of the country's territorial. In Indonesia's case, we understand the strength to implement SGDs, especially SDG goal 16 located in our vision, mission, and ideology as the nation which is based on Pancasila (Five Principles) and also based on the notion of "Bhinneka Tunggal Ika" which can be translated as Unity in Diversity. On the other hand one can't deny the fact that Indonesia is still struggling with radicalism issue that of course has a

deeper root that doesn't reflect social inclusiveness and equality at all. In the bigger picture we can see also there are multiple challenges that's faced by the members of ASEAN (Endo and Ikeda, 2022), not only by Indonesia but also by another state, like the Philippines with their terrorism issue and Myanmar with the Rohingya issue. So not exclusive to Indonesia but happening to all other ASEAN members. So in order to analyze both in justified manner, we are going to use Social Control Theory by Durkheim to analyse the anarchical situation of society by first describing the nature of society itself.

4.   Conclusion and Recommendation

4.1 Conclusion

The challenge in implementing the SDG 16th point lies not only in the bureaucracy or regulations that come from institutions, both government and private, but also come from the community itself. Because as Emile Durkheim said in his theory of social control that a regulation is needed in the form of example and media exposure to regulate people's behavior and behavior, which can be said through leading by example. Then it is very important to underline that the role of certain parties, such as influencers and also people who are in a respected community environment or in a smaller environmental scope, such as a family that is an example greatly influences how we can implement an inclusive society and build a just inclusive society in Indonesia and in general in ASEAN because there are similarities in terms of values between countries in ASEAN. Therefore this paper discusses the general challenges for the application of SDG 16 in ASEAN and, in a smaller scope, takes a case study of the development of Just and Inclusive societies in Indonesia because it still sees there are so many challenges starting in terms of human rights, tolerance, the practice of Pancasila, and so on which are not optimal in Indonesia, including in government accountability and also the strength of community institutions in implementing the values supporting the goals of the SDG 16th.

4.2 Recommendation

To improve or increase the variability of the implementation of the SDG 16th in ASEAN and specifically in Indonesia. It is necessary to make adjustments at a smaller

level, namely at the city or provincial level to adjust environmental and social conditions and specific problems in the area. Because the authors believe that it will be better in the future if solutions are obtained and built from local communities as well, because the scope is smaller, then indicators of the implementation of the 16th SDG goal can be monitored better and can occur more quickly and be resolved if there are problems.

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