



Judges' Philosophical Orientation in Resolving Anti-SLAPP Disputes

Rachmawaty ^{a,b,*}, Hartiwiningsih ^a, I Gusti Ayu Ketut Rachmi Handayani ^a, Ravi Danendra ^c

^a Faculty of Law, Universitas Sebelas Maret, Surakarta, Indonesia

^b Bandung District Court Class 1 A, Bandung, Indonesia.

^c Oñati International Institute for the Sociology of Law, Gipuzkoa, Spain.

* corresponding author: rachmawatyrais73@gmail.com

ARTICLE INFO

Article history

Received: May 11, 2023

Revised: February 10, 2024

Accepted: February 15, 2024

Keywords

Anti-SLAPP;

Dispute;

Judge;

Resolution;

ABSTRACT

The Anti-SLAPP mechanism in Indonesia still needs to fulfill the four fundamental dimensions of effective Anti-SLAPP. Deciding on Anti-SLAPP in an interim decision is a progressive step because it is a translation of the Anti-SLAPP mechanism in the form of a case dismissal procedure as early as possible. Because no complete rules govern it, this creates confusion for judges. This research aims to analyze the philosophical orientation of judges in resolving disputes for anti-strategic lawsuits against public participation fighters based on Pancasila justice. This research is normative legal research employing two approaches—a philosophical approach and a conceptual approach—and collects and obtains data through direct interviews with judges. This research shows that the Judge's decision in resolving anti-SLAPP disputes based on Pancasila values still needs to be stronger. So, development that damages the environment and benefits the government and corporations will continue. Based on these facts, it is known that the regulation and implementation of anti-SLAPP in Indonesia still do not provide justice for all elements of it because one of the causes is the limitations of the existing anti-SLAPP rules in Indonesia. The factors that caused the Judge's decision not to be based on Pancasila justice can be seen from the lack of legal protection for environmental fighters in Indonesia. Then, the Judge's philosophical orientation in resolving Anti-SLAPP disputes with Pancasila justice refers to the five principles of Pancasila.



This is an open-access article under the [CC-BY 4.0](https://creativecommons.org/licenses/by/4.0/) license.



1. Introduction

Indonesian system of judicial power, a judge has a tremendous amount of responsibility, and judges also play a crucial role in attaining justice, which is the ideal in all legal matters.¹ The primary actors in law enforcement within the judiciary are judges.² This is because the judge can revoke or alter an individual's

¹ Matthieu Chemin, 'Can Judiciaries Constrain Executive Power? Evidence from Judicial Reforms', *Journal of Public Economics*, 199 (2021), 104428 <https://doi.org/10.1016/j.jpubeco.2021.104428>

² Guilherme Lambais and Henrik Sigstad, 'Judicial Subversion: The Effects of Political Power on Court Outcomes', *Journal of Public Economics*, 217 (2023), 104788 <https://doi.org/10.1016/j.jpubeco.2022.104788>

status, disallow freedom, determine the legality of an individual's actions, and even threaten an individual's life based on the decision rendered. As the primary element in establishing a judicial institution, the implementation of the judges' function must also be interpreted as a central and strategic measure to maximize contributions to the realization of the vision and mission of the supervising institution.³

It is not sufficient to characterize a judge as a mere "trumpet of the law" when performing his duties; instead, he is expected to establish and justify his position as a "living interpreter" of the justice that society has desired throughout history. Judges exemplify and mirror the principles that underpin justice. To ensure the correct and equitable application of statutory regulations, judges are entrusted with upholding justice (moral justice) and setting aside the law or statutory regulations (legal justice) if such application results in injustice. A good law is defined as one that aligns with the prevailing societal laws (the living law), which coincides with or reflects the prevailing societal values (social justice).⁴

In reality, the judge's decision (verdict) is to resolve a dispute or case by the principles of law and justice. Advocates for justice undoubtedly anticipate that a judge's ruling will genuinely satisfy the societal standard of justice. Implementing the judge's ruling in a manner consistent with the community's perception of justice is complex.⁵ The judge's decision is consistently a subject of intriguing discourse, contingent upon individual perspectives and methodologies. A judge's decision is subject to disagreement due to the presence of a minimum of two opposing parties. A decision inevitably results in one party emerging victorious and another losing.⁶

Judges' decisions which often become polemics are usually about whether the decision is equitable or not, because everyone has different assessments and standards. A decision's justification and foundation, in addition to the legal standards applied, can influence opinions regarding its fairness or disproportionateness. It is imperative that decisions include explicit and comprehensible legal justifications that adhere to a systematic approach to legal reasoning. These arguments necessitate oversight and adherence, as well as

³ Thalia Gerzso, 'Judicial Resistance during Electoral Disputes: Evidence from Kenya', *Electoral Studies*, 85 (2023), 102653 <https://doi.org/10.1016/j.electstud.2023.102653>

⁴ Yurou Liu, 'Judicial Independence and Crash Risk: Evidence from a Natural Experiment in China', *Journal of Corporate Finance*, 83 (2023), 102490 <https://doi.org/10.1016/j.jcorpfin.2023.102490>

⁵ Liyuan Wang, 'Application of Information Technology in Judicial Field: The Development Model of Online Litigation in China', *Computer Law & Security Review*, 52 (2024), 105936 <https://doi.org/10.1016/j.clsr.2024.105936>

⁶ Huaiyin Zhang, Rongrong Wang, and Kui Cai, 'Research on the Application and Examination of Electronic Evidence Preserved on the Blockchain in Chinese Copyright Judicial Practice', *Computer Law & Security Review*, 52 (2024), 105891 <https://doi.org/10.1016/j.clsr.2023.105891>

accountability, to guarantee transparency and legal certainty throughout the judicial process. Involved in decisions regarding environmental criminality.⁷

Judges presiding over environmental cases are anticipated to exhibit progressive thinking, given the intricate nature of such cases and the abundance of scientific evidence involved. Ecological concerns are distinguished from other concerns by unique qualities. In addition, environmental cases can be classified as structural cases that pit parties with increased access to resources against parties with limited access in a vertical relationship. Practical enforcement of environmental laws is difficult.⁸ Judges do not simply apply pre-existing legal provisions when conducting environmental civil cases due to the complexity of the evidentiary process. Environmental legal cases also necessitate judicial activism, executed through legal discovery and legal creation via decisions, to achieve justice for both humans and the environment, thereby ensuring the preservation of a good and healthy environment and the restoration of ecological balance. This also safeguards the legal rights of environmental activists and the community at large who participate in advocating for environmental interests.⁹

Opposition to community engagement in environmental protection frequently arises from business entities whose operations are perceived to contribute to ecological degradation or contamination.¹⁰ The conduct of business actors, such as filing police reports, suing affected communities, or engaging in community participation through demonstrations or the dissemination of information, complaints, or objections via the media, to silence and prevent the public from participating in environmental issues, is a strategy employed by the plaintiff or reporting party to instill fear among the public and environmental activists. Criminal reporting in the form of litigation is referred to as SLAPP (Strategic Law Suit Against Public Participation).¹¹

Before enacting Law No 32 of 2009 on Environmental Protection and Management (UU PPLH), the court had received thirteen SLAPP cases. Anti-SLAPP arguments have been observed in seven instances since the promulgation of Law No. 32 of 2009 regarding Environmental Protection and Management (UU PPLH) from 2009 to 2021. There are four cases in total, of which three are criminal. But out of the seven cases presented, the judges who accepted the Anti-SLAPP

⁷ Hongli Chu, Shengmin Sun, and Jian Wei, 'Fiscal Pressure and Judicial Decisions: Evidence from Financial Penalties for Official Corruption in China', *International Review of Law and Economics*, 77 (2024), 106156 <https://doi.org/10.1016/j.irle.2023.106156>

⁸ Chelsea Liu, Chee Seng Cheong, and Ralf Zurbrugg, 'Rhetoric, Reality, and Reputation: Do CSR and Political Lobbying Protect Shareholder Wealth against Environmental Lawsuits?', *Journal of Financial and Quantitative Analysis*, 55.2 (2020), 679–706 <https://doi.org/10.1017/S0022109019000073>

⁹ Chelsea Liu, 'Judge Political Affiliation and Impacts of Corporate Environmental Litigation', *Journal of Corporate Finance*, 64 (2020), 101670 <https://doi.org/10.1016/j.jcorpfin.2020.101670>

¹⁰ Yu Liu and others, 'Diversifying Natural Resources for Green Recovery in China: Strategies and Solutions', *Resources Policy*, 88 (2024), 104399 <https://doi.org/10.1016/j.resourpol.2023.104399>

¹¹ Sergey Alexeev and Don Weatherburn, 'Fines for Illicit Drug Use Do Not Prevent Future Crime: Evidence from Randomly Assigned Judges', *Journal of Economic Behavior & Organization*, 200 (2022), 555–75 <https://doi.org/10.1016/j.jebo.2022.06.015>

argument rendered decisions in only three. One is a criminal case, and the other consists of two civil cases.¹² The panel of justices rejected the Anti-SLAPP argument in four additional SLAPP cases. The primary reason for the panel of judges' majority of rejections was the failure to specify which activities human rights defenders engaged in as part of their environmental human rights struggle.¹³

Law No. 32 of 2009 regarding Environmental Protection and Management (UU PPLH) to Law No. 4 of 1982 regarding Basic Provisions for Environmental Management, public participation or community participation has been regulated for an extended period. The significance of community control stems from the substantial volume of environmental cases that exceed the capacity of competent environmental managers, impeding optimal efforts to preserve and restore the environment. Anti-SLAPP, which stands for "legal protection against strategic lawsuits against public participation," pertains to safeguarding environmental activists and the general public when they attempt to express their environmental concerns.¹⁴

The significance of the Anti-SLAPP principle lies in its ability to safeguard individuals who express their views, opinions, or criticisms concerning environmental issues. According to data provided by the Indonesian Forum for the Environment (WALHI), 146 criminalization cases were filed against ecological activists on the island of Java between 2014 and 2019. These cases primarily transpired in Jakarta, West Java, Central Java, and East Java. According to data compiled by the Institute for Community Studies and Advocacy (ELSAM), environmental fighters were the target of 22 criminal cases between January 2020 and April 2020. Moreover, throughout 2019, these ecological warriors were subjected to 27 instances of criminalization; this case prompted 128 individuals and 50 community organizations to file lawsuits. According to additional data provided by ELSAM, human rights defenders who advocated for the environment were subjected to violence on 22 occasions in 2020. There was no opportunity for public participation in the decision-making process. The numerous environmental issues plaguing Indonesia contribute to the absence of ecological justice.¹⁵

This circumstance has the potential to incite and arouse the conscience of judges, compelling them to seek the law through progressive decisions that will aid the

¹² Lena Partzsch, Lukas Maximilian Müller, and Anne-Kathrin Sacherer, 'Can Supply Chain Laws Prevent Deforestation in the Democratic Republic of the Congo and Indonesia?', *Forest Policy and Economics*, 148 (2023), 102903 <https://doi.org/10.1016/j.forpol.2022.102903>

¹³ Almut Schilling-Vacaflor and Maria-Therese Gustafsson, 'Integrating Human Rights in the Sustainability Governance of Global Supply Chains: Exploring the Deforestation-Land Tenure Nexus', *Environmental Science & Policy*, 154 (2024), 103690 <https://doi.org/10.1016/j.envsci.2024.103690>

¹⁴ Jonathan Davis Smith, Ronald Adam, and Samsul Maarif, 'How Social Movements Use Religious Creativity to Address Environmental Crises in Indonesian Local Communities', *Global Environmental Change*, 84 (2024), 102772 <https://doi.org/10.1016/j.gloenvcha.2023.102772>

¹⁵ Yordan Gunawan and Mohammad Hazyar, 'The Climate Change Litigation Based Human Rights Approach in Corporations: Prospects and Challenges', *Journal of Human Rights, Culture and Legal System*, 3.2 (2023), 288–307. <https://doi.org/10.53955/jhcls.v3i2.116>

state and nation in overcoming adversity, as well as to comprehend the desires and needs of the people to serve justice, welfare, and the general welfare of all citizens of the nation. Criminal judges arrive at legal conclusions by employing progressive legal reasoning, one of which may be scrutinized through the lens of advanced penological legal rationale. In Indonesia, regulations that provide a stronger guarantee for implementing Anti-SLAPP measures are required. The Anti-SLAPP mechanism has regrettably not yet been incorporated into the legal rules. To optimize the implementation of anti-SLAPP mechanisms and regulations in Indonesia, it is necessary to conduct a comprehensive evaluation of these provisions and the obstacles that impede their operation.

The Supreme Court provides the defendant with three legal remedies to propose in civil cases. Nevertheless, applying SLAPP in criminal proceedings is not without its constraints; the SLAPP suspect or defendant can only be protected once the case has been adjudicated in court. Consequently, the extent to which statutory regulations govern the Anti-SLAPP principle must be revised, restricted, and inconsequential in ensuring legal certainty for all involved parties. Based on these issues, the legal resolution for anti-SLAPP combatants has not been optimally implemented. Participatory environmental justice that is inclusive ensures that individuals' rights to a healthy and pleasant living environment are respected. As a result, the public views environmental law enforcement with skepticism about its ability to safeguard the rights of all individuals to advocate for the environment.¹⁶

The legal concern outlined in this article pertains to the failure of the Anti-SLAPP mechanism in Indonesia to satisfy the four essential components that constitute effective Anti-SLAPP. Indonesia's Anti-SLAPP mechanism continues to suffer from both procedural and substantive flaws. Procedural vulnerabilities occur because the current mechanisms still need to be regulated concerning procedural law. Decree of the Chief Justice of the Supreme Court no. 36/KMA/SK/II/2013 (SK KMA 36/2013) regarding the Implementation of Guidelines for Handling Environmental Cases specifies the sole procedure for submitting an Anti-SLAPP. 21 SK KMA 36/2013 establishes guidelines for judges regarding SLAPPs in interlocutory decisions and for SLAPP victims to submit Anti-SLAPP provisions, exceptions, and reconventions in civil cases or defense in criminal cases.

Anti-SLAPP determinations in interim decisions represent a progressive step because they expedite the case dismissal process, a practical implementation of the Anti-SLAPP mechanism. The purpose of this mechanism, which expedites the dismissal of cases, is to prevent the silencing effect of SLAPP participation from continuing. There need to be comprehensive regulations about this matter, as it engenders perplexity among judges. Consequently, its execution resulted in the apprehension of numerous individuals into the criminal domain. Therefore, based on Pancasila justice, the author is motivated to conduct a more in-depth

¹⁶ Sholahuddin Al Fatih and others, 'Understanding Delegated Legislation in The Natural Resources Sector', *BESTUUR*, 11.2 (2023), 290 <https://doi.org/10.20961/bestuur.v11i2.78125>

examination of the philosophical orientation of judges when resolving disputes for Anti-SLAPP (Strategic Lawsuit Against Public Participation) fighters.

2. Research Method

This is normative legal research, also known as library legal research, which entails conducting legal research exclusively by examining secondary data or library materials. This research is normative juridical legal research employing two approaches—a philosophical approach and a conceptual approach—and collects and obtains data through direct interviews with judges. The objective of this study is to ascertain the legal standing of environmental activists in Indonesia concerning Anti-SLAPP protection, environmental law enforcement in Indonesia regarding ecological fighters' protection in accordance with Law No. 32 of 2009 on Environmental Protection and Management, as well as challenges and strategies to optimize the implementation of Anti-SLAPP in Indonesia. This research employs descriptive-qualitative methods as a consequence. Examining books, statutory regulations, and other pertinent documents to gather information on theories, concepts, legal principles, and statutory rules relevant to the research at hand constitutes data collection in research.¹⁷

3. Results and Discussion

Judge's Ruling in Resolving Anti-SLAPP Disputes based on Pancasila Values

Environmental law acknowledges the significance of each individual's entitlement to a healthy and satisfactory living environment. Asserting the right to a decent and healthy environment as a fundamental human right carries substantial ramifications for the legal dynamic between the state and society.¹⁸ Environmental rights, which are components of human rights, establish constitutional duties that the government is obligated to uphold, safeguard, and comply with. Therefore, the law is critical in preserving the environment and its people.

The inclusive nature of law enforcement, which encompasses both preventative and punitive measures, is well-suited to the circumstances in Indonesia, where certain governmental entities actively engage in efforts to enhance public legal consciousness. A brief explanation of the implementation of environmental laws and regulations was provided in the introduction, specifically through the mention of multiple articles in the 1945 Constitution and its subsequent regulations. In light of this, the law enforcement discussed in this study is conventional. Then, through an examination of the incorporation of environmental articles, one can discern the fundamental concept underlying the meaning of law

¹⁷ Abdul Kadir Jaelani, Reza Octavia Kusumaningtyas, and others, 'Green Legality Certificate on Agrarian Reform: Indonesian Experience', *KnE Social Sciences*, 2024 <https://doi.org/10.18502/kss.v8i21.14713>

¹⁸ Mao Jun Xiang and Belengar Francis Maïnkade, 'The Human Rights-Based Approach to Sustainable Development: Lessons from Recent African Investment Treaty Practice', *Heliyon*, 9.8 (2023), e18578 <https://doi.org/10.1016/j.heliyon.2023.e18578>

enforcement: the endeavor to reconcile the connection between values delineated in rigid regulations and conduct as a sequence of value translations culminating in the establishment, preservation, and conservation of social harmony.¹⁹

Criminal law enforcement in the environmental sector has failed to meet the anticipated objectives. The criminal justice system's substantial, structural, and cultural lack of synchronization, coordination, simultaneity, and harmony contributes to this failure. Opposition to community engagement in environmental protection frequently arises from business entities whose operations are perceived to contribute to ecological degradation or contamination. Legislative provisions in Indonesia, specifically Law No. 32 of 2009 about Environmental Protection and Management, have endorsed safeguards for the legal rights of advocates for the right to a healthy and enjoyable environment. Nevertheless, its execution and the actual situation remain significantly below initial expectations.²⁰ In their endeavors to advocate for environmental causes, including pollution and damage, conscientious and sound environmental advocates frequently encounter the precarious predicament of Strategic Litigation Against Public Participation (SLAPP).²¹ Legal instruments known as SLAPP are employed to stigmatize ecological activists.²²

Legislative-normative provisions about Anti-SLAPP regulations can be found in Article 66 of Law No. 32 of 2009 on Environmental Protection and Management.²³ This article provides legal protection against criminal prosecution and civil litigation for community members who advocate for the right to a healthy and environmentally sustainable environment.²⁴ In addition, the Decree Number 36/KMA/SK/II/2013 of the Chairman of the Supreme Court of the Republic of Indonesia, which pertains to implementing guidelines for managing environmental cases, also specifies Anti-SLAPP provisions. In addition, Article 28 E paragraph (3) of the 1945 Constitution of the Republic of Indonesia and Article

¹⁹ Abdul Kadir Jaelani, Reza Octavia Kusumaningtyas, and Asron Orsantinutsakul, 'The Model of Mining Environment Restoration Regulation Based on Sustainable Development Goals', *Legality: Jurnal Ilmiah Hukum*, 30.1 (2022), 131–46 <https://doi.org/10.22219/ljih.v30i1.20764>

²⁰ Samuel J. Spiegel, 'Climate Injustice, Criminalisation of Land Protection and Anti-Colonial Solidarity: Courtroom Ethnography in an Age of Fossil Fuel Violence', *Political Geography*, 84 (2021), 102298 <https://doi.org/10.1016/j.polgeo.2020.102298>

²¹ Ming Zhang and others, 'The Effect of Public Environmental Participation on Pollution Governance in China: The Mediating Role of Local Governments' Environmental Attention', *Environmental Impact Assessment Review*, 104 (2024), 107345 <https://doi.org/10.1016/j.eiar.2023.107345>

²² Roland Schmuck, 'The Use of Online Business Models', *Procedia Manufacturing*, 54 (2020), 45–51 <https://doi.org/10.1016/j.promfg.2021.07.008>

²³ Abdul Kadir Jaelani, Muhammad Jihadul Hayat, and others, 'Green Tourism Regulation on Sustainable Development: Droning from Indonesia and China', *Journal of Indonesian Legal Studies*, 8.2 (2023) <https://doi.org/10.15294/jils.v8i2.72210>

²⁴ Zhengge Tu, Tianyang Hu, and Renjun Shen, 'Evaluating Public Participation Impact on Environmental Protection and Ecological Efficiency in China: Evidence from PITI Disclosure', *China Economic Review*, 55 (2019), 111–23 <https://doi.org/10.1016/j.chieco.2019.03.010>

44 of Law No. 39 of 1999 concerning Human Rights guarantee this form of community participation. In practice, however, numerous instances of rights activists for a good and healthy environment being criminalized raise significant concerns regarding the fundamental nature of democracy preservation in Indonesia. This is exacerbated by the ongoing and massive criminalization of environmental activists, which has resulted in numerous threats and repressions against these individuals.²⁵

Several precedent cases exist wherein environmental activists have been criminalized. One such instance involves farmers in Indramayu who received a five-to-six-month sentence for invertedly displaying the Indonesian national flag. At the same time, residents celebrated their triumph following the revocation of the Indramayu PLTU permit. Budi Pego, who was convicted of disseminating communist teachings by waving a hammer and sickle banner during a protest against gold extraction, received an additional four-year prison sentence in a separate case. These cases appear to disregard a fundamental democratic value, the recognition that the people hold the power and will. Nevertheless, the unequal positions of the government and citizens and the entrepreneurial interests that influence policy formulation produce a pattern of legal products that ultimately determine the legal politics underlying it. This engenders a negative perception of environmental law enforcement, accompanied by the formation of stagnant civil society movements and communities whose sole purpose is to advocate for ecological sovereignty values.²⁶

A Public Hearing Meeting (RDPU) was convened to deliberate on regulating the substantive aspects of Anti-SLAPP. During this meeting, multiple environmental organizations participated in the discourse surrounding the Draft Law on Environmental Management. The frequent instances of the government or other interested parties silencing individuals who advocate for environmental interests and the frequent cases of reporting back on the grounds of defamation of goodwill against the community by those who say environmental disputes to the authorities are the arguments that support the significance of anti-SLAPP regulations.²⁷ The drafters of Law No. 32 of 2009 on Environmental Protection and Management subsequently endorsed the proposal about these provisions, affirming their importance in safeguarding community engagement in developing

²⁵ Rais Torodji and others, 'The Role of the Corporate Penalty System on Environmental Regulation', *Journal of Human Rights, Culture and Legal System*, 3.3 (2023), 600–624 <https://doi.org/10.53955/jhcls.v3i3.179>

²⁶ Xinghua Cao and Hao Chen, 'The Impact of Public Participation in Environmental Governance on the Technical Efficiency of Enterprise', *Finance Research Letters*, 2024, 105112 <https://doi.org/10.1016/j.frl.2024.105112>

²⁷ Pedro Bigolin Neto and Alexandra Mallett, 'Public Participation in Environmental Impact Assessment Processes through Various Channels – Can You Listen to Us Now? Lessons from a Brazilian Mining Case', *The Extractive Industries and Society*, 13 (2023), 101186 <https://doi.org/10.1016/j.exis.2022.101186>

a healthy and habitable environment. In practice, environmental defenders being criminalized predate the 2009 revision of Law No. 32 about Environmental Protection and Management.²⁸

According to the Indonesian Forum for the Environment (WALHI), there was 146 suspected criminalization of environmental fighters on the island of Java between 2014 and 2019. Specifically, four cases were reported in Jakarta, five in West Java, 19 in Yogyakarta, 15 in Central Java, and 103 in East Java. The mining sector comprises the most significant proportion of cases at 52%, followed by forestry at 13%, infrastructure at 13%, tourism and property at 13%, and spatial planning at 5%. Additionally, the Indonesian Center for Environmental Law (ICEL) documented in 2021 that environmental activists were subjected to 22 incidents of violence between January 2020 and April 2020. These cases continue to exhibit the same pattern each year. Typical forms of violence include land grabbing, intimidation, murder, arrest, and detention, as well as physical assaults and devastation. These instances may result in a decline in community engagement due to victims' reluctance to express their concerns, erosion of confidence in the efficacy of the Indonesian legal system, obstruction of future dissent, and safeguarding of private economic interests.²⁹ The subsequent illustration presents a comparative analysis of the execution of Anti-SLAPP (Strategic Litigation Against Public Participation) measures in three countries: Australia, California, and the Philippines.

Table 1: Anti-SLAPP in Australia, California, and the Philippines.

Country	The legal basis for Anti-SLAPP (Strategic Lawsuit Against Public Participation)	Legal Protection Rules
California	The legal basis for anti-SLAPP is regulated in the California Civil Procedures Code Article 425.16 of 2019. Anti-SLAPP rules in California	The California government allows the Defendant to sue back or what is known as SLAPPBack. In criminal cases, there is reverse evidence, where the Defendant can prove the basis of his actions.
Filipina	In the criminal realm such as the Anti-SLAPP regulation in the Philippines, it is Rule 19 Sections 1 and 2 RPEC	The Philippine state regulates that the suspect, after the case file submitted to the court and before the examination hearing held, may file a motion to dismiss, then will be resolved in a hearing (prioritizes deliberation)

²⁸ Mohammad Jamin and others, 'The Impact of Indonesia's Mining Industry Regulation on the Protection of Indigenous Peoples', *Hasanuddin Law Review*, 9.1 (2023), 88 <https://doi.org/10.20956/halrev.v9i1.4033>

²⁹ Hudali Mukti and Bobur Baxtishodovich Sobirov, 'Environmental Justice at the Environmental Regulation in Indonesia and Uzbekistan', *Journal of Human Rights, Culture and Legal System*, 3.3 (2023), 476–512 <https://doi.org/10.53955/jhcls.v3i3.171>

Australia	Constitutional Amendment	In Australia, there is a right to submit one's petition, and the First Amendment to the Constitution guarantees it that freedom to express opinions and participate in the public interest is part of democratic actions protected by the Constitution.
-----------	--------------------------	---

The anti-SLAPP case in Indonesia influenced the judge's departure from Pancasila justice principles. In light of this, legislators were motivated to incorporate an article governing legal safeguards for public participation in environmental legislation.³⁰ Further examination reveals that Law No. 32 of 2009 regarding Environmental Protection and Management does not define the term "environmental fighter." A judge must enforce legislative mandates in strict adherence to the philosophical underpinnings of Pancasila. The Pancasila values will serve as a fortification capable of withstanding and countering the impact of political and economic power, which may lead to partiality and unfairness in law enforcement.³¹ Therefore, law enforcement must be committed and proactive in the judicial system, regarding their legal jurisdiction. The presence of law enforcement agencies in environmental matters must persist in promoting the exercise of legal immunity, as stipulated in Article 66 of Law No. 32 of 2009 about Environmental Protection and Management.³²

The legal frameworks that regulate public participation in the environmental sector serve as a mechanism of public oversight to prevent policymakers from exceeding their authority or acting arbitrarily when formulating policies or decisions.³³ Indeed, a government is considered democratic when it vests the utmost authority and power in the people; thus, individual rights, which must be safeguarded and guaranteed, must constrain the power possessed by the government. However, disparities persist between *das sollen* (what ought to be) and *das sein* (what is in reality and practice). Anti-SLAPP defenses can be readily excluded from the trial's agenda during the initial phases of case examination without explicit priority provisions. This is because SLAPP cases are challenging

³⁰ Lego Karjoko and others, 'Indonesia's Sustainable Development Goals Resolving Waste Problem: Informal to Formal Policy', *International Journal of Sustainable Development and Planning*, 17.2 (2022), 649–58 <https://doi.org/10.18280/ijdsdp.170230>

³¹ Ni'matul Huda, Dodik Setiawan Nur Heriyanto, and Allan Fatchan Gani Wardhana, 'The Urgency of the Constitutional Preview of Law on the Ratification of International Treaty by the Constitutional Court in Indonesia', *Heliyon*, 7.9 (2021), e07886 <https://doi.org/10.1016/j.heliyon.2021.e07886>

³² Elfrida Ratnawati and others, 'The Cabotage Principle on Law Enforcement for Licensing Ship Operations in Indonesian Waters', *Journal of Human Rights, Culture and Legal System*, 3.3 (2023), 678–705 <https://doi.org/10.53955/jhcls.v3i3.182>

³³ Aditia Syapriallah, Yahya Ahmad Zein, and Tove H.Malloy, 'A Social Justice Legitimacy to Protect Coastal Residents', *Journal of Human Rights, Culture and Legal System*, 3.3 (2023), 541–68 <https://doi.org/10.53955/jhcls.v3i3.159>

to identify, as the articles used to sue or prosecute SLAPP targets frequently have no connection to environmental issues, as with Budi Pego.

The matter that may be deliberated is whether a provision mandating a rapid and concise SLAPP defense examination before the commencement of the trial is necessary and feasible. This is a fundamental matter in the criminal justice system, given that SLAPP victims have been subjected to a series of coercive procedures, including arrest, detention, and so on, before the trial process. Using coercive measures is highly susceptible to human rights violations by law enforcement.³⁴ Before the trial process, SLAPP targets are not subject to the prospect of coercive measures in the civil sphere. However, the trial procedure is lengthy and, depending on the articles submitted by the plaintiff, can be costly and time-consuming.³⁵

Enforcing environmental management laws remains arduous because of the challenges associated with establishing and substantiating standardized criteria for ecological damage. As of yet, anti-SLAPP legislation in Indonesia fails to offer SLAPP victims reparation through monetary aid or reinstatement of their capabilities, social standing, and dignity. The fullest extent of inclusive environmental justice has yet to be achieved. Through participation, inclusive environmental justice ensures that all individuals' rights to a healthy and pleasant living environment are respected.³⁶

The author presents alternative solutions that address these issues to offer guidance and clarity regarding enhancing the Anti-SLAPP concept in Indonesia. These solutions can be evaluated in light of Lawrence M. Friedman's legal substance, structure, and culture. Resolutions in environmental cases must be relatively prompt. It is anticipated that prolonged resolution of environmental instances will result in a deterioration of ecological conditions and the expansion of the resulting environmental impacts.³⁷ The expeditious resolution of environmental cases can be facilitated through the proficiency and capability of justices with expertise in environmental law.

³⁴ Peng Zhang, 'Anti-Corruption Campaign, Political Connections, and Court Bias: Evidence from Chinese Corporate Lawsuits', *Journal of Public Economics*, 222 (2023), 104861 <https://doi.org/10.1016/j.jpubeco.2023.104861>

³⁵ Mia Banulita and Titik Utami, 'Legal Construction of Anti-Eco-Slapp Reinforcement In Indonesia', *Yuridika*, 36.3 (2021), 721 <https://doi.org/10.20473/ydk.v36i3.30383>

³⁶ Hartiwiningsih Hartiwiningsih and Seno Gumbira, 'Dysfunctional Factors of Environmental Law on Strategic Lawsuit Against Public Participation and Developing Remedial Strategies Through Reconstruction Criminal Law System Model in Indonesia', *PADJADJARAN Jurnal Ilmu Hukum (Journal of Law)*, 10.3 (2023), 411–30 <https://doi.org/10.22304/pjih.v10n3.a6>

³⁷ Martitah Martitah and others, 'Transformation of the Legislative System in Indonesia Based on the Principles of Good Legislation', *Journal of Indonesian Legal Studies*, 8.2 (2023) <https://doi.org/10.15294/jils.v8i2.69262>

Judges' Philosophical Orientation in Resolving Anti-SLAPP Disputes

In Indonesia, the Anti-SLAPP mechanism can be fortified via the formulation of implementing regulations and the improvement of institutional capacity. When formulating implementing regulations for Law No 32 of 2009 on Environmental Protection and Management, it is imperative to ensure that the Anti-SLAPP provisions govern the expeditious and succinct dismissal of SLAPP cases. It is necessary to emphasize again the stage at which the Anti-SLAPP mechanism may be employed, be it the preliminary phase before adjudication or the initial stage of the initiated court procedure.³⁸ Anti-SLAPP mechanisms, particularly in the criminal justice system, must be implemented before adjudication, according to the author, to prevent SLAPP victims from being subjected to a protracted process of coercion. To comply with these regulations, criminal Anti-SLAPP procedural provisions may utilize the pre-trial mechanism outlined in the Criminal Procedure Code or the institution known as the Preliminary Examining Judge (HPP), which substitutes for the mechanism in the RKUHAP, to establish succinct and preliminary Anti-SLAPP procedures before the commencement of the trial process.³⁹

In their implementation, the Anti-SLAPP procedural provisions must also prioritize the evidentiary process, including the potential for the burden of proof reversal. Aside from that, emphasis must be placed on the compensation mechanism for SLAPP victims, including the form and quantity of compensation that can be requested in court and the evidence that can be submitted in support of such a request. Despite the mention of anti-SLAPP procedural provisions in SK KMA 36/2013, the decree remains internal and has a significantly restricted scope. In contrast, Supreme Court regulations may have broader applicability as long as they impact other state institutions. Additionally, a decision is a singular occurrence, whereas rules are perpetual. In addition, for each law enforcement agency to support the implementation of the Anti-SLAPP mechanism in the judicial process, it is necessary to issue internal regulations governing the identification and management of SLAPP cases.⁴⁰

In Indonesia, law enforcement must ensure that each citizen concerned with the fight for justice in the environmental sector has access to legal protection. The acquired data indicates that many deficiencies concerning governance, sustainable

³⁸ Elly Kristiani Purwendah, Aniek Periani, and Elisabet Pudyastiwi, 'Regulation and Protection of the Sea from Oil Pollution by Tanker Ships in Indonesia', *Media Komunikasi FPIPS*, 20.1 (2021), 1 <https://doi.org/10.23887/mkfis.v20i1.30419>

³⁹ Eko Riyadi and Sahid Hadi, 'Strategic Lawsuit against Public Participation (SLAPP): A Legal Based Threat to Freedom of Expression', *PADJADJARAN Jurnal Ilmu Hukum (Journal of Law)*, 8.1 (2021), 141–62 <https://doi.org/10.22304/pjih.v8n1.a7>

⁴⁰ Erlan Wijatmoko, Armaidly Armawi, and Teuku Faisal Fathani, 'Legal Effectiveness in Promoting Development Policies: A Case Study of North Aceh Indonesia', *Heliyon*, 9.11 (2023), e21280 <https://doi.org/10.1016/j.heliyon.2023.e21280>

development planning frameworks, and authority concurrently accompany company advancements in development within a nation. The 1998 United Nations General Assembly ratification of the Declaration on the Rights and Responsibility of Individuals, Groups, and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms established this as the foundation for a statement that binds nations morally—member nations in their efforts to safeguard human rights defenders. A nation's obligation should be to ensure that all individuals' rights are respected, including those who are exclusively advocating for environmental justice and the conservation of their habitat, such as those who demand a healthy and conducive environment.⁴¹

Hence, to safeguard advocates for the right to a healthy and environmentally sustainable planet against legal entanglements from interested parties, it is imminent that additional regulations governing their legal protection be promulgated. Such action is crucial for the sustainability of environmental law enforcement as an entire. In this regard, greater governmental focus is warranted because legal protection for ecological activists encompasses the human rights dimension in addition to relations between humans and the environment.⁴²

The formulation of protection law in Indonesia is grounded in Pancasila, the ideology and philosophy of the state. The design of legal protection for Western citizens is predicated on the *Rechtsstaat* and "Rule of the Law" concepts.⁴³ Conceptual thinking, by employing Western concepts, alludes to the foundation of Pancasila, the legal protection principle in Indonesia that serves as a pillar for the recognition and safeguarding of human dignity.⁴⁴ Integrating natural resource management principles into the Indonesian agricultural sector demonstrates adherence to Pancasila by concurrently augmenting output and safeguarding natural resources. This is exemplified through the prudent application of chemical fertilizers in ratios that minimize water system pollution and soil degradation, as well as the mixing and utilization of pesticides that do not contaminate the food chain or diminish product capacity and other ecological aspects.⁴⁵

⁴¹ Gillan Chi-Lun Huang, Rung-Yi Chen, and Byung-Bae Park, 'Democratic Innovations as a Party Tool: A Comparative Analysis of Nuclear Energy Public Participation in Taiwan and South Korea', *Energy Policy*, 153 (2021), 112251 <https://doi.org/10.1016/j.enpol.2021.112251>

⁴² Qi Gao, 'Retrospect and Prospect: Public Participation in Environmental Impact Assessment in China', *Environmental Impact Assessment Review*, 101 (2023), 107146 <https://doi.org/10.1016/j.eiar.2023.107146>

⁴³ Khudzaifah Dimiyati and others, 'Indonesia as a Legal Welfare State: A Prophetic-Transcendental Basis', *Heliyon*, 7.8 (2021), e07865 <https://doi.org/10.1016/j.heliyon.2021.e07865>

⁴⁴ Baylee A. Edwards and others, 'An Exploration of How Gender, Political Affiliation, or Religious Identity Is Associated with Comfort and Perceptions of Controversial Topics in Bioethics', *Advances in Physiology Education*, 46.2 (2022), 268–78 <https://doi.org/10.1152/advan.00008.2022>

⁴⁵ Widodo Dwi Putro and Adriaan W. Bedner, 'Ecological Sustainability from a Legal Philosophy Perspective', *Journal of Indonesian Legal Studies*, 8.2 (2023) <https://doi.org/10.15294/jils.v8i2.71127>

In addition, environmental ethics is only touched upon momentarily, suggesting that Indonesia has yet to accord Pancasila significant consideration about its impact on biodiversity. In reality, the sustainability of human life is contingent on the sustainability of life in the environment in which humans reside and the availability of natural resources that remain untapped. The constitution of the Republic of Indonesia, which serves as the supreme law in both the conceptualization of a legal state and the Indonesian constitutional system, is built upon Pancasila as its fundamental cornerstone. The Republic of Indonesia's constitution was formulated by the principles and entire thoughts encapsulated in the Pancasila values, thereby designating Pancasila as the state and national ideology.⁴⁶ In light of Pancasila's position in the Indonesian constitutional system, its significance as a source of fundamental law for the Republic of Indonesia is demonstrated. As a result, Pancasila should be utilized more than just as a substantive source in Indonesia's legal system and legislation. Thus, the values of Pancasila must permeate all societal actions and movements, both at the individual and collective levels. Each individual or collective must comprehend and nurture the Pancasila values, the foundation for their conduct, ethics, and beliefs.⁴⁷

The discourse surrounding environmental management invariably entails the challenge of implementing the principles of Pancasila in this regard. This is because Pancasila represents a unified and comprehensive framework that instills confidence in the Indonesian people and nation, namely that happiness in life can only be attained through the establishment of harmonious, balanced, and harmonious relationships—be they with nature or among fellow human beings, with God Almighty, or with one another. To maintain dynamic balance, harmony, and reciprocity, a relationship must be continuously nurtured and developed between humans, society, and the environment.⁴⁸

Protection and management of the environment must be characterized by proportional justice for all citizens, irrespective of gender, generation, or geographic location. The utilization of natural resources must be sustainable, socially acceptable, and environmentally viable. SLAPP actions will determine the future of legal protection for environmental activists, contingent on the State's level of seriousness regarding the causal connection between the case and its context. This will ensure that those who advocate for the right to a healthful and

⁴⁶ Ija Suntana and others, 'Ideological Distrust: Re-Understanding the Debate on State Ideology, Normalization of State-Religion Relationship, and Legal System in Indonesia', *Heliyon*, 9.3 (2023), e14676 <https://doi.org/10.1016/j.heliyon.2023.e14676>

⁴⁷ Tommy Leonard and others, 'The Influence of Green Tax Regulations on New Renewable Energy Funding in Indonesia', *BESTUUR*, 11.2 (2024), 384 <https://doi.org/10.20961/bestuur.v11i2.82506>

⁴⁸ Xiafei Zhou and others, 'Citizen Environmental Complaint Reporting and Air Quality Improvement: A Panel Regression Analysis in China', *Journal of Cleaner Production*, 434 (2024), 140319 <https://doi.org/10.1016/j.jclepro.2023.140319>

pleasant living environment receive justice. Fortifying the Anti-SLAPP mechanism in other cases is an urgent matter for institutional strengthening.⁴⁹

The author proposes that the government establish a new entity whose sole responsibility is to monitor SLAPP and anti-SLAPP cases. This institution will facilitate the classification process by conducting preliminary background investigations and delivering informed recommendations to law enforcement authorities. Indonesia is a legal state founded on the Pancasila principles. Indonesia's legal system is based on Pancasila. Judicial power is functionally exercised by the central actors, who are judges. The judge is responsible for dispensing justice by Pancasila, implementing the rule of law in the Republic of Indonesia, and upholding the law. The judge's decision ought to embody the following Pancasila values: faith in an all-powerful God, justice, harmonious relations between the government and the people founded on the harmony principle, proportional functional relations between state powers, mediation or deliberation in the resolution of disputes, and the principle of justice as a mechanism for attaining a balance between rights and obligations.

4. Conclusion

Anti-SLAPP disputes by Pancasila values, the judge's ruling remains exceptionally feeble. The repetition of environmental concerns expressed by individuals will perpetuate the pattern above. In any case, sanctions will be imposed on the community to eradicate community participation to ensure the continuation of development that harms the environment while benefiting the government and corporations. Based on these facts, it is evident that the regulation and implementation of Anti-SLAPP in Indonesia do not provide justice for all of its components, with the limitations of the extant Anti-SLAPP regulations in Indonesia being one of the contributing factors. The judge's deviation from Pancasila justice principles is evident in the inadequate legal safeguards provided to environmental activists in Indonesia. In contrast, the judge's approach to resolving Anti-SLAPP disputes by Pancasila justice is guided by the five principles outlined in Pancasila. While the judge's decision demonstrates legal certainty, it plays a role in determining the correct law during the trial process. Due to the possibility that the law does not regulate a particular aspect explicitly, judges are required to consider unwritten societal statutes and customary law in addition to the law when rendering decisions. To enhance the clarity of the Anti-SLAPP regulations outlined in Article 66 of Law No. 32 of 2009 on Environmental Protection and Management, the Indonesian government should enact supplementary legislation in the form of Government Regulations (PP).

⁴⁹ Z H A Syahr and S G M S R Putra, 'The Development of Environmental Case Handling Policy in Indonesian Court', *IOP Conference Series: Earth and Environmental Science*, 1109.1 (2022), 012049 <https://doi.org/10.1088/1755-1315/1109/1/012049>

References

- Alexeev, Sergey, and Don Weatherburn, 'Fines for Illicit Drug Use Do Not Prevent Future Crime: Evidence from Randomly Assigned Judges', *Journal of Economic Behavior & Organization*, 200 (2022), 555–75
<https://doi.org/10.1016/j.jebo.2022.06.015>
- Banulita, Mia, and Titik Utami, 'Legal Construction of Anti-Eco-Slapp Reinforcement In Indonesia', *Yuridika*, 36.3 (2021), 721
<https://doi.org/10.20473/ydk.v36i3.30383>
- Cao, Xinghua, and Hao Chen, 'The Impact of Public Participation in Environmental Governance on the Technical Efficiency of Enterprise', *Finance Research Letters*, 2024, 105112 <https://doi.org/10.1016/j.frl.2024.105112>
- Chemin, Matthieu, 'Can Judiciaries Constrain Executive Power? Evidence from Judicial Reforms', *Journal of Public Economics*, 199 (2021), 104428
<https://doi.org/10.1016/j.jpubeco.2021.104428>
- Chu, Hongli, Shengmin Sun, and Jian Wei, 'Fiscal Pressure and Judicial Decisions: Evidence from Financial Penalties for Official Corruption in China', *International Review of Law and Economics*, 77 (2024), 106156
<https://doi.org/10.1016/j.irl.2023.106156>
- Dimiyati, Khudzaifah, Haedar Nashir, Elviandri Elviandri, Absori Absori, Kelik Wardiono, and Arief Budiono, 'Indonesia as a Legal Welfare State: A Prophetic-Transcendental Basis', *Heliyon*, 7.8 (2021), e07865
<https://doi.org/10.1016/j.heliyon.2021.e07865>
- Edwards, Baylee A., Julie A. Roberts, Chloe Bowen, Sara E. Brownell, and M. Elizabeth Barnes, 'An Exploration of How Gender, Political Affiliation, or Religious Identity Is Associated with Comfort and Perceptions of Controversial Topics in Bioethics', *Advances in Physiology Education*, 46.2 (2022), 268–78
<https://doi.org/10.1152/advan.00008.2022>
- Fatih, Sholahuddin Al, Muchamad Ali Safaat, Aan Eko Widiarto, Dhia Al Uyun, and Muhammad Nur, 'Understanding Delegated Legislation in The Natural Resources Sector', *BESTUUR*, 11.2 (2023), 290
<https://doi.org/10.20961/bestuur.v11i2.78125>
- Gao, Qi, 'Retrospect and Prospect: Public Participation in Environmental Impact Assessment in China', *Environmental Impact Assessment Review*, 101 (2023), 107146 <https://doi.org/10.1016/j.eiar.2023.107146>
- Gerzso, Thalia, 'Judicial Resistance during Electoral Disputes: Evidence from Kenya', *Electoral Studies*, 85 (2023), 102653
<https://doi.org/10.1016/j.electstud.2023.102653>
- Gunawan, Yordan, and Mohammad Hazyar, 'The Climate Change Litigation

- Based Human Rights Approach in Corporations: Prospects and Challenges', *Journal of Human Rights, Culture and Legal System*, 3.2 (2023), 288–307 <https://doi.org/10.53955/jhcls.v3i2.116>
- Hartiwiningsih, Hartiwiningsih, and Seno Gumbira, 'Dysfunctional Factors of Environmental Law on Strategic Lawsuit Against Public Participation and Developing Remedial Strategies Through Reconstruction Criminal Law System Model in Indonesia', *PADJADJARAN Jurnal Ilmu Hukum (Journal of Law)*, 10.3 (2023), 411–30 <https://doi.org/10.22304/pjih.v10n3.a6>
- Huang, Gillan Chi-Lun, Rung-Yi Chen, and Byung-Bae Park, 'Democratic Innovations as a Party Tool: A Comparative Analysis of Nuclear Energy Public Participation in Taiwan and South Korea', *Energy Policy*, 153 (2021), 112251 <https://doi.org/10.1016/j.enpol.2021.112251>
- Huda, Ni'matul, Dodik Setiawan Nur Heriyanto, and Allan Fatchan Gani Wardhana, 'The Urgency of the Constitutional Preview of Law on the Ratification of International Treaty by the Constitutional Court in Indonesia', *Heliyon*, 7.9 (2021), e07886 <https://doi.org/10.1016/j.heliyon.2021.e07886>
- Jaelani, Abdul Kadir, Muhammad Jihadul Hayat, Resti Dian Luthviati, Sholahuddin Al Fatih, and Abdur Rohim, 'Green Tourism Regulation on Sustainable Development: Droning from Indonesia and China', *Journal of Indonesian Legal Studies*, 8.2 (2023) <https://doi.org/10.15294/jils.v8i2.72210>
- Jaelani, Abdul Kadir, Reza Octavia Kusumaningtyas, Resti Dian Luthviati, Sholahuddin Al Fatih, and Ahmad Siboy, 'Green Legality Certificate on Agrarian Reform: Indonesian Experience', *KnE Social Sciences*, 2024 <https://doi.org/10.18502/kss.v8i21.14713>
- Jamin, Mohammad, Abdul Kadir Jaelani, Mulyanto Mulyanto, Reza Octavia Kusumaningtyas, and Duc Quang Ly, 'The Impact of Indonesia's Mining Industry Regulation on the Protection of Indigenous Peoples', *Hasanuddin Law Review*, 9.1 (2023), 88 <https://doi.org/10.20956/halrev.v9i1.4033>
- Kadir Jaelani, Abdul, Reza Octavia Kusumaningtyas, and Asron Orsantinutsakul, 'The Model of Mining Environment Restoration Regulation Based on Sustainable Development Goals', *Legality: Jurnal Ilmiah Hukum*, 30.1 (2022), 131–46 <https://doi.org/10.22219/ljih.v30i1.20764>
- Karjoko, Lego, I. Gusti Ayu Ketut Rachmi Handayani, Abdul Kadir Jaelani, and Muhammad Jihadul Hayat, 'Indonesia's Sustainable Development Goals Resolving Waste Problem: Informal to Formal Policy', *International Journal of Sustainable Development and Planning*, 17.2 (2022), 649–58 <https://doi.org/10.18280/ijstdp.170230>
- Lambais, Guilherme, and Henrik Sigstad, 'Judicial Subversion: The Effects of

- Political Power on Court Outcomes', *Journal of Public Economics*, 217 (2023), 104788 <https://doi.org/10.1016/j.jpubeco.2022.104788>
- Leonard, Tommy, Heriyanti Heriyanti, Elvira Fitriyani Pakpahan, and Rakotoarisoa Maminirina Fenitra, 'The Influence of Green Tax Regulations on New Renewable Energy Funding in Indonesia', *BESTUUR*, 11.2 (2024), 384 <https://doi.org/10.20961/bestuur.v11i2.82506>
- Liu, Chelsea, 'Judge Political Affiliation and Impacts of Corporate Environmental Litigation', *Journal of Corporate Finance*, 64 (2020), 101670 <https://doi.org/10.1016/j.jcorpfin.2020.101670>
- Liu, Chelsea, Chee Seng Cheong, and Ralf Zurbrugg, 'Rhetoric, Reality, and Reputation: Do CSR and Political Lobbying Protect Shareholder Wealth against Environmental Lawsuits?', *Journal of Financial and Quantitative Analysis*, 55.2 (2020), 679–706 <https://doi.org/10.1017/S0022109019000073>
- Liu, Yu, Yiming Li, Fan Jiang, and Shi Yin, 'Diversifying Natural Resources for Green Recovery in China: Strategies and Solutions', *Resources Policy*, 88 (2024), 104399 <https://doi.org/10.1016/j.resourpol.2023.104399>
- Liu, Yurou, 'Judicial Independence and Crash Risk: Evidence from a Natural Experiment in China', *Journal of Corporate Finance*, 83 (2023), 102490 <https://doi.org/10.1016/j.jcorpfin.2023.102490>
- Martitah, Martitah, Arif Hidayat, Rahayu Fery Anitasari, Malik Akbar Mulki Rahman, and Triska Rahmatul Aini, 'Transformation of the Legislative System in Indonesia Based on the Principles of Good Legislation', *Journal of Indonesian Legal Studies*, 8.2 (2023) <https://doi.org/10.15294/jils.v8i2.69262>
- Mukti, Hudali, and Bobur Baxtishodovich Sobirov, 'Environmental Justice at the Environmental Regulation in Indonesia and Uzbekistan', *Journal of Human Rights, Culture and Legal System*, 3.3 (2023), 476–512 <https://doi.org/10.53955/jhcls.v3i3.171>
- Neto, Pedro Bigolin, and Alexandra Mallett, 'Public Participation in Environmental Impact Assessment Processes through Various Channels – Can You Listen to Us Now? Lessons from a Brazilian Mining Case', *The Extractive Industries and Society*, 13 (2023), 101186 <https://doi.org/10.1016/j.exis.2022.101186>
- Partzsch, Lena, Lukas Maximilian Müller, and Anne-Kathrin Sacherer, 'Can Supply Chain Laws Prevent Deforestation in the Democratic Republic of the Congo and Indonesia?', *Forest Policy and Economics*, 148 (2023), 102903 <https://doi.org/10.1016/j.forpol.2022.102903>
- Purwendah, Elly Kristiani, Aniek Periani, and Elisabet Pudyastiwi, 'Regulation and Protection of the Sea from Oil Pollution by Tanker Ships in Indonesia', *Media Komunikasi FPIPS*, 20.1 (2021), 1

<https://doi.org/10.23887/mkfis.v20i1.30419>

Putro, Widodo Dwi, and Adriaan W. Bedner, 'Ecological Sustainability from a Legal Philosophy Perspective', *Journal of Indonesian Legal Studies*, 8.2 (2023) <https://doi.org/10.15294/jils.v8i2.71127>

Ratnawati, Elfrida, Laurensius Arliman S, Meta Indah Budhianti, Vience Ratna Multi Wijaya, and Aida Abdul Razak, 'The Cabotage Principle on Law Enforcement for Licensing Ship Operations in Indonesian Waters', *Journal of Human Rights, Culture and Legal System*, 3.3 (2023), 678–705 <https://doi.org/10.53955/jhcls.v3i3.182>

Riyadi, Eko, and Sahid Hadi, 'Strategic Lawsuit against Public Participation (SLAPP): A Legal Based Threat to Freedom of Expression', *PADJADJARAN Jurnal Ilmu Hukum (Journal of Law)*, 8.1 (2021), 141–62 <https://doi.org/10.22304/pjih.v8n1.a7>

Schilling-Vacaflor, Almut, and Maria-Therese Gustafsson, 'Integrating Human Rights in the Sustainability Governance of Global Supply Chains: Exploring the Deforestation-Land Tenure Nexus', *Environmental Science & Policy*, 154 (2024), 103690 <https://doi.org/10.1016/j.envsci.2024.103690>

Schmuck, Roland, 'The Use of Online Business Models', *Procedia Manufacturing*, 54 (2020), 45–51 <https://doi.org/10.1016/j.promfg.2021.07.008>

Smith, Jonathan Davis, Ronald Adam, and Samsul Maarif, 'How Social Movements Use Religious Creativity to Address Environmental Crises in Indonesian Local Communities', *Global Environmental Change*, 84 (2024), 102772 <https://doi.org/10.1016/j.gloenvcha.2023.102772>

Spiegel, Samuel J., 'Climate Injustice, Criminalisation of Land Protection and Anti-Colonial Solidarity: Courtroom Ethnography in an Age of Fossil Fuel Violence', *Political Geography*, 84 (2021), 102298 <https://doi.org/10.1016/j.polgeo.2020.102298>

Suntana, Ija, Iu Rusliana, Chay Asdak, and Lubna Gazalba, 'Ideological Distrust: Re-Understanding the Debate on State Ideology, Normalization of State-Religion Relationship, and Legal System in Indonesia', *Heliyon*, 9.3 (2023), e14676 <https://doi.org/10.1016/j.heliyon.2023.e14676>

Syahr, Z H A, and S G M S R Putra, 'The Development of Environmental Case Handling Policy in Indonesian Court', *IOP Conference Series: Earth and Environmental Science*, 1109.1 (2022), 012049 <https://doi.org/10.1088/1755-1315/1109/1/012049>

Syapriallah, Aditia, Yahya Ahmad Zein, and Tove H.Malloy, 'A Social Justice Legitimacy to Protect Coastal Residents', *Journal of Human Rights, Culture and Legal System*, 3.3 (2023), 541–68 <https://doi.org/10.53955/jhcls.v3i3.159>

- Torodji, Rais, Hartiwiningsih Hartiwiningsih, I Gusti Ayu Ketut Rachmi Handayani, and Muhammad Nur, 'The Role of the Corporate Penalty System on Environmental Regulation', *Journal of Human Rights, Culture and Legal System*, 3.3 (2023), 600–624 <https://doi.org/10.53955/jhcls.v3i3.179>
- Tu, Zhengge, Tianyang Hu, and Renjun Shen, 'Evaluating Public Participation Impact on Environmental Protection and Ecological Efficiency in China: Evidence from PITI Disclosure', *China Economic Review*, 55 (2019), 111–23 <https://doi.org/10.1016/j.chieco.2019.03.010>
- Wang, Liyuan, 'Application of Information Technology in Judicial Field: The Development Model of Online Litigation in China', *Computer Law & Security Review*, 52 (2024), 105936 <https://doi.org/10.1016/j.clsr.2024.105936>
- Wijatmoko, Erlan, Armaidly Armawi, and Teuku Faisal Fathani, 'Legal Effectiveness in Promoting Development Policies: A Case Study of North Aceh Indonesia', *Heliyon*, 9.11 (2023), e21280 <https://doi.org/10.1016/j.heliyon.2023.e21280>
- Xiang, Mao Jun, and Belengar Francis Maïnkade, 'The Human Rights-Based Approach to Sustainable Development: Lessons from Recent African Investment Treaty Practice', *Heliyon*, 9.8 (2023), e18578 <https://doi.org/10.1016/j.heliyon.2023.e18578>
- Zhang, Huaiyin, Rongrong Wang, and Kui Cai, 'Research on the Application and Examination of Electronic Evidence Preserved on the Blockchain in Chinese Copyright Judicial Practice', *Computer Law & Security Review*, 52 (2024), 105891 <https://doi.org/10.1016/j.clsr.2023.105891>
- Zhang, Ming, Ying Yang, Panpan Du, Jiancheng Wang, Yaoyao Wei, Jiayan Qin, and others, 'The Effect of Public Environmental Participation on Pollution Governance in China: The Mediating Role of Local Governments' Environmental Attention', *Environmental Impact Assessment Review*, 104 (2024), 107345 <https://doi.org/10.1016/j.eiar.2023.107345>
- Zhang, Peng, 'Anti-Corruption Campaign, Political Connections, and Court Bias: Evidence from Chinese Corporate Lawsuits', *Journal of Public Economics*, 222 (2023), 104861 <https://doi.org/10.1016/j.jpubeco.2023.104861>
- Zhou, Xiafei, Guozhi Cao, Binbin Peng, Xiangyu Xu, Fang Yu, Zesheng Xu, and others, 'Citizen Environmental Complaint Reporting and Air Quality Improvement: A Panel Regression Analysis in China', *Journal of Cleaner Production*, 434 (2024), 140319 <https://doi.org/10.1016/j.jclepro.2023.140319>