RELEVANCE OF ECOLABEL ON TEXTILE/TEXTILE PRODUCTS TO SUPPORT SUSTAINABLE CONSUMPTION AND PRODUCTION PATTERN IN INDONESIA

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Abstract

Everyone has the right to have access to sufficient, safe and physically accessible water for personal and domestic use. River is one of the water resources, which is highly necessary for the people who live in close contact with it. In the past few years there have been several law cases of water pollution in some Indonesian rivers caused by textile factories, which had been releasing untreated wastewater into the river. The wastewater had become harmful to humans and river life mostly due to toxic synthetic dyes chemicals used in textile production. This research aims to provide the reasons to apply the ecolabel on the textile/textile products regarding sustainable development especially the Sustainable Development Goal (SDG) number 12: Sustainable Consumption and Production, which requires that people urgently reduce their ecological footprint by changing the way they produce and consume goods. This is a qualitative juridical normative study with statute approach, historical approach, and philosophical approach, conducted by using secondary data and collected by using the method of literature review. According to this research, ecolabel on textile/textile products is relevant to support sustainable consumption and production pattern in Indonesia because it is a way to protect and preserve the environment especially river water in accordance with the international environmental laws regarding sustainable development, Indonesian legislation regarding sustainable development, and Dignified Justice.

Keywords: Ecolabel on Textile/Textile Products, Sustainable Development, Sustainable Consumption and Production, Dignified Justice.

1. INTRODUCTION

The United Nations recognized that water is one of the human rights and it is essential to every person’s life so everyone in the world deserves access to clean water. Everyone has the right to life, liberty and security of person. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services. Moreover, in a resolution of 8 October 2021, the United Nations Human Rights Council recognized, with 43 votes in favor and 4 abstentions, that access to a healthy and sustainable environment is a universal right. Although non-binding, this resolution could be a first step toward filling a significant

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2 Article 3 of The Universal Declaration of Human Rights.
3 Article 25 (1) of The Universal Declaration of Human Rights.
gap in international law.\textsuperscript{4} In Indonesia, Government is constitutionally responsible to provide clean water for the society by making various efforts and establishing policies. According to The 1945 Constitution of The Republic of Indonesia, every person is entitled to live prosperous physically and spiritually, to have a place to reside and to acquire a good and healthy living environment and shall have the right to obtain medical care,\textsuperscript{5} and that the land, the waters and the natural resources within shall be under the powers of the State and shall be used to the greatest benefit of the people.\textsuperscript{6} Furthermore, the right to a safe environment is expressed in The Law Number 39 of 1999 concerning Human Rights, which states that everyone has the right to an adequate and healthy environment.\textsuperscript{7}

Regardless of those acknowledgments of a safe environment as part of human rights, some rivers in Indonesia have been polluted by textile factories in the past few years, among them is Citarum River in West Java.\textsuperscript{8} According to the finding in 2021, textile factories disposed tons of untreated toxic waste into the river every day, which makes the Citarum River as the dirtiest river in the world.\textsuperscript{9} PT Kamarga Kurnia Textile Industry is one of the textile companies, which is found guilty of polluting a section of the Citarum River and the lawsuit was filed by The Environment and Forestry Ministry due to the lack of commitment in processing the hazardous and toxic waste produces by its factory. For this reason, the judges of the Bale Bandung District Court in West Java sanctioned the company to pay compensation of Rp 4.25 billion for polluting the river.\textsuperscript{10} The chemicals disposed into the river are derived from the use of synthetic dyes in textile production. This should not exceed the allowed standard of Chemical Oxygen Demand (COD), which is 150 mg/L. If the COD has reached beyond the standard, it will harm the aquatic organisms and the people living in the surrounding area\textsuperscript{11} and this phenomenon is against the statement of law that the people

\textsuperscript{5} Article 28H (1) of The 1945 Constitution of The Republic of Indonesia.
\textsuperscript{6} Article 33 (3) of The 1945 Constitution of The Republic of Indonesia.
\textsuperscript{7} Article 9 (3) of The Law Number 39 of 1999 concerning Human Rights.
have right to water to fulfill minimum daily basic needs for a life that healthy and clean with enough quantity, good quality, good, safe, sustainable, and affordable.  

From the perspective of textile entrepreneurs, they prefer to use synthetic dyes due to the lack of natural dyes availability and technical issues in applying dyes to their products. As the result, the production cost will increase, which will make the price higher and in the end it will affect the consumers’ decision in buying the products since they prefer the low-priced ones. According to law of supply and demand, one of the most basic economic laws, there is a close relation between the textile entrepreneur’s behavior as sellers of a resource and the consumer’s behavior as buyers for the resource. This theory defines the relationship between the price of a given product and the willingness of consumer to buy it according to the law of demand which says that the higher the price of a product, the fewer people will demand that product and people will avoid buying it. It is important to note that not only textile factories are guilty of polluting the river but also consumer behavior contributes to the polluted rivers. It is therefore high time for the Government to raise public awareness about the dangers of unsustainable textile production to environment especially river water by making policies to handle the situation, among others through an ecolabel on textile/textile products as one of environmental economic instruments and through this ecolabel it is hoped that society will have the initiative to participate actively in supporting the sustainable consumption and production pattern.

Ecolabel, as a kind of consumer information, can support the sustainable consumption and production pattern, which is set as goal number 12 of the Sustainable Development Goal (SDG), which can help consumers differentiate environment-friendly products from the ones that are not. Ecolabel is given to environment-friendly products based on a life-cycle analysis of the product consisting of the analysis of its raw materials up to its disposal back to nature, which means that all processes related to the product are safe for the

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12 Article 6 of The Law Number 17 of 2019 concerning Water Resources.
15 Ibid.
18 Article 1 Number 20 of The Government Regulation Number 46 of 2017 concerning Environmental Economic Instruments.
Ecolabelling is aimed to preserve the environment by changing people’s way of thinking about their lifestyle in consuming goods and it is one of the environmental economic instruments in the form of incentive (reward) and disincentive (punishment) that applies to entrepreneurs. Based on the description above, the research question is as follows: Why is ecolabel on textile/textile products relevant to support sustainable consumption and production pattern in Indonesia? The question indicates the importance of ecolabel on textile/textile products to support the sustainable consumption and production pattern in Indonesia, in the hope that this insight will raise public awareness to practice the ecolabel’s scheme on textile/textile products so that the society will preserve river water voluntarily in full consciousness. This is in line with the thought that law is for man and not man for the law, since the law is made to be practiced by the man. If the law is never be practiced, it indeed loses its function as a law. The human makes the law, and the human himself put the law into operation.

2. RESEARCH METHODS

This is qualitative juridical normative research. Normative legal research is a type of legal research, which is conducted by examining library materials or secondary data consisting of sources derived from primary, secondary, and tertiary legal materials. Those materials are collected by using the method of literature review and analyzed using qualitative analysis. The primary legal materials in this research consist of national laws such as The 1945 Constitution of The Republic of Indonesia, The Law Number 39 of 1999 concerning Human Rights, The Law Number 17 of 2007 concerning Long Term National Development Plan, The Law Number 32 of 2009 concerning Protection and Management of Environment, The Law Number 17 of 2019 concerning Water Resources, The Government Regulation Number 46 of 2017 concerning Environmental Economic Instruments, and international laws such as The Universal Declaration of Human Rights 1948, The Stockholm

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21 Satjipto Rahardjo, Hukum Dan Masyarakat (Bandung: Angkasa, 1979), 71, 72.
23 Tommy Hendra Purwaka, Metode Penelitian Hukum (Jakarta: Universitas Atma Jaya, 2011), 34.
Declaration on the Human Environment 1972, The Report of The World Commission on Environment and Development: Our Common Future 1987, The Rio Declaration on Environment and Development 1992, The Future We Want: Outcome Document of the United Nations Conference on Sustainable Development 2012, and Transforming Our World: The 2030 Agenda for Sustainable Development. The secondary legal materials used are law publications, which are not official documents including textbooks and legal journals. This research applies several approaches such as the statute approach (laws related to environment protection, sustainable development, and ecolabel), the historical approach (facts related to where ecolabel derived from), and the philosophical approach (Pancasila: Five Principles of Indonesian State).

3. ANALYSIS AND DISCUSSION

3.1. Theories and Concepts

Justice is one of the legal ideals according to Gustav Radbruch (1878 – 1949), who classified the legal ideals into three basic values of legal objectives: justice, expediency, and legal certainty. Those three values on the one hand are aimed to create a harmonization of law enforcement, but on the other hand are vulnerable to the contradiction between each other. In case it occurs, justice ought to be given more priority than other values, in line with the maxim ‘Summum ius summa injuria’, the more detailed law is, the more justice is sacrificed, therefore justice must be favored among others.

Aristoteles (384 – 322 BC) in his ‘Nicomachean Ethics’ explains the way how to be a complete human by living wisely to build a meaningful yet happy life ever. The way of his thinking describes a purpose of human life consisting of temporary and final purposes, which means that the temporary purposes have the function to help achieve the final purpose. If the final purpose achieved, there will be nothing more a human wants in his life. This is what he called ‘Eudaimonia’, or true happiness. Otherwise, if the final purpose is not yet fulfilled, humans will always be looking for something to satisfy themselves. That final purpose is called happiness. Justice is complete virtue in relation to another and therefore justice is often thought to be the greatest of virtues. It is complete
because he who possesses it can exercise his virtue not only in himself but toward another also. It is related to another, because it does what is advantageous to another.\textsuperscript{30}

Teguh Prasetyo, through his Theory of Dignified Justice (a justice concept based on Pancasila, the Five Principles of Indonesian State), elaborates a concept known as ‘humanizing humans’, based on material and spiritual aspects. The material aspect is derived from the second principle of Pancasila; Just and civilized humanity, which is constructed on the spiritual aspect that is derived from the first principle; Belief in the Almighty God. The concept of Dignified Justice emphasizes the value of humanity in the second principle, which is based on the first principle and in connection with the third, fourth and fifth principles. The fifth principle; Social justice for all of the people of Indonesia, is hence the final target of this concept. It is a fundamental justice, which tries to get in line with the will of God on the one side and the will of the ‘Volkgeist’ (the national spirit) of Indonesian people on the other side.\textsuperscript{31} Dignified Justice is aiming to realize the three legal basic values namely justice, expediency and legal certainty, which are unity.\textsuperscript{32} Teguh Prasetyo describes the justice concept in the second and fifth principles of Pancasila. The value of humanity contained in the second principle consists of: (a) acknowledgment of the human dignity with all his basic rights and basic obligations, (b) fair treatment toward his fellow human beings, toward himself and toward God, (c) acknowledgment of the fact that civilized human being has freedom of creativity, feelings, and faith. The value of social justice contained in the fifth principle consists of: (a) fair treatment in all life aspects such as political, economic, social, and cultural aspect in particular, (b) social justice that reach all Indonesian people, (c) balance between rights and obligations, (d) respect for anyone’s belonging, (e) prosperous people in a fair way materially and spiritually.\textsuperscript{33}

Pancasila is the philosophy and the way of life for the Indonesian people and plays the role of the foundation and main source of Indonesian legislation that differs the state from other states as ‘rechtsstaat’ (state of law) as stated in Article 1 (3) of The 1945 Constitution of The Republic of Indonesia. This is the reason why Indonesia is called the ‘Pancasila-State of Law’. The difference to other states is among others the implementation

\textsuperscript{31} Teguh Prasetyo, \textit{Keadilan Bermartabat – Perspektif Teori Hukum} (Bandung: Nusa Media, 2015), 69.
\textsuperscript{32} \textit{Ibid.}, 52.
of basic rights, which is far from individualistic compared to the western world. In Indonesia, rights and obligations have to be considered equally and none should be put before another.\textsuperscript{34} The values of Pancasila must always be reflected in all laws in Indonesia, because Pancasila is the fundamental and the highest norm in the hierarchy of all laws, followed by The 1945 Constitution of The Republic of Indonesia and the Resolutions of Peoples’ Consultative Assembly as ‘\textit{Staatsgrundgesetz}’, then followed by implementing laws such as Government Regulations, Presidential Decrees, Ministerial Decrees, etc.\textsuperscript{35} Hence, the Theory of Dignified Justice is appropriate for the topic in this research to find the relevance of ecolabel on textile/textile products because this theory is based and constructed on Pancasila, the \textit{Volksgeist} of the Indonesian people.

3.2. The Ecolabel and Sustainable Consumption and Production Pattern in Indonesia

3.2.1. According to international environmental laws

Ecolabel on textile/textile products, initially born in the framework of Sustainable Consumption and Production (SCP), is part of SDG number 12, which is aimed to help preserve the environment through sustainable lifestyle. It is an instrument to promote the Consumer Information program that belongs to SCP, a concept of production and use of products, which respond to basic needs and improve quality of life by minimizing the use of natural resources and toxic materials over the life cycle of the products in consideration of the needs of future generations.\textsuperscript{36} Since ecolabel is related to SCP, it is then necessary to trace the history of ecolabel in order to find its relevance to support SCP.

The idea of sustainable development was first declared in the document of The Stockholm Declaration on the Human Environment as the result of The UN Conference on the Human Environment, which was held in Stockholm, Sweden from 5 – 16 June 1972. All international conventions concerning environment preservation started since then, and because of that, The Stockholm Declaration is considered as the foundation of the modern international environmental laws. It plays a role as a soft law and should be obeyed by the

\textsuperscript{34} Joko Sasmito, \textit{Pengantar Negara Hukum Dan HAM} (Malang: Setara Press, 2018), 2.
\textsuperscript{35} Darji Darmodiharjo dan Shidarta, \textit{Pokok-Pokok Filsafat Hukum – Apa dan Bagaimana Filsafat Hukum Indonesia} (Jakarta: PT Gramedia Pustaka Utama, 2008), 57 – 58.
\textsuperscript{36} United Nations, “Consumer Information, including Ecolabelling,” UN Environment Programme, accessed 27 March, 2022, \url{Consumer Information, including Ecolabeling | UNEP - UN Environment Programme}.  


international people in making future environmental laws in their respective countries.\footnote{Sukanda Husin, \textit{Hukum Lingkungan Internasional} (Jakarta: Rajawali Pers, 2016), 6.} The Stockholm Declaration consists of 26 principles that emphasize the human right to environment in general. Man has the fundamental right to freedom, equality, and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for present and future generations. Principle 2 states that the natural resources of the earth, including the air, water, land, flora and fauna must be safeguarded for the benefit of present and future generations through careful planning or management, as appropriate. According to Principle 6, the discharge of toxic substances or of other substances, in such quantities or concentrations as to exceed the capacity of the environment to render them harmless, must be halted in order to ensure that serious or irreversible damage is not inflicted upon ecosystems. Principle 8 says that economic and social development is essential for ensuring a favorable living and working environment for man and for creating conditions on earth that are necessary for the improvement of the quality of life. Principle 13 states that in order to achieve a more rational management of resources and thus improve the environment, states should adopt an integrated and coordinated approach to their development planning so as to ensure that development is compatible with the need to protect and improve the environment for the benefit of their population. Principle 21 says that states have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction. According to those principles, The Stockholm Declaration underlined the equality between basic human rights and basic human obligations (responsibility) toward the environment.\footnote{United Nations, “Declaration of The United Nations Conference on The Human Environment,” Conference | Environment and sustainable development, accessed March 28, 2022, \url{United Nations Conference on the Human Environment, Stockholm 1972 | United Nations}.}

In response to The Stockholm Declaration, a sub-organization of the United Nations named The World Commission on Environment and Development was founded in 1983, which aimed to unite countries in pursuit of sustainable development. The commission made a report on environment and global problematique to the year 2000 and beyond, including strategies to contribute to sustainable development and in 1987 it released a
document ‘The Report of The World Commission on Environment and Development: Our Common Future’, also known as ‘The Brundtland Report’. According to the Chairman’s Foreword of the report, the environment is where we all live, and development is what we all do in attempting to improve our lot within that abode. The two are inseparable. Many of the development paths of the industrialized nations are clearly unsustainable. And the development decisions of these countries, because of their great economic and political power, will have a profound effect on the ability of all peoples to sustain human progress for generations to come.\(^{39}\)

On the 20th anniversary of the first Human Environment Conference in Stockholm, Sweden in 1972, The United Nations held a conference following The Brundtland Report, named The UN Conference on Environment and Development, known as The Earth Summit, which took place in Rio de Janeiro, Brazil from 3 – 14 June 1992. It highlighted a broad agenda and new blueprint for global action on environmental and development issues, which would help guide international cooperation and development policies in the 21st century. It also set new perceptions ahead on the way people produce and consume, the way they live and work and the way they make decisions. This kind of development needs cooperation between governments and their citizens on how to ensure sustainability for development in their respective countries.\(^{40}\) The Earth Summit resulted in 5 major documents, among them are the Rio Declaration with its 27 universal principles as an elaboration of The Stockholm Declaration, and Agenda 21, which is a program of action calling for strategies to achieve sustainable development through new methods of education, new ways of preserving natural resources, and new ways of participating in a sustainable economy.\(^{41}\)

The Earth Summit provided fundamental principles and programs of action for achieving sustainable development. Some key principles of The Rio Declaration are as follows: According to Principle 1, human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature. Principle 2 declares that states have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own


\(^{41}\)Ibid.
resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction. Principle 3 says that the right to development must be fulfilled to equitably meet the developmental and environmental needs of present and future generations. Principle 8 demands that to achieve sustainable development and a higher quality of life for all people, states should reduce and eliminate unsustainable patterns of production and consumption and promote appropriate demographic policies. And Principle 10 says that environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available.\(^{42}\) Meanwhile, in Chapter 18 of Agenda 21 it is stated that water is needed in every aspect of life, thus the general objective is to ensure that adequate supplies of water of good quality are maintained for the entire population on Earth. Based on those principles, all countries ought to take action to develop sustainable development in their respective countries to save the global environment including water resources as part of basic human rights by implementing patterns like sustainable consumption and production that involve everyone in the society.\(^{43}\)

To review the progress since The Earth Summit in Rio and to agree with a new global deal on sustainable development, The United Nations held the World Summit on Sustainable Development in Johannesburg, South Africa from 26 August – 4 September 2002, which resulted in Plan of Implementation of the World Summit on Sustainable Development, known as Johannesburg Plan of Implementation (JPOI). This conference was attended by participants including heads of State and Government, national delegates, and leaders from non-governmental organizations, businesses and other major groups and resulted decisions that related to water, energy, health, agriculture, biological diversity, and other areas of concern to achieve development that takes environment into account. The commitments made was among others commitment to elaborate the sustainable


According to JPOI, states must change unsustainable patterns of consumption and production by encouraging the development of a 10-year framework of programs (The 10FYP) to accelerate the change towards sustainable consumption and production through improving sustainability in the use of resources and production processes, and reducing degradation of resources, pollution, and waste. The countries should implement policies to promote sustainable consumption and production (SCP) and they also must develop programs that would raise awareness of the importance of sustainable production and consumption patterns through education, consumer information, advertising, and other media, considering the cultural values of each country. Not to mention developing voluntary basis, effective, transparent, verifiable consumer information tools to provide information regarding sustainable consumption.

Ten years after the Johannesburg Summit, The UN Conference on Sustainable Development or Rio+20 was held in Rio de Janeiro, Brazil from 20 – 22 June 2012. The conference resulted in the document Future We Want, which contains practical measures for implementing sustainable development. The states drafted sustainable development goals (SDGs) for years from 2015 – 2030 and adopted fundamental guidelines on green economy policies. They also adopted the 10YFP on sustainable consumption and production patterns, known as the 10YFP SCP. Green economy contains economic activities, which put priority on reduced pollution and carbon emissions, resource efficiency, and prevent the extinction of biodiversity and ecosystem services. The 10YFP SCP adopted a program called Consumer Information (CI), known as 10YFP CI-SCP, which was launched in The Marrakech Process in Morocco in June, 2003. The programs aim to facilitate practical choice by consumers through accessible and reliable information.

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45 The 10YFP aims at enhancing international cooperation and accelerating the change towards sustainable consumption and production (SCP) patterns. It provides access to technical and financial assistance for developing countries and attempts to develop, replicate and scale up SCP and resource efficiency initiatives, decouple environmental degradation and resource use from economic growth, and increase the contribution of economic activities to resource efficiency and productivity, social development and environmental sustainability. United Nations, “The 10 Year Framework of Programmes on Sustainable Consumption and Production Patterns (10YFP),” UN Sustainable Development Goals – Knowledge Platform, accessed April 16, 2022, The 10 Year Framework of Programmes on Sustainable Consumption and Production Patterns (10YFP):Sustainable Development Knowledge Platform (un.org).


by market suppliers based on sustainable life-cycle analysis. Consumer Information tools include ecolabels, product declarations, voluntary standards, marketing claims and life cycle analysis, which give information about the impacts of goods and services during their lifetime and including their end-of-life.\textsuperscript{48} CI-SCP is hence an effective strategy to lead consumers to sustainable consumption called ‘Green Consumers’.

Based on the draft of the SDGs made in the Rio+20, The United Nations held The UN Summit on Sustainable Development in New York, USA from 25 – 27 September 2015 and resulted in the document ‘Transforming Our World: The 2030 Agenda for Sustainable Development’. The document is a plan consisting of 17 goals and 169 targets, which aim to find new ways to improve the lives of the people and protect the environment.\textsuperscript{49} SDG number 12 ensures the SCP patterns through various measures on the management of materials that are toxic to the environment. Its targets are among others implementing the 10YFP SCP, by 2030 achieving the sustainable management and efficient use of natural resources, by 2020 achieving environmentally sound management of chemicals and all wastes throughout their life cycle and significantly reducing their release to air, water, and soil to minimize the negative impacts on human health and the environment. Implementing the SDGs is a commitment of the states to work for the full implementation of the agenda by 2030.\textsuperscript{50} Hence, in 2030 all states including Indonesia must present the implementation in their respective countries.

Conclusion: Ecolabel on textile/textile products is relevant to support sustainable consumption and production (SCP) pattern in Indonesia because it is a way to protect and preserve the environment especially river water in accordance with the international environmental laws regarding sustainable development.

\textbf{3.2.2. According to Indonesian legislation}

Indonesia is one of the member states who participated in the rally of the UN conferences concerning the concept of sustainable development,\textsuperscript{51} consequently, the

\textsuperscript{48} United Nations, “Consumer Information, including Ecolabelling, ”Consumer Information, including Ecolabelling,”, \textit{Op.Cit.}


\textsuperscript{50} United Nations, “Goal 12: Ensure sustainable consumption and production patterns,” Department of Economic and Social Affairs, accessed April 5, 2022, \url{Sustainable consumption and production (un.org)}.

Government ought to make relevant laws, which can encourage, stimulate, initiate, and motivate society as one of the stakeholders to contribute to sustainable development. The 1945 Constitution of The Republic of Indonesia, as the highest in the hierarchy in Indonesia legislation, puts environmental sustainability into consideration by setting it in Article 33 (4) declaring that the organization of the national economy shall be based on the economic democracy upholding the principles of solidarity, efficiency along with justice, sustainability, environmental perspective, self-sufficiency and keeping a balance in the unity of the national economy.\(^{52}\) In relation to this, Article 28H (1) says that each person has the right to live in physical and spiritual prosperity, to have a home and to enjoy a healthy environment.\(^{53}\) Natural resources and environment have a dual role, as development capital and as a support for living systems. However, the management of these natural resources is still not sustainable and ignores the preservation of environmental functions. As a result, the carrying capacity of the environment and availability of natural resources are decreasing.\(^{54}\) Pollution of water, air, and soil is still not handled properly because of activities that do not pay attention to environmental aspects. For this reason, the Government has prepared plans to control pollution and environmental damage by applying the principles of sustainable development consistently in all fields. Awareness and society’s behavior are needed in managing natural resources and preserving environmental functions in everyday life.\(^{55}\)

According to considering part of The Law Number 32 of 2009 concerning Protection and Management of Environment, a good and healthy environment is a human right and constitutional right of every Indonesian citizen as mandated in Article 28H (1) of The 1945 Constitution of the Republic of Indonesia\(^{56}\), which is in line with Article 9 (3) of The Law Number 39/1999 concerning Human Rights stating that everyone has the right to an adequate and healthy environment.\(^{57}\) Therefore the state, Government and all stakeholders are obliged to protect and preserve the environment in the framework of sustainable development so that the environment can support the life of the people and other living creatures. Sustainable development is a conscious and planned effort that

\(^{52}\) Article 33 (4) of The 1945 Constitution of The Republic of Indonesia.

\(^{53}\) Article 28H (1) of The 1945 Constitution of The Republic of Indonesia.

\(^{54}\) Attachment of The Law Number 17 of 2007 concerning the Long-Term National Development Plan, 20.

\(^{55}\) Ibid., 21.

\(^{56}\) Point (a) of considering part of The Law Number 32 of 2009 concerning Protection and Management of Environment.

\(^{57}\) Article 9 (3) of The Law Number 39/1999 concerning Human Rights.
integrates environmental, social, and economic aspects into a development strategy to ensure the quality of the environment, safety, and welfare of present and future generations.\textsuperscript{58} Environmental protection and preservation aims to protect the territory of the Republic of Indonesia from environmental damages, ensure human life, ensure the preservation of ecosystems, ensure the fulfillment of justice for present and future generations, guarantee the fulfillment of the human right to the environment, and realize the sustainable development.\textsuperscript{59} Everyone who carries out business is obliged to maintain the sustainability of the environmental functions\textsuperscript{60} and society has the same right and opportunity to play an active role in environmental protection.\textsuperscript{61}

Ecolabel is one of the environmental economic instruments, which is regulated in Article 42 and 43 (3) of Law Number 32 of 2009. To preserve the function of environment, Government shall be obliged to develop and implement economic instruments of environment, which shall include the granting of incentives and/or imposing disincentives.\textsuperscript{62} The incentives and/or disincentives shall be granted to and imposed on the development of system of environmentally friendly labeling.\textsuperscript{63} To implement those Articles, the Government published The Government Regulation Number 46 of 2017 concerning Environmental Economic Instruments. Environmental economic instruments are economic policies to encourage Central Government, Local Government, and everyone towards the conservation of environmental functions.\textsuperscript{64} Ecolabelling means labelling environment-friendly products\textsuperscript{65} and aims to change society’s way of thinking and behavior regarding economic activities.\textsuperscript{66} Ecolabelling is particularly regulated in Article 33 – 35 of The Government Regulation Number 46 of 2017. However, this regulation still needs implementing regulation in the form of ministerial regulation to make it effective in the society.\textsuperscript{67}

\textsuperscript{58} Article 1 (3) of The Law Number 32 of 2009 concerning Protection and Management of Environment.
\textsuperscript{59} Article 3 of The Law Number 32 of 2009 concerning Protection and Management of Environment.
\textsuperscript{60} Article 68 (b) of The Law Number 32 of 2009 concerning Protection and Management of Environment.
\textsuperscript{61} Article 70 (1) of The Law Number 32 of 2009 concerning Protection and Management of Environment.
\textsuperscript{62} Article 42 of The Law Number 32 of 2009 concerning Protection and Management of Environment.
\textsuperscript{63} Article 43 (3) of The Law Number 32 of 2009 concerning Protection and Management of Environment.
\textsuperscript{64} Article 1 (1) of The Government Regulation Number 46 of 2017 concerning Environmental Economic Instruments.
\textsuperscript{65} Article 1 (20) of The Government Regulation Number 46 of 2017 concerning Environmental Economic Instruments.
\textsuperscript{66} Article 2 (b) of The Government Regulation Number 46 of 2017 concerning Environmental Economic Instruments.
\textsuperscript{67} Article 34 (4) of The Government Regulation Number 46 of 2017 concerning Environmental Economic Instruments.
Conclusion: Ecolabel on textile/textile products is relevant to support sustainable consumption and production pattern in Indonesia because it is a way to protect and preserve the environment especially river water in accordance with the Indonesian legislation regarding sustainable development.

3.2.3. According to Pancasila (Five Principles of Indonesian State)

The best law is a law that is in line with the Volksgeist (spirit of the nation). According to Friedrich Karl von Savigny (1779 – 1861), law is not made but grows with society. Law is not something that can be arbitrarily created and planned by lawmakers because law is the result of processes that are internal, autonomous, and silently operating in society. This process is rooted in a nation based on belief and communal awareness of the nation, so that law and people cannot be isolated from each other.68 Pancasila is the Volksgeist of the Indonesian nation, thus all laws in Indonesia are based on it. As explained before, Theory of Dignified Justice elaborates a concept of humanizing humans, which is based on material and spiritual aspects. In the view of this philosophy, it is important to find out how the religions in Indonesia (Islam, Protestantism, Catholicism, Hinduism, Buddhism, Confucianism) see the ecolabel on textile/textile products. All Indonesian legislation begins with ‘By the grace of God Almighty’, which shows how strongly religious influences are embedded in the legislation.

3.2.3.1. Spiritual Aspect

According to Islam, humans have two predicates, namely as servants of Allah (Abdullah) as representatives of Allah (Khalifatullah) on earth. As ‘Abdullah’, humans are small and have no power, therefore their duty is to worship and submit to Him. As ‘Khalifatullah’, humans have responsibility and authority while living on earth, including taking care of nature. Humans are required to respect all processes of nature’s creation so that all kinds of destruction cannot be justified because it is like destruction to humans themselves. Animals, plants, and inanimate objects are Allah’s creation, and all are dependent on him. Everything, including nature, is ‘God’s people’, who must be treated fairly and well.69 If humans destroy nature, there are sanctions that will be given. They

should be killed, or their hands and feet should be cut off, or they should be exiled from their homes.\textsuperscript{70}

According to Protestants and Catholics, humans are part of nature. Humans have two predicates, as the image of God (Imago Dei)\textsuperscript{71} and as rulers of the earth.\textsuperscript{72} As the image of God, humans must treat nature as God treats nature. As rulers of the earth, humans are given the power to manage the earth and utilize all its contents, including natural resources. In Hebrew, humans are called ‘adam’, which means earth. In Latin, humans are called ‘homo’, which means soil.\textsuperscript{73} Since humans are created from soil, they must live by managing the land and one day they will return to the land. There is a dependance between humans and nature, therefore if humans destroy the nature, they also damage themselves.\textsuperscript{74} Although humans are given the power to manage nature, God also requires humans to maintain it.\textsuperscript{75} Even though humans are representatives of God over all creatures, their power is limited, therefore humans should not act arbitrarily toward nature.\textsuperscript{76}

According to Hinduism, everything in the world is a creation of God (Sang Hyang Widhi). The universe is the so-called macrocosm or the big world, and humans are the so-called microcosm or part of the universe. If the big world is damaged, humans will feel the impact, therefore humans must maintain a balance between humans and God and between humans and nature. To be against the order of the big world is a sin because by destroying nature, humans destroy themselves who are part of the big world.\textsuperscript{77} In preserving nature, there are local wisdoms, namely ‘Tri Hita Karana’ and ‘Springs as Sacred Area’. ‘Tri Hita Karana’ is a philosophy based on the harmonious relationship between humans and God, humans and each other, and humans and their environment to create a happy life physically and mentally. The essence of Tri Hita Karana is humans because humans are able to preserve nature. According to ‘Springs as Sacred Area’, water sources or places that can hold water are holy. Pure water that comes from springs is believed to have the power to

\textsuperscript{70} Surah Al-Ma‘adah verse 33 of Quran.
\textsuperscript{71} Genesis 1 verse 27 of Bible.
\textsuperscript{72} Genesis 1 verse 28 of Bible.
\textsuperscript{74} See: Genesis 2 verse 7 and 3 verse 19 of Bible.
\textsuperscript{75} See: Genesis 2 verse 15 of Bible.
\textsuperscript{76} Ibid.
purify humans. This belief teaches Hindus to conserve water sources and maintain the cleanliness of the water.\textsuperscript{78}

According to Buddhism, there has to be a balance between the fulfillment of material interests and spiritual growth. Tranquility in a natural environment is a means for spiritual growth that can be done through meditation. It is related to the three main events in Buddha’s life, namely birth, enlightenment, and death, which take place under a tree, therefore forests have a special place in Buddhism. The Buddha’s teaching of mutual respect also applies to plants, so that people who destroy nature are found guilty. Buddha taught that those who follow his teachings need to practice sincere love, not harming all beings, not only to protect human beings but also to protect nature and animals. Buddha saw that all beings in the universe are naturally the same and they are a unity.\textsuperscript{79} Humans are part of the universe because humans come from nature, are nurtured by nature, and will return to nature.\textsuperscript{80}

According to Confucianism, there is a concept of ‘blood brotherhood’ between earth and humans, where humans are considered as part of the earth, because humans, plants, animals, and other parts of nature evolved from the same energy. Confucianism recognizes God as the origin of the universe and who controls the natural system. Humans are responsible to God, to fellow humans, and to the universe. This concept is known as ‘Tian ren he yi’ or ‘God and man are united’. Earth is a very important place for humans to live. The human body comes from the earth and gets food from the earth, while the human spirit is obtained from God so that humans have a spirit and body.\textsuperscript{81} A harmonious relationship with nature is a way to worship God, since the earth is a place for humans to live and its resources are the source of life. Humans should not exploit natural resources because it violates the guidelines set by God.\textsuperscript{82}

\textbf{3.2.3.2. Material Aspect}

\textsuperscript{78} \textit{Ibid.}, 15.
\textsuperscript{80} See: Chapter IV verse 49 of Dhammapada.
\textsuperscript{81} See: Chapter XXI:II verse 13 of Li Ji.
\textsuperscript{82} Paristiyanti Nurwardani, et. al., \textit{Pendidikan Agama Khong Hu Cu di Pendidikan Tinggi}. (Direktorat Pembelajaran dan Kemahasiswaan Kementerian Riset, Teknologi, dan Pendidikan Tinggi Republik Indonesia, 2016), 195 – 221.
Human values in the second principle of Pancasila, which are based on the first principle, describe the relationship between the Indonesian nation and other creatures. The Indonesian nation sees itself as a subject and sees other creatures as subjects too, not objects. ‘Other creatures’ has a broad meaning that includes nature, so humans have an obligation to preserve nature. If someone does not preserve nature or destroys it, he is not a human of God, which means it is contrary to the first principle. Humans were created to take advantage of nature and nature was created to meet the needs of humans to live, therefore humans are required to see the environment as a subject, not as an object that can be exploited arbitrarily.\(^8^3\) As explained before, the human values in the second principle consist of; (a) recognition of human dignity and rights with all of their basic rights and obligations, (b) fair treatment of fellow human beings, oneself, the environment, and God, (c) humans as civilized creatures who have creativity, taste, intention and belief.

The concept of humanizing humans according to the Theory of Dignified Justice means implementing a lifestyle that respects and cares for other humans so that other humans can also live decently. To be able to live properly, humans need a healthy environment. To humanize humans, one must preserve nature so other humans can get a healthy environment. It means, humans do not only have rights to nature, but have obligations to nature as well. In meeting their needs, including the need for clothing, humans are not allowed to hurt the environment such as river water. Dignified Justice requires harmony between the implementation of basic human rights and basic human obligations towards the environment. This concept is in line with the aspects of human rights that are universal and particular. The universal aspect is according to the international laws and acknowledgment concerning human rights, where the particular aspect can be seen from the concept of human rights in Indonesia, which is based on the *Volksgeist* of the Indonesian nation, namely Pancasila. There is a reciprocal relationship between basic human rights and basic human obligations, where everyone not only has rights but also has obligation to respect the rights of others so that their own rights are also respected by others. The implementation of rights and obligations must be balanced, because one will not get his rights if other people do not carry out their obligations.

In the context of the environment, humans are obliged to protect the environment so that they and other humans can get a healthy environment. All creatures in the universe

have the right to live just like humans, according to the values in the second principle of Pancasila as mentioned before. This concept shows a fair and civilized attitude of human beings through environmental preservation, which is the command of God according to the first principle. Indonesian people are religious, so true happiness is the happiness that is obtained if one can apply the command of God Almighty as stated in each of the religious scriptures (spiritual happiness) and on the other hand if one can apply the values of human rights toward others (material happiness). This is what Aristoteles called ‘Eudaimonia’, or true happiness.

Conclusion: Ecolabel on textile/textile products is relevant to support sustainable consumption and production pattern in Indonesia because it is a way to protect and preserve the environment especially river water in accordance with Dignified Justice.

The relevance of the ecolabel on textile/textile products to support sustainable consumption and production pattern in Indonesia according to the international environmental laws regarding sustainable development, Indonesian legislation regarding sustainable development, and Dignified Justice can be seen in the chart as follows.

The results of the chart show that the ecolabel’s scheme on textile/textile products is in line with the international environmental laws regarding sustainable development, the Indonesian legislation regarding sustainable development, and the Volksgeist of the Indonesian nation, which is the core of Dignified Justice concept, and all of these are related to human rights to the environment. It means, the ecolabel’s scheme on textile/textile products takes account of human rights, both spiritual and material aspect, which demand the fulfillment of human rights along with human obligations toward the environment. The balance of fulfillment of basic human rights and basic human obligations is what Dignified Justice is all about. If one wants to be
treated fairly, so he shall treat others fairly as well. If one wants to get a healthy environment, so he shall afford a healthy environment as well.

The concept of basic human rights and basic human obligations is the reason of the urgency of environmental preservation including river water for the benefit of current and future generations. Everyone bears the right to clean river water and the obligation to keep the river water clean. Environmental preservation is part of the sustainable development concept consisting of 17 goals, of which ensuring sustainable consumption and production (SCP) is the SDG number 12. Public awareness plays a very important role to make the regulation concerning ecolabel on textile/textile products effective. This is another challenge for the Government to find strategies and make reasonable policies and regulations, which can raise public interest so that the people have the initiative to participate actively in supporting SCP through ecolabel on textile/textile products. In the end, ecolabel on textile/textile products would bring true happiness (Eudaimonia) to the Indonesian people because it considers the spiritual aspect of Pancasila by applying God’s command to preserve nature, and material aspect of Pancasila by participating in keeping the water river clean as a way to humanize humans.

4. CONCLUSION

The ecolabel on textile/textile products is relevant to support sustainable consumption and production pattern in Indonesia because it is a way to protect and preserve the environment especially river water in accordance with international environmental laws regarding sustainable development, Indonesian legislation regarding sustainable development, and Dignified Justice (a justice concept based on Pancasila, the Five Principles of Indonesian State).

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