

# WHICH GOES FIRST , BUSINESS, ECONOMIC or LAW AS DRIVING FORCE FOR PEACE IN INDONESIA

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## WHICH GOES FIRST , BUSINESS, ECONOMIC or LAW AS DRIVING FORCE FOR PEACE IN INDONESIA.

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### ABSTRACT

Indonesia is a rich country. The potential of its natural wealth is extraordinary, both biological and non biological natural resources. Imaginable, its natural wealth ranging from the richness of the sea, land, earth and other riches contained in this beloved Indonesia earth may not be counted. When viewed geographically, from sabang to merauke, lies not a few islands in Indonesia. With the big island, from Java Island, Sumatra, Kalimantan, Sulawesi and Irian Jaya. But besides that, there are also thousands of islands that surround the nature of Indonesia. Therefore, Indonesia is an archipelagic country that has enormous natural wealth. Human resources are also abundant that can be a potential while creating market opportunities that can drive the economy. In addition to reliance on natural resource factors, Indonesia is also growing supported by large domestic consumption. The future growth of the new middle class is even more enlarged. Another plus point is that the Indonesian nation with its diverse cultures and ethnicities is a unique nation. This cultural and ethnic diversity is indeed an invaluable gift when all its people can live in harmony and peace. However, if not fostered and nurtured with a conducive atmosphere can arise that the name of the split also as it happens today. What about the law in Indonesia? Most people will answer the law in Indonesia that wins who has the power, who have a lot of money would be safe from legal disorders even if the rules of the country violated. Ordinary people who are caught doing a small theft act immediately arrested and thrown into jail. While an entrepreneur or state official who corrupts billions of state-owned money can roam freely. The law is considered sharp down and blunt upwards. Then how to reach the goal of becoming an independent nation. A clean, strong, secure, and dignified nation. Nations that stand on their own feet, sovereign economically, politically sovereign, culturally sovereign. Not trampled, not a slave, not a nerd of another nation. Live safe, comfortable and peaceful as a child of the nation, the son of the Indonesian nation.

**Keywords:** Good Governance, Law Enforcement, Trust, Code of Conduct.

### Introduction

Indonesia is the second highest biodiversity country in the world after Brazil. This fact shows the high biodiversity of Indonesia's biological resources and this, based on the Nagoya Protocol, will be the backbone of sustainable economic development (green economy). Natural wealth in Indonesia is abundantly formed by several factors, among others: Viewed from the side of astronomy, Indonesia lies in the tropics that have high rainfall so many types of plants that can live and grow quickly.

Viewed from the geological side, Indonesia lies at the point of movement of tectonic plates so that many formed mountains rich in minerals. The waters in Indonesia are rich in food sources for many types of plants and marine animals, and also contain various types of mineral resources. The high level of Indonesia's biodiversity is indicated by the presence of 10% of the world's known flowering plants found in Indonesia, 12% of mammals, 16% of reptile animals, 17% of birds, 18% of coral species, and 25% of marine animals. In the field of agriculture, Indonesia is also famous for its rich plantation crops, such as cocoa, rubber, palm oil, cloves, and even timber, many of which ranks top in terms of production in the world.

Natural resources in Indonesia are not limited to biodiversity alone. Various regions in Indonesia are also known as producers of various types of mining materials, such as petroleum, tin, natural gas, nickel, copper, bauxite, tin, coal, gold and silver. In addition, Indonesia also has fertile soil and is well used for various types of plants. The territorial waters reaching 7.9 million km<sup>2</sup> also provide great natural potential.

The fourth paragraph of the preamble of the 1945 Constitution states the formula of Pancasila as the State Basis which reads: Subsequent thereto, to form a government of the state of Indonesia which shall protect all the people of Indonesia and their entire native land, and in order to improve the public welfare, to advance the intellectual life of the people and to contribute to the establishment of a world order based on freedom, abiding peace and social justice, the national independence of Indonesia shall be formulated into a constitution of the sovereign Republic of Indonesia which is based on the belief in the One and Only God, just and humanity, the unity of Indonesia, democracy guided by the inner wisdom of deliberations amongst representatives and the realization of social justice for all of the people of Indonesia.

In an effort to reduce poverty, the role of the private sector is also desperately issued, the government has taken the initiative to encourage the role of the private sector with the issuance of Law no. 40 of 2007 on Limited Liability Companies and Law No. 25 of 2007 on Capital Investment, Law No. 19 of 2003 on State-Owned Enterprises, Law no. 22 of 2001 About Oil and Gas, Law No. 4 of 2009 on Mining MINERBA (Minerals and coal), which requires companies, especially companies that utilize natural resources to issue funds of Corporate Social Responsibility (CSR). With this regulation, it is expected that the private sector, especially the sectors or industries that use natural resources in running their business in order to further enhance its role in overcoming social problems.

The efforts to achieve an increase in the welfare of life for every individual and society at large, in the everyday sense are often referred to as "development, growth, change, modernization, even as, progress" efforts. Development is every effort that is constantly aimed at improving the lives of people and nations that have not been good, or to improve a better life to be more better.

Development mandated in the constitution is very far away from the commercialization effort or in other words the benefits alone. There is a balance between economic, social and environmental, of course. And the basic concept of balance is offered in the principles of sustainable development.

Growing with a strong character or Growth with Character. It is this character that enables an entity to grow sustainably in its sleek terms capable of sustainable growth. Character allows companies or individuals to achieve sustainable growth because the character provides consistency, integrity, and energy. The economy of this nation in its reality is built on "Corruption, Collusion and Nepotism (KKN)". It completely deviates from the concept of Pancasila Economy.

After more than half a century or exactly 72 years since Indonesia became independent, through several changes of government, the Indonesian government tried to implement the Pancasila economic system in the nation's development process. The Pancasila economic system tries to integrate the positive things that exist in both the extreme-communist and capitalist economic systems. The characteristics of justice and togetherness in the Pancasila economic system are derived from the communist system. The characteristics of individual rights and freedoms are derived from the capitalist system, coupled with a feature that does not exist in both systems, namely trust in God Almighty by giving people freedom to embrace religion according to their beliefs. Indonesia experienced a very high and sustained economic growth, success in food self-sufficiency, especially rice, even a rice exporting country, improving health quality, the success of family planning program (KB), the success of compulsory education for elementary school children (SD), and etc.

Unfortunately, towards the end of the 20th century Indonesia experienced an economic crisis that the nation is back down and back into a poor country. Conditions in the period leading up to independence differ from the present, where in the period leading up to independence, poverty is evenly distributed to all Indonesian people, including its leaders. However, there is now a small group of people, conglomerate groups and unscrupulous government officials in the midst of the poverty of most of their people.

The economic crisis was followed by a political and social crisis. Struggle in May 1998, in which students united to depose President Soeharto and his conferees who had reigned for more than 32 years on the highest-ranking throne in the country. Students who rallied to occupy the MPR / DPR building for three days, 19-21 May 1998. Our nation at that time tired, bored, screaming suffered led by authoritarian leaders who only enrich themselves, family and relatives. But sucking the blood of his own people.

Indonesian nation must be aware and return to its almost lost cultural origin, which is a good and unique Indonesian nation. The specialty lies in the abundant natural wealth. While the uniqueness lies in the diversity of cultures owned each region respectively. In addition Indonesia is known as a country that is very hospitable and life to work together since ancient times, good minded speech, sociable and fun in the association.

The state of Indonesia is a plural country. Living in peace is about living harmoniously with yourself, others, and all sentient beings around you. Such as being non-violent, being tolerant, holding moderate views, and celebrating wondrous-life.

Understand that living in peace is both an outward and an inward process. Defining peace is not such a simple thing. But one simple way is to define it as living without violence, (physically, mentally, spiritually, or any other way) and living in a way that embraces respect, and tolerance. This is both out in the world and within each person:

- Outwardly: living in peace is a way of life in which we respect and love each other in spite of our cultural, religious, and political differences.
- Inwardly, each of us needs to cultivate peace. This means understanding and overcoming fear, anger, intolerance, and lack of social skills that causes violence. For in continuing to ignore the rage within, the storm outside will never subside.

According to statistics agency data (bps.go.id) in September 2016, the number of poor (people with per capita expenditure per month below the Poverty Line) in Indonesia reached 27.76 million people (10.70 percent). The percentage of urban poor in September 2016 was 7.73 percent and 13.96 percent for the rural poor. Inequality between the poor and the rich is still happening even widened. Based on data obtained Oxfam said that the total wealth of the four richest people of Indonesia equal to 40 percent of Indonesia's poorest citizens. Admittedly, Head of Statistic Central Agency (BPS) Suhariyanto, although using different data with BPS, but happened the same phenomenon, that inequality is still a big homework (PR) for the government (katadata.co.id, 1/3/2017).

"Imagine 72 years of independent Indonesia, there are still people of Indonesia who have never seen lights. We want justice, Indonesian people everywhere can enjoy electricity," said Director General Renewable Energy and Energy Conservation (EBTKE) Ministry of Energy and Mineral Resources, Rida Mulyana, to detikFinance, Wednesday (12/4/ 2017). Furthermore alot problems that can be listed out as follows: (1) Poverty; (2) Corruption; (3) Weak Law Enforcement; (4) Low Quality of Education; (5) Management of Bad Natural Resources; (6) Cases of SARA (Tribe, Religion, Race of Between Groups) are rampant; (7) Social Inequality; (8) Unemployment; (9) Consumptive Behavior; (10) Intellectual Property Rights; (11) Leadership

Crisis; (12) The dignity of the degenerate State; (13) Food; (14) Intolerance and Crisis of Personality; (15) Infrastructure Development; (16) Low Health; (17) Drugs; (18) Energy; (19) Natural Disaster ...

And, the hot tension occurring during the Leader Election process is feared to be poorly managed so as to continue to produce a prolonged chaos that breaks the unity. Even not impossible, Indonesia's age is not up to 100 years. The current hot conditions are the worst since the Republic stands. Professor Emeritus of the Indonesian Institute of Sciences who is a world-class state-level institution, Mochtar Pabotinggi expressed the concerns in the launching of a book entitled "Democratic Ecology" and a public discussion entitled "Reading Indonesia: Consolidating Democracy and Social Transformation in Political Ecosystems" The Syndicate, Jakarta, Friday (19/5).

The state implicitly implements the division of power according to the theory of trias politics which is embraced by Montesquieu in which the division of powers based on the function of State either legislative, executive, or judiciary into state institutions in Indonesia. The legislative body in Indonesia consists of MPR, DPR, DPD, and DPRD. One of its tasks is to formulate the law and to supervise the use of the state budget, while the executive consists of the president and vice president and cabinet ministers in charge of holding the power of government. Judicial power consists of the Constitutional Court, Supreme Court, and Judicial Commission which holds an independent judicial power to administer the judiciary to enforce the law and the judiciary. At this time, the separation of powers tends to be misused by certain actors to the detriment of the nation and state, one of which is the corruption case that struck in Indonesia. One of the most horrendous cases was when the head of the Constitutional Court, Akil Mukhtar was arrested by the Corruption Eradication Commission along with Hambit Bintih who was the Regent of Gunung Mas Central Kalimantan and Chairunnisa who was a member of the House of Representatives. They were arrested due to a related election dispute in Gunung mas district, Central Kalimantan. The cause of the corruption case is in because of the opportunity and power as happened in the legislative, executive and judiciary in Indonesia.

In this situation, How to build Indonesia that is in line with the fourth paragraph of the preamble of the 1945 Constitution. How to make Indonesian people aware of the sense of unity should be nurtured continuously, especially for the younger generation and foster the spirit of unity and love of Indonesia's homeland. What actions are suitable for Indonesian culture in prosperity, peace and harmony. Is economic or business progress or even a law that should take precedence?

According to Soerjono Soekanto: "Research is a scientific activity based on an analysis and construction that is done in a systematic, methodological and also consistent and aims to be able to reveal the truth is as one manifestation of human desire to be able to know about what is being faced". This research is conducted so that the achievement of welfare and peace goals can be realized as soon as possible in Indonesia's homeland, as aspired when the state of Indonesia became independent. Compound people can live harmoniously and side by side

This research is a type of field research (field research) with a qualitative approach. Kirk and Miller define qualitative research as a particular tradition in social science that is fundamentally dependent on observation in humans both in its region and in its terminology. In this research is also supported by library research (bibliography) is the source of data in the form of books or literature related to the discussion or through data sources on the internet. Qualitative research is a study that produces analytical procedures that do not use statistical analysis procedures or any other quantification method. It is clear that this notion contrasts qualitative research with quantitative research by highlighting that any quantification effort should not be used in qualitative research.

The study of this paper will use the utility theory of "greatest happiness for the greatest number", pioneered by Jeremy Bentham, supported by R. Edward Freeman in his theory, "A Stakeholder theory of the Modern Corporation", the theory of stakeholders is based on Two principles that balance the rights of complainants to corporations with the consequences of corporate form. The First, the principle of corporate securities, states that "The company and its managers are responsible for the effects of their actions on others". The second principle, namely the principle of corporate rights, states that "The company and its managers do not violate the legitimate rights of others to determine their own future". This principle is derived from the Deontological theory of Immanuel Kant (1724-1804) based on the principle of respect for the people that people should be treated as goals and never just as a means. According to Kant an act is good, if due to obligation (categorical imperative), which obliges just, independent of any conditions. Managing a company to improve the standard of living and employees' welfare as a primary stakeholder is a righteous act and an obligation of every company because it is supposed to be the way the company is run. And if this concept is linked to justice, then it is fair that management in managing the company is concerned with improving the living standards and welfare of employees and the surrounding community as stakeholders. John Rawls argues that the situation of society should be such that the highest profits generated possible for the small classes and for everyone are given equal opportunities in their lives. The set of theoretical frameworks as above is deemed relevant to be used as an analyst blade in the research of this paper.

"MY STRUGGLE is easier because of expelling the invaders, but your struggle will be more difficult because it is against your own people" ~ Bung Karno (First President of RI). That is the words of Bung Karno that really happened today. It is true, our struggle is now heavier than it was before that only expelled the invaders. While our goal today is to eradicate the invaders of our own nation. It seems, Indonesia is not yet independent in so many aspects as mention above. This is what makes us still feel colonized.

Indonesian democracy is colored by "money politics" and turns towards a 50 percent democracy plus one. Corruption and law enforcement are increasingly alarming. Togetherness, mutual cooperation and kinship principles are increasingly urged by "individualism, capitalism and liberalism". Violence and even terrorism are widespread, as if they are already part of an ongoing cultural change.



Indonesia has the fourth most populous population in the world after China, India and the United States, amounting to 257,912,349 million. Of the total aged 7-24 years, ie school age of 77 million people. When coupled with children aged 0-6 years the number reached more than 100 million people. They are often referred to as the golden generation, the generation that will take on the role of 100 years of Indonesian independence. By the time 10 to 30 years ahead, they are at a productive age that will bring the nation's future. The good of this nation depends on how the generation of hope of this nation is formed. Education has an important role to become a generation that can alleviate the Indonesian nation from adversity

Foreign debt has existed since independence. When the new stands Indonesia must bear the debt inherited by the Government of the Netherlands worth more than USD 1 billion (Ikhsan Shiddieqy, 2012). In the New Order period, foreign debt was more than USD 3 billion, and an estimated 30% of the debt was leaked into the hands of corruptors.

The amount of Gross Regional Income may not necessarily reflect the welfare of its people. Indonesia as a country with a large population - also has its own economic system. As if not to be influenced by the economic system of capitalist and socialist countries - Indonesia apparently built a system based on the principle for the greatest prosperity of the people. In contrast to the United States with its Liberal and Russian economic system with its socialist economic system, Indonesia is currently embracing a populist economic system, previously derived from the economic system of democracy.

Economics is derived from the Greek word oikonomia which means home management, the way households obtain and produce goods and services to meet the needs of their household members. At the macroeconomic level, economists and government bureaucrats are familiar with the concept of economic concept, such as gross national income (GNP), consumption, savings, investment, money supply, interest rate, inflation, trade balance, balance of payments, State budget revenue and expenditure (APBN), and so on. At the microeconomic level much discussed about the management and business management, among others the law of demand and supply, the point of return of capital (BEP), cost efficiency, optimal profit, marginal revenue and cost, and other concepts are all oriented to the achievement of optimal profit through increased productivity and Operational cost efficiency. Developing economics based on the basic assumptions still held today is the unlimited need of human beings faced with limited resources, thus raising the question of how to exploit the limited resources effectively and efficiently to meet unlimited human needs.

Economic System of Democracy, the meaning of democratic economic system is a national economic system which is the embodiment of the philosophy of Pancasila and the 1945 Constitution based on the family and mutual cooperation of, by, and for the people under the leadership and supervision of the government.

This system involves all people - both the weak economic class and the entrepreneur - is active in the effort to achieve the nation's prosperity. While the role of government here is as planners, mentors, and directors of economic activity. This system is implemented based on the Decree of the People's Consultative Assembly of the Republic of Indonesia Number IV / MPR / 1999 on the Outlines of State Policy which states that the Indonesian economy is a populist economic system. This economic system is valid since 1998. For this system, which plays an active role in economic activity is the community (people). The government's job is to create a good climate for the growth and development of the business world.

The characteristics of the People's economic system include:

1. Rely on fair market mechanisms with the principle of fair competition.
2. Taking into account the economic growth, the value of justice, the social interest, and the quality of life.
3. Able to realize environmentally sustainable development.
4. Ensure equal opportunities in business and work.
5. The existence of protection of consumer rights and fair treatment for all people.

Business activity has since humans exist on this earth, because if the business is interpreted as an activity to produce and provide goods and services to support the needs of human life, meaning since humans exist on earth already need goods and services to survive. A business is an organization that sells goods or services to consumers or other businesses, to earn a profit. Historically the business word of the English business, communities, or society. In the sense, busy doing activities and jobs that bring benefits. Business Types. Based on its business activities are divided into three, namely:

1. Production, is an activity undertaken to process a material or sources that exist in order to create a product that has a higher value for use (raise benefits).
2. Distribution, is a process of delivering goods or services from producers to consumers and users, when and where goods or services are required.
3. Consumption (Consumer) is any user of goods and services available in society, whether for self-interest, family, other people, or other living things and not for trading.

Consists of:

1. Manufacturing is a business that produces products derived from raw goods or components, then sold for profit. A manufacturing example is a company that produces physical goods such as cars or pipes.
2. Business services are businesses that produce intangible goods, and earn profits by charging for services they provide. Examples of service businesses are consultants and psychologists.
3. Retailers and distributors are those who act as intermediaries between producers and consumers. Most consumer-oriented stores and companies are distributors or retailers. See also: Franchise
4. Agricultural and mining businesses are businesses that produce raw goods, such as plants or minerals.

5. Business finance is a business that benefits from investment and capital management.
6. Business information is a business generating profits primarily from the re-sale of intellectual property (intellectual property).
7. Utilities are businesses that operate services for the public, such as electricity and water, and are usually funded by the government.
8. A real estate business is a profitable business by selling, renting, and developing properties, homes and buildings.
9. A transport business is a business that benefits by delivering goods or individuals from one location to another.
10. Online business is a business done online via the internet. In an online business, any item can be traded like in business in general. To be able to do business online, many media that can be utilized, one of them is website, facebook, twitter, instagram, path, blog and others.

Indonesia is expected not to be too lulled by the abundant natural wealth. Because, many countries that have abundant wealth, it is not able to move the real sector so as not to create a better growth. This was stated by the President Director of PT Bank Negara Indonesia Tbk, Achmad Baiquni. He cited Brazil and Turkey, which have the potential to attract investments actually collapsed due to unstable political conditions.

"Here, we also need to be vigilant because many countries with abundant natural resources are difficult to advance, because they are lulled by the exploitation of natural resources, and do not develop a more sustainable sector that is the real sector," said Baiquni at Jakarta Convention Center, Senayan, Jakarta, Thursday, November 24, 2016. He said a healthy investment climate is a must, especially to encourage sustainable economic growth. Therefore, investment in the real sector has a very positive correlation on economic growth, decline in unemployment, to increase people's welfare. He said the government has indeed been aware of the problems in the real sector which is very complex. An appropriate step if the government through the National Medium-Term Development Plan 2015-2019 identifies real sector issues particularly in industries with weak structures. "Our exports are still dominated by raw goods, so the dependence on imports of domestic raw materials and our productivity is low," he said. Not only that, the problem that needs to be solved is the uneven distribution, because it is too concentrated in Java and Sumatra. "That's what causes deindustrialization symptoms, so it's absolutely a shared role in solving the problems in the real sector," he said.

Law and ethics actually have a very close relationship because both regulate human behavior. The law is made by the state or some state through a formal mechanism which is in accordance with the international constitution and binds all citizens of a country or more of a country if the law / regulation is ratified by more than one country. Violations of the law will be subject to legal sanctions.

In Article 1 Paragraph (3) of the 1945 Constitution, the 4th Amendment states that: "The State of Indonesia is a state of law." The provisions of the article constitute the constitutional basis that Indonesia is a state based on law, the law is placed as the only rule of play in the life of the community, Nation and state (supremacy of law). Prior to the amendment to the 1945 Constitution, the constitutional foundation that Indonesia is a law-based country is listed in the preamble and the body of the 1945 Constitution before the amendment. In addition, the statement that the State of Indonesia is a legal state can also be seen in the explanation of the 1945 Constitution before the amendment. In the explanation of the 1945 Constitution before the amendment there are seven key elements of the Indonesian State government system, namely:

1. Indonesia is a state based on law (rechtstaat) and not based on mere power (maachtstaat).
2. The constitutional system.
3. The highest authority is in the hands of the People's Consultative Assembly (MPR).
4. The President is the organizer of the highest state government under the MPR.
5. The President shall not be responsible to the House of Representatives (DPR).
6. The State Minister shall be the auxiliary of the President and shall not be liable to the Parliament.
7. The power of the head of state is not unlimited.

According to Prof. Dr. Jimly Asshiddiqie, SH there are twelve important features of law-states such as:

1. The rule of law
2. Equality in law
3. Legality principle
4. Limitations of power
5. Independent executive organs
6. Free and impartial judiciary
7. State administrative courts
8. The constitutional court
9. Protection of human rights
10. Be democratic
11. Means of realizing the purpose of the state
12. Transparency and social control.

Already 72 years of Indonesia's independence, poverty is still an unresolved problem. Even poverty is always familiar with the little people. Poverty in the days of the Kingdom of Singosari, Majapahit, Demak, Pajang and Mataram there was often a war between the royal kingdoms. Power struggle among family members. In various wars the youths were deployed into warriors, and many of them were killed. These conditions cause arid and agricultural land to decline, consequently there are many hunger and poverty.

In the Dutch colonial period, the suffering of the people got worse. People are forced to do hard labor, hard work without wages. The suffering of the Indonesian people is getting worse when the Japanese colonize Indonesia. The Indonesian people were made Romusha, the Indonesians who were forcibly employed. They are employed to build railroads, suffering people and food shortages. In the old order, the Indonesian economy is very bad. The newly established government does not have funds for development. Not long ago apart from colonialism that lasted 350 years. The people have not yet come from poverty. Many consider that the construction of a building project of a lighthouse like the Games of the New Emerging Forces (Ganefo) for Olympic games, National Monument (Monas), Semangi Bridge, Istiqlal Mosque. In the old order, the government considered prioritizing the construction of a lighthouse project rather than building an economy for the welfare of the people. Indonesia is experiencing a severe food crisis. At that time many Indonesians, including civil servants who were forced to eat corn and bulgur rice. It was under the leadership of President Soeharto that lasted from 1966 to 1998. Such rapid development, the intensive exploitation of natural resources, the application of liberal economy, and authoritarian rule have had a negative impact. The magnitude of economic disparities between regions, between groups of work and between groups in society was increasingly sharp. Foreign debt in the form of dollars increasingly accumulate. The heyday of the new order engraved at the beginning of the Suharto Government until the 1990s ended when the monetary crisis began in July 1997.

It has been 72 years since the independence of Indonesia, has 7 presidents of this country, although the 1945 Constitution has mandated the state to promote the common prosperity and educate the nation. Instead, the rich get richer and the poor get poorer. The gulf between rich and poor is very far and steeper. Riches 40 richest people in Indonesia reached Rp. 860 trillion, while more than 28 million people must tighten their belts to live on less than Rp.8,650 / day. This country is heaven for the rich, but the hell for the poor.

49  
How can this happen in a country built, based on four pillars of the nation (Pancasila, the Unitary State of the Republic of Indonesia, 1945 Constitution and Unity in Diversity), amidst a religious society, a well-mannered and cultured Eastern society, living on the basis of kinship, mutual cooperation and togetherness, experiencing a development that repeats old history.

We must return to the origin of the principle of development and development of this nation based on the four pillars of the nation. We are too far from the economic development based on kinship - mutual cooperation - togetherness. Today we embrace the principles of capitalist, liberalist and individualist. The Indonesian people need to be conscious and return. Indonesia's development, community-based, equity.

42  
Sustainable development is a principled development process (land, city, business, community, etc.) "meeting current needs without compromising the needs of future generations" (according to the UN Brundtland Report, 1987). Sustainable development is a translation of English, sustainable development. One of the factors that must be faced to achieve sustainable development is how to improve environmental destruction without sacrificing the need for economic development and social justice. (Oman). Many UN reports, the last of which are reports from the 2005 World Summit, describe sustainable development consisting of three interdependent and reinforcing central (economic, social and environmental) pillars. For some people, sustainable development is closely linked to economic growth and how to find ways to advance the economy over the long term, without depleting natural capital. But for some others, the concept of "economic growth" itself is problematic, because the resources of the earth itself are limited.

According to Aristotle (384-322 BC), a greek thinker in his teachings, that humans are ZON POLITICON, meaning that basically humans are creatures who want to always hang out with people, so a social creature. Basically humans are grouped by geographical area. In today's modern era, humans clustered into something called "state". Countries have geographical borders bordering other countries. Within a country it is possible for a variety of tribes and nations, it occurs because prior to the existence of the nation, nations from different parts of the world have spread to trade or other interests and some of them eventually settled for the country. Indonesia is not left behind in the birth of experts in the field of state, Professor Djokosetomo known as the father of Indonesian legal science defines the state as a human organization or a collection of people who are under a similar government.

50  
Humans in fulfilling their need were expressed by Adam Smith (1723-1790) in his book entitled "An Inquiry into the nature and causes of wealth of nations", that human is an economic being (Homo Economicus) who tends to never be satisfied with what Which they obtained and always strive continuously in meeting their's needs. Human was confronted with the core of economic problems, ie unlimited wishes with limited resources or goods and services. So humans must be able to use limited resources to produce goods or services in order to balance the unlimited wants. Scarcity is a condition in which we do not have enough resources to satisfy our needs or a disproportionate need-fulfillment tool to obtain it requires greater sacrifice. Increased human civilization is characterized by increasing population, science, economics, the more complex problems faced by society. The problems faced not only to meet the human flesh alone, but also that has the needs and lifestyles that are always increasing and changing. Basically the economic problem lies within the scope of production, consumption, and distribution.

Business is one of the supporting pillars in supporting economic growth and development. Business Understanding is further limited by Peterson and Plowman explaining that the business is a series of activities related to consistent sales repeat sales or purchases of goods and services. Further added by Prof.L.R.Dicksee that the definition of business is a form of activity that primarily aims to gain benefits for those who seek or are interested in the occurrence of such activities.



In doing business it is impossible for a business person to be independent of the law because the law plays a role in managing the business so that the business can run smoothly, orderly, safe so that no parties are harmed as a result of the business activity. According to Ishmael Saleh in his book "LAW AND ECONOMY" 1990,;

*"It is true that the economy is the backbone of the people's welfare and it is true that science and technology are the pillars of the advancement of a nation but it is undeniable that law is the institution that ultimately determines how well-being can be enjoyed equally, Social can be realized in the life of society and, how the progress of science and technology can bring the happiness of the people, and not just to a group of people".*

Based on the above it is very clear that the law is very important as a supporter of the stability of development in the world of economy and/or business and also as a means of regulating the business. The advancement of an economy and/or business will not mean that progress has no impact on the welfare and justice enjoyed equally by the people. The state must guarantee all that. In order not to happen strong entrepreneurs oppress the weak entrepreneurs, the rich get richer and the poor getting poorer, so there is no balance in the order of life in society. This is where the role of the law limits and oversees it.

As a human being, everyone also has the highest goal of reaching Eudaimonia. Usually, this word is translated as happiness, or fullness of life. This is the highest goal in this sense is the ultimate goal of man. Nothing else besides this. The theme of happiness, is one of the important themes discussed in philosophy. The theme of happiness is important because it is related to something that is basic to every human being, so philosophy becomes important to discuss it. Aristotle as one of the leading philosophers in the history of philosophy also has a special interest for this one theme. Aristotle greatly emphasized the importance of morality to find rational considerations as the basis for action, so that people can achieve meaningful happiness.

Darwin argues that altruism, which he calls "sympathy," is "an essential part of social instinct."

This Darwinian opinion is supported by recent neuroscience research, when a person acts altruistically, his brain activates a part that signifies satisfaction and appreciation.

Bung Karno (the first President of the Republic of Indonesia) once said, "The great nation is a nation that never forgets the history of its own people." Indonesia is a country that has a lot of history, from prehistoric times to the present reform era. The flow of history shows clearly that all nations need a conception and ideals. He also stated that "If they do not have it or if conceptions and ideals become blurred and obsolete, the nation is in a dangerous state."

The state of Indonesia is a country that has a large area. So do not be surprised if the territory of Indonesia covered from Sabang to Merauke save a lot of multicultural culture. The multicultural aspect of culture in Indonesia must be in a positive value that can be shared. This should be done so that unity within the Unitary State of the Republic of Indonesia can be maintained. Pancasila is an ideology that became the life of the Indonesian people. The positive values in Pancasila need to be continuously transformed to the young generation of the Indonesian nation so that the unity and unity within the multicultural society of Indonesia can be maintained.

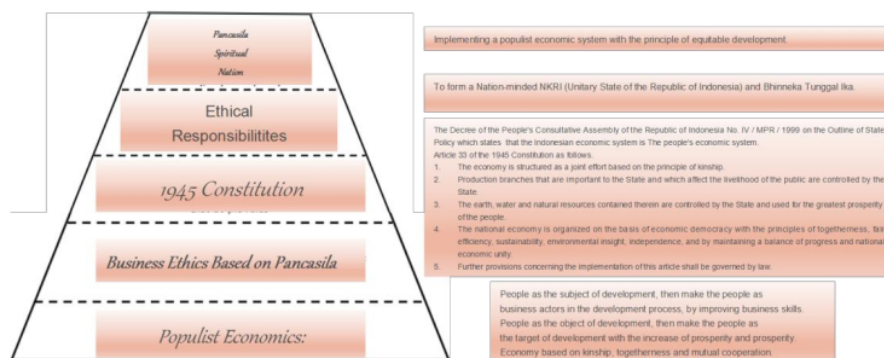
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Indonesia's national development is a development paradigm that builds on the Pancasila experience of fully developing Indonesian people and the development of the whole Indonesian society, with Pancasila as its foundation, purpose, and guidance. From the mandate it is realized that economic development is not merely an economic process, but an embodiment of the process of political, social, and cultural change that includes the nation, in its unanimity. National Development is a reflection of the will of continually improving the welfare and prosperity of the people of Indonesia in a fair and equitable way, and to develop the life of society and the implementation of a developed and democratic state based on Pancasila.

The above exposures show the explanations which are further elaborated in pyramid suitable for describing of which goes first, business, economic or law, as driving forces for peace in Indonesia.



### Pyramid Model as Driving Force for Peace in Indonesia



Modified from the Pyramid of CSR

#### Conclusion:

1. First, Indonesia should back to the culture of the People's economic system. The role of the state in this economy is very important but not dominant, and so is the private sector whose position is important but does not dominate as well. So it is unlikely that there will be a liberal economic system or a command economy system. Both parties are the government and also the private sector coexist peacefully and mutually support each other. In this economy society is a very important part, because the production activities undertaken, supervised and led by members of the community. Labor and capital do not dominate the economy because this economy is based on the principle of kinship.
2. Rebuilding awareness of the judiciary, legislative and executive bodies to build Indonesia with the concept of good governance based on four pillars of the nation, namely: Pancasila, Unitary State of the Republic of Indonesia, UUD1945 and Bhinneka Tunggal Ika (different but still one).
3. Rebuilding the awareness that the Indonesian people used to be polite, linguistic and hospitable people.
4. Development of a cooperative unit that becomes an obligation for entrepreneurs to increase the income of their stakeholders.
5. The moral and ethical development of the nation with top down and bottom up awareness in the implementation of good governance, clean government, good corporate governance, code of conduct, through education in children, so that children will pay attention to the behavior of their parents.
6. The economic development of capitalist, liberalist, and individualist should be abandoned and return to the concept of kinship, togetherness and mutual cooperation.
7. Indonesia must do development based on the principle of multicultural society, the other term is plural society, because Indonesia has many distinct distinctions, among them is the differences of ethnicity, customs, culture and regionalism.
8. Peaceful and sustainable development must be done jointly and equally, between-economically, business, law, right and good so that will impact the establishment of a moral, ethical Indonesian children based on Pancasila.

#### References

- A. Prasetyantoko. (2008). *Corporate Governance, Pendekatan Institusional*, Jakarta: PT Gramedia Pustaka Utama.
- Aprilla Theresia, Krisnha S, dkk. (2014). *Pembangunan Berbasis Masyarakat*, Bandung: Penerbit Alfabeta.
- Azyumardi Azra. (2003). *Demokrasi hal asasi manusia dan masyarakat madani*, Jakarta: Prenada media.
- Bambang Triatmodjo. (2013). *Menuju Kejayaan Indonesia*, Yogyakarta: Beta Offset.
- Budi Untung. (2012). *Hukum dan Etika Bisnis*, Yogyakarta: CV. Andi Offset.
- Khudzaifah Dimiyati, Kelik Wardiono. (2014). *Paradigma Rasional Dalam Ilmu Hukum*, Yogyakarta: GENTA Publishing.
- Muhammad Junaidi. (2013). *Korporasi dan Pembangunan Berkelanjutan*, Bandung: Penerbit Alfabeta.
- Merphin Panjaitan. (2013). *Dari GOTONGROYONG ke PANCASILA*, Jakarta: Jala Permata Aksara.
- Sulasmo. (2014). *Cita-Cita Negara Pancasila*, Jakarta: PT KOMPAS Media Nusantara.
- Soetandyo Wignjosoebroto. (2013). *Pergeseran PARADIGMA dalam kajian kajian sosial dan Hukum*, Malang: SETARA Press.
- Sonny Keraf. (1998). *Etika Bisnis Tuntutan dan Relevansinya*, Yogyakarta: Penerbit Kanisius.
- Sukrisno Agoes, I Ceni Ardana. (2009). *Etika Bisnis dan Profesi*, Jakarta: Penerbit Salemba Empat.

<https://id.wikipedia.org/wiki/Ekonomi>  
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