DEVELOPMENT OF THE OLD CITY AREA OF SEMARANG WITH THE CONCEPT OF SUSTAINABLE DEVELOPMENT

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Abstract

The development of the Old City of Semarang with the concept of sustainable development is a very interesting thing, because the Old City of Semarang is an area that needs to be preserved which is full of historical aspects. However, in the implementation of development there are many issues that must be analyzed, starting from normative, sociological, historical and economic aspects, of course the ecological concept is also a concern. Thus it is interesting to study the problem, namely: How is the role of law in achieving development towards the welfare of society and How is the development of the Old Town Semarang area with the concept of sustainable development. The results of the analysis show that in carrying out development the role of law is very dominant, because in development the government has a large share as a policy maker, as well as an implementer. But of course there also needs to be community support. Development is essentially a change in people's lives for the better. Related to the development of the Old Town Semarang area, the government has made various breakthroughs, making the concept of how the development can grow the Community Economy and Ecological values that are sustainable, the concept of sustainable development based on the theory is supported by 3 (three) main pillars namely Economic, Social and Environmental. These three concepts are an absolute concept needed to achieve sustainable development.

I. Introduction

The concept of the rule of law in Indonesia is expressly included in the Constitution of the Republic of Indonesia, hereinafter referred to as the 1945 Constitution of the Republic of Indonesia. This is regulated in Article 1 paragraph (3), stating that the State of Indonesia is a state of law. The 1945 Constitution of the Republic of Indonesia is a Grundnorm that regulates state matters. The concept of the rule of law for the Indonesian people is the absorption of the substance of rechstaat (Continental Europe) and rule of law (Anglo Saxon) (People's Consultative Assembly, People's Correctional Guide, Correctional Guide to the 1945 Constitution of the Republic of Indonesia in accordance with the Order of Chapters Articles and Verses, Jakarta: Secretariat General of the MPR RI, 2010, him. 47).

The formulation contained in the state of law (rechtstaat) is a state that aims to organize legal order. maintain public order so that it is not disturbed and so that everything runs according to the law (Mukhtie, 2006). The notion of legal sovereignty is actually derived from the notion of popular sovereignty (Muchtar, 1982). In the concept of rule of law in the administration of the state, the actions of the ruler must be based on the law, not based on the power or will of the ruler alone. Which means to limit the power of the ruler and protect the interests of the community, namely the protection of the human rights of community members from acts of arbitrariness (Theo).

In relation to the Welfare State, the Government realizes the welfare of the people (Ni'Matul, 2013). In accordance with the Wilfare Staate theory, the people give up some of their rights to be regulated with the aim of being prosperous (Utrecht, 1962). The welfare of the people can be achieved through many things and ways, one of which is to carry out National Development. National Development is interpreted as a joint effort between the people and the state to jointly improve themselves in a better direction than before (Muhammad, 2010). Therefore, the conception of national development itself, which is a conscious effort of the community to achieve its welfare, is something that is naturally done by the community to achieve its own welfare.

Sustainable development is a development concept that offers development that is able to achieve the welfare of society continuously. The concept of sustainable development has become a popular concept and the focus of the international world since it was emphasized at the Earth Summit in Rio de Jenairo in 1992 (See and Alex, 2014). Almost all countries then use sustainable development as their development jargon. Sustainable development is agreed to be development that meets the needs of the present without compromising the right to fulfill the needs of future generations. It contains two important ideas: (a) the notion of "need", which is the essential need to continue human life, and (b) the notion of limitations that stem from the conditions of technology and social organization on the ability of the environment to meet current and future needs.

Then the conception of sustainable development itself is supported by three main pillars, namely economic, social and environmental (See and Alex, 2014). These three conceptions are an absolute conception needed to achieve sustainable development so that to achieve sustainable development, of course there must first be economic development, social development, and ecological development. To achieve sustainable development, sustainable legal development is needed. to find out how the role of law in achieving

national development and how to achieve sustainable national development, which is a series of economic, social and ecological development. So that with this sustainable development, the goal of community development is achieved, namely increasing the standard of living which will ultimately lead to the welfare of the people.

Urban development is a manifestation of various complex decision-making processes within a period of time, and urban development, occurs in response to changes / dynamics of socio-cultural and economic / political forces. In the cities of developing countries, the dynamics of urban development are strongly influenced by significant population growth (urbanization) as well as changes and developments in life activities. These dynamics require an increase in the capacity and ability of the city both intensively / extensively.

This is in contrast to the extensive development of the city / better known as the urban phenomenon, the process of intensification of urban land through rejuvenation / revitalization and rehabilitation mechanisms is a more responsive / environmentally friendly alternative to urban development.

A good city is one that has memories of the stages of development. In its development, the city grew away from its embryo (center). With this development, areas outside the city center become more developed than the city center. Therefore, the city center, which is a historic area, tends to be abandoned and receives less attention. City centers are valuable built environments, as they are the oldest parts of the city with a long history going back hundreds of years.

The Old City as one of the assets owned by the Semarang City Government along with a number of buildings with high historical value, demands serious handling by the Semarang City Government. It is absolutely necessary as an effort to preserve the historical value of Semarang City considering that the Old City is one of a number of areas that can increase regional income, especially from tourist arrivals.

The Old City as something that stands in the midst of ongoing changes, of course, cannot avoid the growth of new buildings in the area. The Dutch heritage was preserved and maintained after the independence period and even until today. After being appointed as a tourism object and promoted as the mascot of the city of Semarang, even with the nickname "mini Netherlands". Every city has a part of its old town, which is a legacy of the previous history. The old town with its architectural styles and varieties holds the atmosphere and ambience of a different locality that has great potential. However, unfortunately, the old city is often neglected so that it becomes a suburb and becomes a slum or even a dead area. This is because cities continue to grow and develop. Changing activities, dynamic political conditions and changing social life over time mean that old towns often change function or are abandoned by their inhabitants.

Related to the discourse of the formation of areas that are responsive to social dynamics, with respect to ecological aspects, in order to provide a distinctive meaning/identity through the concept of the environment. Therefore, this study is expected to be able to formulate the development of the old city area of Semarang with sustainable development principles.

2. Research Method

Along with the times, the old city area which used to be the image of Semarang City seems to lose its aura, this is evident by the number of buildings that have been damaged, namely almost 40% of buildings that are no longer functioning. In addition, the phenomenon that occurs in the Old Town area today is that activities are only alive during the day, while at night it seems to be a dead city. This is due to the function of the existing buildings in the Old City is almost entirely an office activity that operates from morning to evening only. From these problems, the following questions arise. What is the role of law in achieving development that leads to the welfare of society. How is the development of Semarang Old Town area seen from the concept of sustainable development.

3. Results and Discussion

A. The Role of Law in Towards National Development that Welfare Society

National development itself must be understood as the government's efforts to carry out the mandate contained in the constitution, namely the welfare of the entire community (Yessi, 2015).

National development is a concrete manifestation of the ideals of a nation. In general, national development is a reflection of the will to continuously improve the welfare and prosperity of the Indonesian people in a fair and equitable manner, and to develop an advanced and democratic society and state administration based on Pancasila and the 1945 Constitution. National development is directed at achieving progress and inner and outer prosperity, including the fulfillment of a sense of security, comfort and justice (Ginandjar, 1996).

This development must be in accordance with the national goals of the Indonesian nation which have been emphasized in the preamble and body of the 1945 Constitution, which in essence are :

"Realizing a just and prosperous society, materially and spiritually based on Pancasila within the Unitary State of the Republic of Indonesia which is independent, based and united in an atmosphere of national life that is safe, secure, orderly and dynamic as well as in the environment of world life which is free, friendly orderly and peaceful (Basic, 1973)."

Therefore, national development is very important for a country. Guaranteeing Indonesia's national development is currently regulated in the National Development Planning System (SPPN). Law Number 25 of 2004 concerning SPPN, precisely in article 1 paragraph (2) provides a definition of national development which reads: "National Development is an effort carried out by all components of the nation in order to achieve state goals." This means that national development is pursued by all components of the nation, not only the state (government), but also the community and in order to achieve state goals. This means that national development is pursued by all components of the nation, not only the state (government), but also the community and in order to achieve the goals of the state. Achieving the goals of the state means achieving the goals of the entire community as a nation, one example of which is the existence of an orderly and safe community life.

Another definition of Indonesia's national development is also written in a book entitled "Education for National Development" the definition is: "National development is an effort made continuously to make the Indonesian nation a nation that is equal to developed nations,

both in living standards and in various fields and various aspects of life". Based on this definition, it can be analyzed that Indonesia's national development demands the achievement of progress in Indonesia, where the progress of the results of national development is not only in the standard of living, but in various aspects of the life of the Indonesian people, for example in public education.

In organizing Indonesia's national development, a plan is certainly needed. Indonesian national development planning is carried out so that development is more directed. "With planning, it is hoped that there will be a direction of activities, guidelines for the implementation of activities aimed at achieving development goals (Edi, 2008)." If national development has a clear direction, then its implementation can run well and the goals of development can be achieved properly as well.

The role of law in achieving national development that improves the welfare of its people is to carry out the concept of sustainable national development. This is done so that the concept of national development is a concept of development that aims not only for welfare in the present, but for the future. This conception of sustainable development can only be guaranteed or carried out by law, from this law development is carried out together with the components of the nation, so that the law can really play a role in regulating people's lives.

According to Mohammad Ali, sustainable development is a process of meeting current human needs without compromising the fulfillment of future human needs (Mohammad Ali, 2009).

To be able to achieve sustainable development goals, it is necessary to fulfill one of the conditions for sustainable development, namely ensuring equal and fair opportunities for all people. Sustainable development is a process of change in which all activities such as resource exploitation, investment direction, technological development orientation, and institutional change are in a state of harmony and balance and increase the potential of the present and future to meet human needs. There are two main emphases: first, the importance of taking into account natural resource and environmental constraints on development and consumption patterns. Secondly, there is the concern for the well being of future generations. Thus, the principle of sustainable development is generated by taking into account 3 axioms, namely:

(a)treatment of the present and future that places a positive value on the long term.
(b)recognize that environmental assets contribute to economic well being.
(c)identify constraints due to implications on environmental assets.

Sustainable development is also often described as improving the quality of life and economic growth in accordance with the carrying capacity of the environment. In general, sustainability is defined as continuing without lessening, which means continuing activities without reducing (Dian, 2016).

In assessing development achievements in Indonesia, there are several key indicators that are used as measures. Macro economic and social development achievements are measured by the Human Development Index (hereafter referred to as HDI) which is a combination of health, education and purchasing power indicators.

The first two indicators in the HDI are social dimension indicators while the last indicator is an economic indicator. Meanwhile, achievements in the field of environmental development currently use the Environmental Quality Index. Combining the three development indicators into one composite index will produce a more comprehensive indicator of sustainable development, both from an economic, social and environmental perspective. The selection of the three indicators as constituents of the composite index is also based on the view

that all three are able to meet the criteria of a good indicator. In terms of reliability, availability, spatial coverage, and relevance to the phenomenon being measured (Mohammad Mulyadi, 2015).

Sustainable development ultimately aims to achieve prosperity (M.Syawie, 2014). Indonesia today has played an active role in sustainable development. Indonesia not only uses three components but adds one more component, namely good governance so that, Indonesia has 4 dimensions to realize sustainable development. The four components are the economic, social, ecological and good governance dimensions. The development of several development indicators shows that economic, social and environmental development in Indonesia has not been balanced. Development shows more improvement in terms of economic and social, but puts pressure on the environment.

Indonesia is currently trying to uphold and realize how sustainable development is. The development in Indonesia should and should refer to sustainable development considering that Indonesia has agreed at the Rio and Jenirio Summit to jointly realize sustainable development.

The way to realize sustainable development in the national development framework is to pay attention to each indicator of sustainable development. Sustainable development combines three important things, namely economic, social and environmental, to achieve the fulfillment of current and future needs. The way to meet current and future needs is made in the form of achievement indicators contained in sustainable development goals. When it comes to sustainable development, it is necessary to first develop these three factors.

a. Economic Development

Bung Hatta's conception of economics states that development is a process of humanization, humanizing people, what is built is the people, where economic development is a supporter of people's development. It is the prosperity of the people that is prioritized, not the prosperity of individuals.

So that the economic development carried out is economic development for many people, for the whole community, not just for some people. Kuznets (1996), Chenery (1960) and several other authors have further investigated changes in the structure of the economy in the development process. Kunznets not only investigated the changes in the percentage of the population working in various sectors and sub-sectors in economic development, but also showed the changes in the contribution of various sectors to national production in the process. In relation to SGDs, economic development can be seen in the absence of poverty, decent work and economic growth, development of industrial infrastructure, and so on.

b. Social Development

Social development is often identified with community welfare. Good social development must be able to eliminate all forms of social problems that will ultimately lead people to real welfare. The existence of social development is indicated by the ability of a person to achieve his welfare, reaching his greatest potential (Triono, 2011).

c. Ecological Development

Ecology is a very important conception because it remembers that the earth we have today is only one. Departing from this concept, all development carried out must certainly pay attention to ecological aspects. In relation to SGDs, the ecological aspect is reflected in the guarantee of underwater life, the movement towards climate change, clean water, and the use of renewable energy, and so on (Lena, 1997).

Indonesia, in this case the Indonesian government led by President Susilo Bambang

Yudhoyono, also provides a view that in order to realize the main objectives of sustainable development, sustainable economic growth with equity is needed.

Therefore, it is necessary to remember that Indonesia is part of the global community with the aim of realizing a sustainable development, so it is natural for Indonesia to take an active role in realizing sustainable development. Sustainable development can be achieved by carrying out ecological development based on sustainable development goals.

National Legal Development must be interpreted in order to realize sustainable development. National development itself must be understood as the government's efforts in carrying out the mandate contained in the constitution, namely the welfare of its people (Yessi, 2015).

National development is a concrete manifestation of the ideals of a nation. In general, national development is a reflection of the will to continuously improve the welfare and prosperity of the Indonesian people in a fair and equitable manner, and to develop an advanced and democratic society and state administration based on Pancasila.

National development is directed at achieving progress and physical and mental well-being, including the fulfillment of a sense of security, tranquility and justice (Ginanjar, 1996). This development must be in accordance with the national goals of the Indonesian nation as affirmed in the preamble and body of the 1945 Constitution. Therefore, national development is very important for a country.

In order to realize the development of these three things in order to achieve sustainable national development, legal development is needed in it. With the development of good national law, what is the goal of sustainable development can be adapted well and can be accepted by the people of Indonesia and implemented properly. This statement is reasonable as Mochtar Kusumaatmadja also stated that law cannot be separated from the system of values adopted by a society (Mochtar, *et al*., 2000).

The way to realize a legal development is by the formation of barn legal rules. However, this perception illustrates that legal development is only seen in a narrow sense, namely the formation of new legal rules. This is what ultimately causes problems in society because there is often an assumption that making various regulations in the field of labor law is sufficient so that other supporting efforts do not need to be a priority.

If we want to carry out good legal development, which is able to satisfy the needs and provide a sustainable development, then legal development itself must be interpreted broadly, which also involves other parts, besides just the formation of legal rules. As a chain, of course in legal development it is not just one part that is built, but all other parts contained in the chain must also be built. The visible weakness if we only build one part while other parts are not built or even ignored is that the law becomes difficult to implement.

Conducting legal development that is not comprehensive in every aspect is an activity that is carried out in vain. It is said to be useless because if there is no legal development without paying attention to the framework of the national legal system, then the legal development carried out is useless. This is because legal development activities are one of the activities contained in the National Legal System Framework. So that if you want to discuss the issue of legal development, it should also be related to the issue of the National Legal System Framework.

Therefore, to realize a good social, economic, and ecological development, it is also necessary to carry out legal development. This is because, without legal development, the

three developments cannot be stated and realized properly. Law is a means of development and social engineering that acts as an agent of change which is the foundation of hope for realizing sustainable development (Siti, 2015).

The function of laws and regulations governing the environment is to shape Indonesian people into environmental builders who have ecological awareness and are environmentally friendly.

In addition, good economic and social development is certainly development that is supported by legal development. For example, in the concept of Old City Development where law plays a role as social angeneriing.

Seeing the current inactivity of the Old City of Semarang and considering the potential that exists, it would be good to create a permanent recreational and educational media, in the form of a museum, so that the Old City becomes a destination for tourists, so that it will create a regular routine while supporting the lives of the people of Semarang.

B. Development of the Old City Studied from the Concept of Sustainable Development.

a. Overview of Semarang Old Town

The Old City today has undergone many changes in both its function and role in the city of Semarang.

1. The role of the Old City to Semarang City
   1) The city of Larna used to be the center of government and a hub of activity.
   2) Kota Lama is now no longer the center of government and even experiences a dead atmosphere at night. While the activities that occur during the day are mostly office activities.
2. Old Town Function
   1) Kota Lama used to be a small town with fairly complete social facilities in addition to being the center of government.
   2) The Old Town has now regressed and some places have a dead atmosphere, due to the loss of several social facilities that allow the area to live for 24 hours, including the absence of entertainment and trade facilities (shops). Instead, the existing facilities are mostly office, warehousing, and industrial facilities.

General Condition of the Area

1. Currently, most of the ancient buildings in the Old City have been destroyed. The surviving ancient buildings are only 40% of the total buildings.
2. The KDB of existing buildings in the Kota Lama area ranges from 60% - 85%.
3. Building KLB: 1 floor 30%, 2 floors 65%, 3 floors 3%, 4 floors 2%.
4. Compound ownership.
5. The condition of the building is generally poorly maintained.
6. Road quality is generally good. Almost all roads are paving blocks, but some roads are in poor condition.

b. Semarang Old Town Regulation

As a historical area, Kota Lama has the potential to be developed. Therefore, Kota Lama is attractive for research that focuses on historical aspects and implementation for history - culture based tourism *(Dewi, et al., 2008; Kadarwati, 2008; Irwansyah, 2003).* This indicates that the Old City needs to be protected by a number of regulations that have an interest in the existence of the Old City itself, for example:

a. Indonesian Law No. 5 of 1992 concerning Cultural Heritage Objects;
b. Republic of Indonesia Law No. 32 Year 2004 on Regional Government;
c. Government Regulation No. 10 of 1993 Concerning the Implementation of
d. Government Regulation No. 38/2007 on the Division of Government Affairs
e. Decree of MENDIKBUD No. 087/P/1993 on the Registration of Cultural Heritage Objects;
f. Decree of MENDIKBUD No. 062/U/1995 on Ownership, Control, Transfer and Removal of Cultural Heritage Objects and/or Sites;
g. Decree of MENDIKBUD No. 063/U/1995 on the Protection and Maintenance of Cultural Heritage Objects;
h. Decree of MENDIKBUD No. 064/U/1995 on Research and Determination of Cultural Heritage Objects and/or Sites.

The Semarang City Government has also issued a regulation on the establishment, organization and work procedures of the Semarang Old City Area Management Agency (BPK2L) based on Semarang Mayor Decree no. 12 of 2007 dated July 12, 2007. From here we begin to improve to make changes in development towards a prosperous society, as expected by the community, especially the people of Semarang city.

4. Conclusion

The conclusions of this study are as follows from the above analysis and looking at the existing reality, it can be concluded that The role of law in achieving national development towards the welfare of society is something that needs our attention, meaning not only practitioners, law enforcers and officials, but also to all of our communities. Especially related to national development that aims for the welfare of society. In the development of law not only as social control (social control), but the law can also really regulate the social life of society (social ingeneriing).

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