



Application of Business Law: Business Monopoly, Rule Violation and Environmental Damage

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Abstract: This study discusses the application of business law: business monopoly, violation of rules and environmental damage. Business law is intended to regulate and control the behaviour of organizations or business people. The existing law can form excellent and healthy company activities and have a good impact on employees, the company, and the surrounding environment. In this study, the researcher used descriptive qualitative and library research methods by reviewing previous articles that were relevant to this research. The results of this study are: 1) Business Monopoly is related to Business Law, 2) Rules violation is related to Business Law, and 3) Environmental Damage is related to Business Law.

Keywords: Business Law, Business Monopoly, Rule Violation, Environmental Damage

INTRODUCTION

To lead a healthy business and business behavior, it is necessary to regulate and control the business activities of a company or organization. The business law that has been established is also not always carried out properly, there are several companies that do not carry out the applicable business law in order to gain more profit for the company or its business. Then business monopoly activities are also often found in a democratic economy, with the only business actor in this field to gain profits and regulate the growing economic flow and later in the economic market can establish international relations (overseas) for the sake of national interest (domestic).

This article discusses the Application of Business Law: Business Monopoly, Rule Breaking and Environmental Damage.

Formulation of problem

Based on the background of the problem above, the researcher determines the formulation of the problem as follows:

1. Is Business Monopoly related to Business Law?
2. Is Rule Violation related to Business Law?
3. Is Environmental Damage related to Business Law?

LITERATURE REVIEW

Business Law

Munir Fuady stated that business law is a set of legal rules regulating the procedures for industrial, trade and financial activities related to the production of goods and services. According to Abdul Salim, business law is based on legal regulations, both written and unwritten, regulating existing rights and obligations. (Mathar, 2016)

According to Johannes Ibrahim, business law is a set of legal rules formed to regulate and resolve various problems that exist in activities or interactions between humans, especially in terms of trade and business. (Anwar & Yuangga, 2019)

Business Monopoly

Muliyawan, S.H., M.H., (2015) stated that unfair business competition will give birth to a monopoly. For economists, the definition of monopoly is a market structure in which there is only one producer or seller. While the understanding of monopoly for the community is the existence of one producer or seller who has monopoly power if the producer or seller has the ability to control the market for the goods or services he trades, so basically what is meant by monopoly. (Ayu Rizkia & Rahmawati, 2021)

The business world is growing too rapidly, so leaving the existing signs will not be profitable. If the law does not want to be left behind in the development of business and the business world, then the law is required to respond to all the ins and outs of the business world that surrounds it as a phenomenon or social reality. (Anwar & Yuangga, 2019)

Rule Violation

Violation is an act that violates the law, which can only determine after a law or legislation regulates it (Moeljanto (1979:71). While other opinions say that a violation is an event that is declared to have violated the law. (Bawengan (1979:20-21)

Violation is breaking something related to the law, which means an act that violates the law. Wirjono Prodjodikoro stated that breaking the rules is an act that contravenes something and is associated with the law, which means action against the law. (Wijaya, 2013)

Environmental Damage

Otto Soemarwoto defines environmental damage as an environment that has been polluted or damaged and there are the following elements: if a substance or other elements such as gas, light and energy are mixed into a resource and the environment, then it disrupts the environmental ecosystem itself. (Suryati, 2010)

Environmental damage causes changes that occur directly and indirectly, such as changes in physical properties or biological species that have an impact on reducing the role of the environment or damage to the environment and do not support or cannot be utilized for sustainable development. (Priantoko et al., 2021)

Environmental damage takes many forms, including: water pollution, soil pollution and air pollution. All forms of pollution are very detrimental to the environment and also humans because of the reduced supply of needs produced by the environment. Then from environmental damage will also cause other social problems, such as disease and natural disasters. (Priantoko et al., 2021)

Table 1: Previous Research

No	Author (year)	Previous Research Results	Similarities with this articles	Difference with this articles
1	(Hermanto, 2018)	Legal Politics in Indonesian Economic Democracy	Discussing Business Law	Discussing Indonesian Economic Democracy
2	(Priantoko et al., 2021)	Overview of the Application of the Green Economy in Tourism in Indonesia	Discussing Environmental Damage	Discussing the Green Economy in Tourism in Indonesia
3	(Wijaya, 2013)	The Study of Implicature Studies in Understanding Violations of Conversational Maxim Rules in Political Communication: Conversational Analysis of Discourse on Misappropriation of Dkp Funds Amien Rais-Susilo Bambang Yudhoyono	Discussing Rules Violation	Discussing Amien Rais – Susilo Bambang Yudhoyono's Discourse on the Misappropriation of DKP Funds
4	(Ayu Rizkia & Rahmawati, 2021)	Factors Affecting Antitrust And Unfair Business Competition: Economic Globalization, Business Competition, And Business Actors. (Ethical Literature Review)	Discussing Business Monopoly	Discussing Anti-monopoly and Unfair Business Competition: Economic Globalization, Business Competition and Business Actors
5	(Sitorus, 2016)	Violation of the Miranda Rule Principle in the Indonesian Criminal Procedure Code	Discussing Business Law and Rules	Discussing the Miranda Rule Prinsip
6	(SUDIYATNO, 2010)	The Role of Company Performance in Determining the Effect of Macroeconomic Fundamental Factors, Systematic Risk, and Company Policy on Company Value	Discussing the Company's Performance	Discussing Macroeconomic Fundamental Factors, Systematic Risk and Company Policy on Company Value

7	(Mathar, 2016)	Legal Aspects of Franchising in Indonesia	Discussing Business Law	Discussing the Legal Aspects of Franchising in Indonesia
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RESEARCH METHODS

Researchers used descriptive qualitative methods and library research. By reviewing previous articles that are relevant to this research. Collecting data in this study using Google Scholar and using Mendeley as a reference. Then this research is discussed in detail in the Theory Study section, as the basis for formulating theory which is then used in making comparisons of previous research.

DISCUSSION

1. Relationship of Business Monopoly to Business Law

Business Monopoly is an activity carried out by a company to dominate the trade market and without competitors offering similar goods or services in the market. The purpose of a business monopoly is to dominate the market and create a stable economic flow. This is because a business monopoly is carried out in certain businesses, such as PT PLN, with the aim of maintaining domestic economic and energy stability. Because PLN cannot arbitrarily cut off and supply electricity supply in the country. (Ayu Rizkia&Rahmawati,2021)

If a business or company that is very important for the country is held by a private company that offers similar products to PT PLN, it will have an impact on the economic flow and stability of the domestic energy supply. And private companies have the right to regulate the volume of sales they will make. (Permana & Suzan, 2018)

2. Relationship Rule Violation to Business Law

Violation of the rules is an act or act that violates or does not comply with existing regulations, especially there are existing legal regulations. In the business world, violations of the rules that have been set by the law and the government are also common. Violation of the rules is usually based on the company's desire to get more profit by violating the rules or limits that have been set. (Wijaya, 2013)

Violations of the rules that occur can be resolved by business law rules that have been set according to the type of violation committed. Business law is intended to overcome rule violations by business actors against their business. (Kurniawan, 2017)

3. Relationship Environmental Damage to Business Law

Environmental damage is a condition in which the environmental or surrounding conditions are damaged or malfunctioning of the components contained in the environment. The form of environmental damage that often occurs is water pollution by irresponsible companies. (Priantoko et al., 2021)

Disposal of waste that is directly dumped into rivers makes water pollution dangerous for water ecosystems and the surrounding community who use water as a resource. The government does this because it is reluctant to create and form the processing of their waste

products, the company does not want to spend more budget for the processing of its business waste. Because basically waste treatment requires large funds. (Priantoko et al., 2021)

So environmental damage is related to Business Law with established rules, there are entrepreneurs who object to processing their own waste, and prefer to dispose of their waste into rivers or other things. (Suryati, 2010)

Conceptual Framework

Based on the background of the problem and the theoretical study above, the researcher determines the conceptual framework as follows:

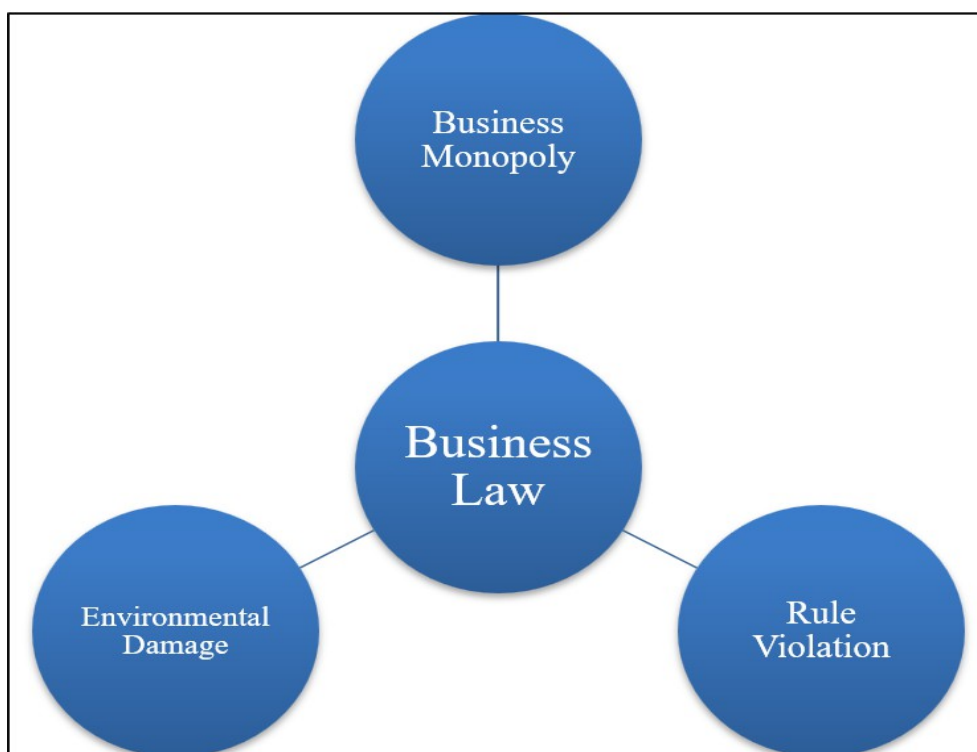


Figure 1: Conceptual Framework

This article discusses the Application of Business Law: Business Monopoly, Rule Breaking and Environmental Damage. There are other factors related to Business Law, namely:

- 1) Organization: (V. N. Sari & Ali, 2019), (Ali, 1926), (Masydzulhak et al., 2016), (Prayetno & Ali, 2017), (Saputra & Ali, 2022), (Mawikere, 2018), (R. Putra & Ali, 2022), (Rizali et al., 2020), (Munawar & Saputra, 2022), (Munawar & Saputra, 2021).
- 2) Decision Making: (Harahap & Ali, 2020), (R. Putra & Ali, 2022), (Kasman & Ali, 2022), (Wicaksono & Mudiantono, 2017), (Harahap & Ali, 2020), (Selang, 2012), (Siti Nur Aisah, 2020), (Aswiputri, 2022), (Fani et al., 2015), (Ida et al., 2020), (Wahono & Ali, 2021).
- 3) Work Culture: (D. P. Sari & Ali, 2022), (Ismail et al., 2022), (Arianto, 2013), (Ambarwati & Raharjo, 2018), (Bayu Putra & Fitri, 2021), (M. R. Putra et al., 2020), (Rajab, 2021).

- 4) Government Policy: (Haitao & Ali, 2022), (Effendi et al., 2022), (D. R. Putra et al., 2020), (Kumala & Junaidi, 2020), (Widjaja, 2022), (Rais et al., 2018), (Fadlan, 2019), (Azis, 2021)
- 5) System: (Shobirin & Hapzi Ali, 2019), (Ashshidiqy & Ali, 2019), (V. N. Sari & Ali, 2019), (Djojo & Ali, 2012), (Erlina Gusnita, Hapzi Ali, 2021), (R. Putra, 2021), (Putri Primawanti & Ali, 2022).

CONCLUSION AND RECOMMENDATION

Conclusion

Based on the theoretical studies and discussions that have been made, the researchers determine the following conclusions:

1. Business Monopoly is related to Business Law
2. Rule Violation is related to Business Law
3. Environmental Damage is related to Business Law

Recommendation

Based on the conclusions made above, there are other indicators related to Business Law other than Business Monopoly, Rules Violation and Environmental Damage, including: Organization, Decision Making, Work Culture, Government Policy and System.

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