

The state of the law's discourse in a utopian ideology

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ABSTRACT

The writing of this not just the pale of law as an event, but instead in the pale of others their idealism. Conclusion This paper, Indonesia's constitutional amendment has already done four times (1999-2002), meaning the ideal act previously found, the reform agenda implements nations ' repair responsibility in law, but to shock shocks Nationality remains volatile, ranging from political, economic and social shocks. Case law spreads like a culture that should be inherited, such as inheriting the saying that goes back a standing teacher who ran the pupils. If so, the rule of law is still limited to only the utopia of Indonesia.

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I. Introduction

Essential in the modern state In The consequences of recognition, on the one hand, on the other hand, the governorship of sovereignty on the will of the community together to one interest, which was later called politics.¹ In the form of the theory, the modern state originally appeared as a more rational exoskeleton as an extension of the principles developed earlier by the great Greek philosophers such as Plato and Aristotle centuries. Like all new theories, the modern state must, at the outset, associate itself with the ideas of understandings that had previously been available. However, is rooted in the social facts of a real culture.

The great figures of the human mind, which prepared for the advent of the revolution, the revolutionaries are extreme. Everything must justify its existence before the Court's reasoning, and if it cannot then deserve to exist. The reason is the only measuring instrument for all the happenings. These are the place of space, like Hegel, the world stands at the top of its head.

In its great praise, *The Life and Times of Liberal Democracy* Macpherson distinguish four model Liberal democracy: defensive, developmental, equilibrium, and participatory. Defensive democracy characterized by the desire to create a democracy as a tool to get rid of the oppression of the state.² Developmental

¹ Hobbes Leviathan, suggests that the country as a sort of monster (giant beings) is a military, terrible and ruthless one found in the story of the Old Testament. These immense beings always threaten the existence of other beings. Not only is the Lefiathan dream but also the obedience of all his order. Hobbes State Power Dub (Machtsstaat) as Lefiathan. This country frightens anyone who violates the law of a state, the Levitan state does not hesitate to drop the death penalty verdict. The state's Leviathan must be strong. When weak Rose Anarchikhi, civil war exploded and can lead to an easy division of power. Views. Ahmad

Suhelmi, Western political Mind, Gramedia Pustaka Utama, Jakarta, 2007, p. 165.

² It is this pessimalism of the principle of relevance between the 20s as sovereignty and democracy as a tool, both giving birth to the law, because in principle the law was created not for the community, but rather to limit the government's power of arbitrariness . See Plato: The Laws, Penguin Classics Edition, year 1986. In Plato's book entitled "" Nomoi ", which was later translated into English under the title "The Laws", it was clearly shown how the idea that real Nomokrasi had developed for a long time from the era of ancient Romania. Nomokrasi is a reborn

democracy characterised by the will to make democracy "self-development tools."³ The balance of democracy characterised by the will to give more room for elite participation in the democratic process. Finally, participatory democracy characterised by the will to give the people more opportunities, rather than just the elite.

With the development of the divide Democracy # #, The Liberals are models, Macpherson presents new arguments about the history of liberal democracy. He claimed that liberal democracy in new theory and practice came to the fore in the early 19century. This view is contrary to the prevailing assumption that liberal democracy began in the 18th century or even earlier when political philosophers such as Jean Jacques Rousseau (18th century) and John Locke (17century) wrote their works. He argues that only recently on the political theorist of the 19of the century "did he find a reason to believe that 'one person, one vote' will not be dangerous against property, nor the sustainability of the communities divided into classes." Before the 19th century, the Liberals believe that freedom will Threaten Capitalists ' interests. The first thinkers who changed the mentality of this kind, according to Macpherson, are Jeremy Bentham and James Mill.⁴ Thus, the new liberal democracy began with Bentham and Mill.

A description is maintained about Marxism as successive variants modernize democracy by what it meant as the "model." Macpherson inspired, he defined the model as "theoretical constructions designed to reveal and explain the main elements of a form of democratic structure or the underlying relationships."⁵ All hypothetical constructs that could explain the main elements of democratic forms and related structures could be considered a model of democracy. What should be searched in the creation of a model of whatever kind is on the past, the present, or the future--is "Polaripola, recommendations, key assumptions about the

nature of a society in which democracy could be rooted or rooted, Fundamentally concepts of human political capabilities, and how they justify the perspectives and preferences."⁶

The model's approach to the study of democracy has also been adopting by Wayne Gabardi, an American political scientist.⁷ Gabardi found three other models not mentioned by Macpherson or maintained, namely: the conciliation, deliberative democracy, and Agonistik. This new modulo logical model appeared in the last 20 years as a result of Connection interdispliner, especially between political science, sociology, and postmodern philosophy. The model of Communitarian democracy draws a hypothetical political system that emphasizes community participation as the essence of the principles of democracy. The followers of communism like Robert Bellah criticized the Liberals for their assessment too loudly against individualism, and the best of their ignorance will be a community.

Justice could not be achieve by ignoring the conciliation participation.⁸ Thoughtful theorists concern not only the community but also socio-political discourses within the community. Juergen Habermas, a well-known theorist of this model, puts the heart of democracy in "public Places," which includes social organization, Society Civil, interest groups, and social movements.⁹ Meanwhile, the Agonistik model asserts that democracy could not be achieved unless it embraced a different pluralist community. The supervision of the Agonistik such as Michael Foucault, "calls for the need for a pluralist, radical public space that includes the identity-identity, morality-morality, and the Wacdeawacana."¹⁰ The third review of the dominant model concluded with Gabardi: The core of the democratic experience for the communist is the "community" which is understood to be a group of people who share the same framework of values. For consultative Democrats, it means that the public domain

form of the country and democracy that gave birth to Nomokrasi.

³ C.B. Macpherson, *The Life and Times of Liberal Democracy* (Oxford: Oxford University Press, 1977), h. 22.

⁴ *Ibid.*, h. 10.

⁵ David Held, *Models of Democracy*, edisi ke-2 (Stanford, CA: Stanford University Press, 1996).

⁶ *ibid.* p. 7

⁷ Wayne Gabardi, "Contemporary Models of Democracy", *Polity* 33, no. 4 (Summer 2001): 547-559.

⁸ *ibid.* p.549

⁹ *ibid.* p. 550

¹⁰ *ibid.* p. 552

understood as logical collective negotiations in public places. For Democrats, the apolitical "identity/difference" is understood as cultural life in the reshaping of egalitarianism in a post-modern politics culture that is a radical variant.¹¹

In his analysis of Pakistan's politics, he lays down four models of government aimed at Pakistan's Muslims: first, what he calls "holy country without the will of the people." This model is based on the assumption that "God did not transfer world life to a human hand, but that he set the path that was decided, with the authority of details of how ways."¹²

Secondly, the "holy Country with human will." The evolution of this model, such as Muhammad Asad (Leopold Weiss), Ghulam Ahmad Perwez (1903-1985), Khalifa Abdul Hakim (d. 1959), and Javid Iqbal (son of the philosopher Muhammad Iqbal), take for granted that the rule of political Islam is not entirely Theocratic and not strictly secular, but the balance between the two. However, this model, A Many variants, ranging from Perwez Otokratik, such as, to libertarians, such as Iqbal.¹³

Thirdly, "a secular state with the divine will." In reality, this model is discriminatory, since the secular state already regarded as a violation of *Reason for being the Creation of Pakistan*. However, Ahmed argued that the secular state model lived in the Pakistani Muslim community indeed. This model based on the belief that Islam "does not need any particular country."¹⁴ The evolution of this model — such as the S.M.S. Zafar and Muhammad Usman — believe that democracy, not a system of Islamic-political classics, could provide a better political life for Muslims.

Fourthly, there is a "secular state without a divine will." That distinguishes this model from the previous model is that it based on the assumption that Pakistan may be a fully secular state. Religion, which is Islam, must, therefore, be freed from a political or government discourses anyway. This model had a few fans. Among them are Muhammad Munir (died 1981), former Chief Justice of Pakistan.¹⁵

Whether running a system of democracy in a country is dictated by the rules of the game, it is the rules of the game *real model Democracy*. The failure of the adherent countries Demokorasi Dikeranakan dispelling the rules of the game country, the rules of the game are called Act, the Law of the preceding from the birth of democracy. " Democracy means that it recognizes the rights of the individual in public social order, this recognition can only be realized through the rule of law established by a country. If it sets a pattern, then the real form of the ideology of democracy is what included in a definite rule. Just like other countries Indonesia is entering a period of self-search democracy, which at one point became Failure of the Law not supported by the underlying ideology.

II. Discussion

A. The law of the Embryo State

Thomas Hobbes See the law as a basis for the safety of the individual. In the midst of wild people who love their prey to each other, the law is an instrument for creating a safe and peaceful petting society. For Hobbes, according to her situation as materialism, human (since ancient times) is ruled by a natural desire to fight for her interests. There is no sense of being fair or unfair. There is only a human lust. In such circumstances, there was '*Bellum Hollum Contribuerga ones* Where everyone always shows his egotism seriously. For people-people like this, if there is no act, then to pursue self-interest, they will be involved in a *war of all against all* (Everyone's war against everyone). Without laws that are enforced acceptably by a potent ruler, individuals will debate each other (Homo hominids Lupus). Then it is the law of the people's conscious choice to ensure one's life against the other person.¹⁶ Countries by Hobbes have absolute power. His reign should not split. A division of power would lead to the onset of anarchy, civil war or the wars of religion in the state. Hobbes did not deny those powers the

¹¹ *ibid.* p.554

¹² Ishtiaq Ahmed, *The Concept of an Islamic State: An Analysis of the Ideological Controversy in Pakistan* (London: Pinter, 1987).

¹³ *ibid.* p 34-35

¹⁴ *ibid.* p. 36

¹⁵ *ibid.* p. 37

¹⁶ Bernard L. Tanya, Yoan N. Simanjuntak, Mark y. Hage, *Law theory, we*, 2007. 77 and

absolute birth of a state of the title. The State shall act arbitrarily without any power capable of controlling it. However, according to the strength of her state, it is still much better than at the beginning of the turbulence, warfare, and lack of peace due to power splitting.

1. According to Van Vollenhoven State as the highest institution of the First Nations, the power is given to regulate each country based on its position and has the authority to rule the law.¹⁷ In this case, the power of the state always linked to the theory of sovereignty (*sovereignty or souveranitet*).
2. Although back J.J. Rousseau mentions that state power as an agency or organization derives from the people's Community (results of the agreement *contract social*) that its essence is a form of solidarity that protects and protects the shared power, personal power, and property of each.¹⁸ In this case, indeed, it is the powers of sovereignty, but it is not the power of the state that also lacks the powers without limit, because there are certain provisions of the law that bind itself as natural law and the Law of God and the common law in all the Nations Called *Leges Imperii*.

B. Theory Law of Thomas Hobbes

The notion of Thomas Hobbes against State authority still applies to current conditions, linked to Hobbes' theorem about "*Weak state power will lead to the onset of anarchy, civil war or the wars of religion in the country.*" If what worries about Hobbes happens so that the law cannot be when right, such a state is an abnormal state, then the law must foresee *on how to enforce the law in a state of emergency or abating*. According to Hobbes, *The Security Act is the law, the legal regime as the basis for the security of the individual. In the midst of the wild people who like to take advantage of each other, the law is an*

*important tool for creating a safe and peaceful society.*¹⁹

A smaller point from this point of view is Then in every country of the world in its constitution in discovering the rule of law governing the State and its authority including Indonesia. These is an application of Thomas Hobbes' thinking which stated that *The law was the order of security, Law as a basic need for the safety of the individual. In the midst of wild people who love each other's prey, the law is an important tool for creating a safe and peaceful society*²⁰

Brian Tamanaha (2004),²¹ As quoted by Marjanne Artz-Termoshuizen in Journal of Law Jentera6, divide the concept 'rule of law' In two categories, "*formal and substantive.*" All categories, i.e. "*rule of law*" In the sense of being formal and "*rule of law*" In substance, each of them has three forms, so the concept of the law of a State or "*Rule of Law*" His views 6 have the following form:

1. Rule by Law (not the rule of law), where the only act acted as "*instrument of government action.*" The law is understood and used only as an instrument of power, but the degree of certainty and Prediktabilitasnya is very high, and very much liked authorities themselves, either in the management or the capital that controlled retrieval processes. Political decision.
2. Formal legality, which includes features which are (i) the principle of 'prescripts' (pre-written rule) and which should not be retrospective in Nature, (ii) generally in the sense that applies to everyone, (iii) clearly (clearly), (iv) the public, and (v) is relatively stable. That means, in a form that '*formal legality,*' in Diidealkan it is preferable to choose law.

Dynamic democracy *Offset* By a law which ensures certainty. But, according to Brian Tamanaha, as "*a procedural mode of*

¹⁷ Notonagoro, political legal and agricultural development, (Jakarta: Bina Aksara, 1984), pg. 99 and

¹⁸ R. Wiriadno, et al, the archaeologists who think big about the state and the law (Jakarta: PT Pembroke, 1958), pg. 176.,

¹⁹ Ibid, p. 77.

²⁰ ibid. p. 77

²¹ Brian Tamanaha (Cambridge University Press, 2004), lihat Marjanne Termoshuizen-Artz, "The Concept of Rule of Law", Jurnal Hukum Jentera, Pusat Studi Hukum dan Kebijakan (PSHK) Jakarta, edisi 3-Tahun II, November 2004, hal. 83-92.

legitimation" Democracy also includes restrictions similar to "*formal legality*."²² As in the "*formal legality*" Democracy, the regime can also produce bad and unfair law. Thus, in a democratic system based on the law in the sense of formal or the *rule of law* In a formal sense once more, it can also raise legal uncertainty. If the value of security and predictable nature comes first, then the practice of democracy which can only be considered worse than the authoritarian Rezmi is more guarantees of stability and security.

C. Utopian law

In every revolutionary revolt of an underdeveloped class can we find a corresponding theory manifestation to her; In the 16th century and 17th century, utopian theories about social conditions are ideal; In the 18th century, Communist theorists (morally and Mably).²³ The calls to the equation are no longer limited to political rights; It also expanded into the social conditions of each. Not only should class privilege be removed, but the difference in the class itself. One of communism, the ascetic, who rejected all the pleasures of life, namely Spartan, was the first form of this new school. Then came three large utopian houses: 1) Saint-Simon; About his middle-class movement, which is tied to the proletarian movement, still has particular significance; 2) Baptism; 3) Owen; Inland where most capitalist production developed, and under the influence of hostility from it, it designed a number of proposals to eliminate class distinctions systematically and in direct contact with materialism French.

There is one thing that is the same among the three phylogenies, utopian. None of them seems to be representative of the interests of the proletariat who at the time had naturalized from historical development. As the French philosopher they do not claim to want to liberate

certain classes as the first, but humanity is all at once. Like them, this utopian third House wants to establish a kingdom of reason and Justice of the Abadi. But the kingdom they imagine this is very different from the ideal of the kingdom by the French philosopher, as well as a haven from the Earth.

Because, for our third social reviser, a bourgeois society, founded on the principles of the French philosophers, is irrational and unjust as well as feudalism, and will, therefore, strike into the rubbish bin as feudalism and all The association's earlier action. If the reason and the justice which so far has not mastered the sacred world, then this simply because people have not understood it properly. That is needed is a person who is a genius, who has now arrived and understood the truth. Now that it has arrived, the truth has now clearly understood, it is not an inevitable event, which follows on from the inevitable fact that there are historical developments in the circuit, but it happens to be on its own. This individual genius could have been born 500 years early, and in so doing can prevent humanity from 500 years of error, confrontation, and suffering.

We have seen how the philosophers of the 18th century France, the foresters of the revolution, use reason as the sole judge of the whole. A government that is a rational, rational society, will be built; Everything that is contrary to the logic of the eternal must eliminated without mercy. We have also seen how permanently, in fact, the reason is only the citizens ' understanding of the Diidealiskan of the 18century, which was emerging as bourgeoisie at the time. The French Revolution has been the realization of a rational government and society. However, the new order, which is quite logical compared with the previous conditions, is entirely logical. Country based on reason completely collapsed. Rousseau's social contract

²² Ibid., pg. 86 and

²³ Étienne-Gabriel morelly (1717-1778) was a utopian thinker and novelist in France. His book, Code De La Nature (Natural Law) published in 1755 became the cornerstone of mind for later many socialist and communist thinkers. In this book, he proposed an egalitarian social order, without

property, marriage, church and police. Gabatones bonnot De Mably (1709-1785) is a French philosopher, historian and writer. He was an early communist thinker. In his book, "Entymretit de Phociens" and "Des droits et de droit DU citoyen", he supported the idea of eliminating private ownership, which in his view is incompatible with human altranism.

has found its realization in the reign of Terror.²⁴ House of Bourgeoisie, who has lost confidence in the ability of their political refuge from these powers of terror to begin through the Directorate of the Government, and, finally, under the aegis of Napoleon's writings.²⁵ The promised eternal peace turns into endless wars of conquest — an association based on the reason that it did not run better. The hostility between the rich and the poor, instead turned into prosperity, had become more intense with the ousity of order and other privilege-the honor, at some point was Menjembatannya, and by Dibubarkannya. Church Charitable Organizations. "The Freedom of property rights" of feudal backers, which has now fully achieved, turns out to be, to the small capitalist and the small owners, the freedom to sell the property to a fair amount of it. They made crumpets under the competition to the capitalist Glasbury and a large landowner who controlled everything. And, insofar as the concerns of the small capitalists and the pacifists with the land, this freedom has become "freedom *Of* Property rights." The development of the industry over the capitalist base makes the poverty and misery of workers' masses, a requirement for the existence of a capitalist society. Payment in cash is increasingly becoming, in the expression of

Carlyle,²⁶ The only relationship between man and man. The number of offenses increased year on year. Earlier, feudal crimes occurred openly in wide daylight; Although they are not disappearing, they have now been encouraged into the background. Instead, a bourgeois evil practiced secretly, began to flower perfectly. Today's increasingly appalling trade has become increasingly predictable. The "Brown" revolution of the French emblem²⁷ It was a realization of deception and competition. The suppression was replaced by force by corruption; The sword, as the chief social Argalas, which was replaced by gold — the rights to the first night²⁸ Transfer from feudal lords to the bourgeois's manufacturers. Wells are increasing up to levels never predicted. Marriage itself remained, as before, a kind of legally recognized and official method of prostitution, and, further, with much co-habitation.

In short, compared to the promises of the philosophers, social organizations and politics are born of a "triumph of Reason" in a very disappointing peso. The smaller are the people who can shape this disappointment, and they arrive at the same time as the turn of the century. In 1802 the Geneva papers of Saint-Simon appeared;²⁹ In 1803 the first works appeared,

²⁴ Reigning from terror, or the tributes of terror, in the time of the French force in revolution the Revolution struck the counter-revolutionary forces of the monarchy and the nobility, which lasted from 6 September 1793 – 28 July 1794. Led by the Jacobins, Maximilien Robespierre was launched, in particular revolutionary terror. King Louis XVI, Queen Marie Antoinette and many other novels split his head with guillotine. The revolutionary dictatorship of the Jacobins was finally uprooted and replaced by the rule of the Secret Directorate, in which the revolutionaries of the French Revolution were rounded up and executed.

²⁵ This refers to the era of the Democratic-revolutionary dictatorship of the Jacobins (June 1793 to July 1794), when the riots of the Jacobins counter-attacked the revolutionary "house" of the counterinsurgency of the Girondins and the royalists with revolutionary terrorists. Directorate (an agency with five directors, each of whose members must be selected every second birthday) is an executive power organ in France under the 1798 Constitution adopted after the revolutionary dictatorship of the Jacobins in Rubwhnya 1794. The directorate existed until

1799, before being overthrown by Napoleon. During the Directorate of Power, the agency maintains a regime of terror against the Democratic forces and defends the interests of the great bourgeoisie.

²⁶ Baca Thomas Carlyle, *Past and Present*, London, 1843

²⁷ This refers to the 1789 revolution in the French motto "Liberté, Égalité, frinité" (Liberty, Brotherhood, equations).

²⁸ The rights to the first night of the priests of a noctis are the juice or rights of feudal lords in medieval Europe to sleep with the horse from its own soil on the night.

²⁹ *Letters from a resident of Geneva to his contemporaries* (Letters from a resident of Geneva to the people of Sejamannya) was the first work of Saint-Simon. This work has been done in Geneva in 1802 and published anonymously in Paris in 1803 (the place and time of publication are not mentioned in this edition). When implemented in-duhring, Engels uses this edition: G. Hubbard, *Saint-Simon, his life and work*. Fragments de suivi Des plus célèbres écrits de Saint-Simon, Paris, 1857. This edition contains a

although the basic work of the Fourier theorem already made since 1799;³⁰ On January 1, 1800, Robert Owen begins managing New Lanark.³¹

But at that time the capitalist mode of production, and with it, the hostility between bourgeoisie and proletariat was still not fully developed. Modern industry has just been born in the United Kingdom and is still not known in France. But the modern industry is developing, on the one hand, a confrontation not only between the classes that are born of it but also between the forces of production and forms of exchange that it creates. These conflicts make a revolution in fashion production and pull the capitalist character into something that necessarily is.

On the other hand, the modern industry is developing, through the power of the Almighty, this production, which means putting an end to these conflicts. So, if around the year in 1800, the conflict resulting from this new social order is beginning to go on, then this is even more true for the means to put an end to it. During the reign of the terror of the Paris massacre, "they have no"³² Able to award him for a moment, thus leading the bourgeois revolution that achieved victory without the need for the bourgeoisie's own house. But, in doing so, they prove how impossible they were to continue to awarded under the current conditions at the time. Proletariat, who, when grown for the first time from the masses "who have no" as the core of a new district, has still not been able to launch independent political action. They appear as a class that is oppressed and suffers because of its inability to help itself to get the best support from outside or just above.

It also dominates the historical circumstances of the founders of socialism. Immature theory corresponds to a capitalist state of production that is not yet mature and immature class conditions anyway. Thinkers who try to find

a solution to the problem of the social problems that exist in the minds of men, but this solution is still hiding in the underdeveloped economic conditions. The association only serves errors; The removal of these mistakes was the task of reason. Therefore, the only thing we need to find is a system of social order that is new and more perfect, and outside this system imposes on society through propaganda, and when and wherever possible, with examples of social experimentation. New social systems It is destined to be just a UTOPIA. The more complete and detailed they designed, the more they become pure fantasy.

Terbuktinya with these facts, we do not need to spend more time talking unrelentlessly about this issue, which has become something of the past. We can leave it to the intellectual envy to be a Berdalih-Dalih with fantasy-Fantastic, which today only makes us smile, and to their reasoning excellence over a poet, if Compared to that "madness." For ourselves, we rejoice with incredible minds and the seeds of thought everywhere at Merangsek out of their fantasy wrack, and the Philistines could not see them.

D. The ideal legal system

The utopian island is an island that not only has the beauty in a delta but more than that the island of Utopia has a legal system that is ideal. The federation is a form of the Utopia Island Government³³ The cities with the autonomy to organize their internal affairs. The form of government in the town of Utopia is based on household forms, meaning that there is a head of household and members there. Because of its form of government based on the household form, then any year group consisting of 30 families chooses a Loupe (magistrate), or a

number of errors in the publication of the various works of Saint-Simon.

³⁰ Charles Fourier's first important work is *Theory of the four movements and general destinies* (The theory of the four movements and fortunes in general), which he wrote at the beginning of the 19th century and published anonymously in Lyon in 1808. To avoid censorship, the home page of this paper writes publishing as a place of Leipzig.

³¹ New Lanark is a cotton plant with Kampung laborers near the town of Lanark, Scotland. The

city was founded in 1784. On 1800 Robert Owen took over the New Lanark and made it a model of utopian socialism.

³² This refers to the masses *Sans-cullotes* Poor people, at the end of the 18century became the foundation of the Radical tendency of mass (Jacobins) during France's 1789 revolution.

³³ The federation is a combination of several states coordinated by the central Government which administers the rights relating to the national interest altogether.

leader referred to as Fuylarch.³⁴ For each of the ten heads or Class leaders, they form a group and the group from which they choose one person as representatives. The selected person referred to as a traitor. The meeting of the chosen Tranibor may be held to elect a judge or Governor of four persons nominated by their respective city.

In the reign of Utopia, a governor elected to become a governor for life. However, when there is a ruling on the anarchist Island of Utopia which makes the action against its citizens, so the governor will be replaced and elected the governor of the other.

In the system of governance in the town of Utopia, the Tranibor has a very important role, particularly in state-related matters in consultation with the Governor. Every day, the taunts along with the two leaders whom they invite to Parliament consult with the governor to find a good solution and effectively how to resolve a matter in a country. However, all the arguments put forward will be discussed in general advice involving elected officials. Elected officials will engage with all citizens to take a policy or decisions democratically. In other words, the ruling officers do not decide on a whim. Instead, they value and involve all the people in making collective decisions. Therefore, the government in the town of Utopia is trying to avoid a system of government that is "aristocratism" where a country headed by a noisy man who had jobs in the community.

The description above gives us an overview of how the system of government is in the City of Utopia. We see that one of the peculiar characteristics of the system of utopian governance is the existence of good cooperation among fellow citizens. And the model of cooperation that exists in the governance of the city of Utopia is not only applied in the governmental system, but also outside the government, which they implemented in building their cities, the collaboration to build the city's economy. For example, citizens, both men, and women, are trained to have expertise in choosing their jobs genuine working by their skills. Citizens also have the freedom to choose the kind of expertise they need according to their ability.

The system of government in the town of Utopia is therefore very different from the system of government in the city of the United Kingdom. If there is no cooperation between the king with a citizen of the United Kingdom, otherwise in the city a model of cooperation between leaders and citizens is preferred. Therefore, the ideal system of government is a system of governance in which the co-operation between leaders and citizens properly created.

Understand the system of government (political, democracy) as an its time and a system of law as the foundation so it can be said that the ideal system of government is born of an ideal legal system: the context of Indonesia with a variety of crimes, ranging from the crime of Kepapahan, avarice, and the gluttony of crime. Terrorism, corruption, narcotics, motorcycle gang to gamble, everything is the homework for the system and the legal system of government, where the system of government that exists as on ambition is according to the legal system, but a milestone without Identity, the judiciary stands, but the question of whether the judiciary was representative of the interests of a Justice society?, the solution already exists Utopigunya.

III. Conclusion

Indonesia's amendment to the Constitution conducted four times (1999 – 2002), which means the ideal law already discovered, and the reform agenda operates under the law to carry out the repair responsibility of the countries, but for national shock From political shocks, economic and social volatility. Case law, like a culture that needs to be inherited, spreads, and inherits the words that Pee-teacher students ran. Then the rule of law is still limited to mere utopia Indonesia.

References

- [1] Hobbes Leviathan, 2017, Western political Mind, Gramedia Pustaka Utama, Jakarta
- [2] Thomas Carlyle, 1843, *Past and Present*, London

³⁴ Utopia. 32. A PHYLACME is derived from the Greek word meaning the head of the load or the clap.

- [3] The refers to the 1789 revolution in the French motto "Liberté, Égalité, frinité" (Liberty, Brotherhood, equation).
- [4] Brian Tamanaha, 2004, Cambridge University Press
- [5] Marjanne Termoshuizen-Artz,2004, "The Concept of Rule of Law", Jurnal Hukum Jentera, Pusat Studi Hukum dan Kebijakan (PSHK) Jakarta