CORPORATE SOCIAL RESPONSIBILITY IN INDONESIAN MINING SECTOR: A MORAL PHILOSOPHY

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Abstract

CSR implementation in each country may be different. Many factors influence this difference, one of which is the moral philosophy. Likewise in Indonesia, especially in the mining sector, the moral philosophy is one of the important things that makes CSR have its own characteristics. Thus, this article aims to explore the moral philosophy of CSR implementation in the Indonesian mining sector. This is qualitative research, using Case study (Stake, 1995). Data were collected from 5 individual interviews and 1 focus group interview, triangulate with documents and Government regulations. Data analysis was using categorical aggregation. This study finds that the moral philosophy which is the basis for implementing CSR in the mining sector in Indonesia is Pancasila. This is the most in-depth discussion of the moral philosophy of Indonesian CSR especially in mining sector.

Keyword: CSR, Corporate Social Responsibility, mining, moral philosophy, Pancasila, Indonesia

INTRODUCTION

Corporate Social Responsibility (CSR) is implemented by many companies globally, including Indonesia. This concept emphasizes the responsibility held by the organization or company for the impact of the organization's activities and decisions regarding the industry or business processes it does on the social life of the affected parties (Nurani, 2019). The impact of this company's operations varies, especially in manufacturing and mining companies. Operational impacts can include environmental impacts, which then affect the community's social life. In the mining sector, CSR is a widely studied concept considering the enormous impact of mining operations on social life.

Even though it is practiced globally, the perspectives, policies, and implementation of CSR differ, whether within the scope of the country, region, type of industry, etc. Frederiksen (2010) asks a fundamental question for companies that practice CSR: "Which moral theories form the basis of their CSR policies?" Are they based on self-interest, utilitarian thinking, some common-sense morality, or are they based on libertarian thinking?' These questions emphasize the importance of understanding the moral philosophy of a CSR practice. The moral philosophy attached to CSR practices in each country may differ. Dubbink and Liedekerke (2009) state that this is due to each country's political theory attached to CSR practices.

In addition, an understanding of the moral philosophy or philosophy behind the implementation of a business activity is fundamental and useful for understanding the overall concept of the business practice. It will provide a comprehensive understanding of the business practice itself. So, this article will examine the moral philosophies s of CSR practices in the Indonesian mining

sector. Hence, the research question of this study is "what is the moral philosophy of CSR implementation in the Indonesian mining sector?"

LITERATURE REVIEW

Corporate Social Responsibility

The difference in the moral philosophy of one country to another makes it difficult to formulate the definition of CSR into a single definition. (Dubbink and Liedekerke, 2009; McWilliam et al., 2006) However, this article uses several definitions of the concept of CSR to see the direction and outline of this concept. McWilliams and Siegel (2001) define CSR as follows: "Situations where the firm goes beyond compliance and engages in actions that appear to further some social good, beyond the interests of the firm and that which is required by law."

Whetten et al. (2002, p.374) defines CSR as societal expectations of corporate behavior. He states: "Societal expectations of corporate behavior; a behavior that is alleged by a stakeholder to be expected by society or morally required and is therefore justifiably demanded of a business".

Instrumental vs normative CSR

An approach on CSR research was initiated by Spitzeck (2013). He divides this approach into two areas, i.e: the instrumental approach and the normative approach. The instrumental approach assumes that CSR is an instrument to generate profit. That the company has the main responsibility to generate profit and must respond to requests from shareholders. This can be called a business case for management responsibility.

Another approach to researching CSR is normative CSR, where experts argue that the pursuit of profit for self-interest cannot be confused with truly responsible behavior. The point is that in the sense of normative CSR, social responsibility is full of social values, this is a differentiator from CSR goals with benefits as stated in instrumental CSR (Ulrich, 2008). The basic philosophy of this approach is that companies have a responsibility to provide meaning to human life and to care about the quality of human life (Spitzeck, 2013; Ulrich, 2008). This implies that companies need to legitimize their actions in the interests of wider stakeholders. The essence of this normative CSR is how to balance the consideration of all stakeholders, which is based on moral considerations for all stakeholders. This will provide a philosophical basis for the company's decision-making process.

The existence of mining companies is primarily for business purposes, this means that the main orientation is profit. Thus, Instrumental CSR is an important thing for mining companies to do. However, the moral considerations of CSR implementation in the mining sector in Indonesia are also very important to study. Moral considerations in CSR still seem to be an issue that needs to be explored more in CSR. Many studies link CSR with things that are beneficial to the company, such as performance or brand image of the company. According to Frederiksen (2010) reviewing CSR with the resulting impact does not adequately represent the moral philosophy of CSR implementation practiced in a country.

Moral Philosophy

Moral philosophy is the science of normative practical philosophy about the right and wrong of human actions as known by reason and the purpose of moral philosophy is to study the facts from experience that humans distinguish right from wrong, good from bad, and humans have a sense of obligation (Poespoprodjo, 2017). We know several normative ethics that are commonly used and later applied in business ethics, such as Virtue ethics, Ethical care, Individual growth, Communitarianism, Ethical egoism, Deontology, Theory of Justice, Discourse ethics, Utilitarianism; common sense, et cetera.

Individual growth talks about individual learning of the potential that exists within him, so that learning becomes an ethical goal. This will support personal growth in the field of emotions, human relations, and character building, which cannot be obtained through shortcuts, but must go through certain stages. The classical Greek term metanoia was used to describe the kind of learning a learning organization should aspire to, which involves a change in mindset (Senge 1990, pp 13-14). The communitarian ethical approach is a reaction against the liberal view that individuals are more important than social groups. The communitarian approach argues that people are inherently social and that they can only achieve their moral potential by being part of a growing and developing community. By contributing to the ethical growth of a group, people also become ethical individuals. Ethical egoism posits that individuals should seek their own happiness through independent, productive lives in which their own rational judgment is the only guide for their behavior. Independence, integrity, honesty, productivity, skills and self-esteem are the main things in this ethic. This ethic teaches that every individual must help himself, be responsible for himself and must bear the consequences of their actions and decisions. One should not sacrifice himself for others or expect others to sacrifice themselves for him (Fisher and Lovel, 2006, pp 120-123).

One of the theories that is widely used, including in research on CSR is Deontology. The term deontology is derived from the Greek deon, 'duty' and logos, 'science'. This deontological theory was developed by Immanuel Kant (1724-1804). The essence of ethics is that actions must be guided by universalizable principles that apply irrespective of the consequences of the actions (Fisher and Lovell, 2006, p. 108). He divides this theory into two important concepts, i.e.: (1) Hypothetical imperative which is a specific command that must be followed if one has a relevant desire; (2) Categorical imperative, refers to principle or a command, moral obligations that require someone to do or avoid an action without any conditions (unconditional acts). In this case, the moral obligation is absolute without any exceptions and without being associated with any desire or purpose. Kant states that whether an action is ethical or not has nothing to do with the purpose, consequences, or consequences of the action. One of the CSR discussions using moral theory in a Neo-Kantian perspective was carried out by Dubbink and Liedekerke (2009).

Another theory that is commonly used in CSR research is a theory of teleology. Teleology means that the rightness or goodness of an action is not intrinsic to the action itself, but is judged by its consequences, therefore these theories are sometimes called consequentialist. Two theories that are part of teleological, i.e: discourse ethics and utilitarianism. Discourse

ethics is a normative approach that deals with appropriate rational debate processes, which are necessary to arrive at the resolution of ethical questions. This ethic embraces the ancient idea that the process of argument, or rhetoric, is the key to finding the truth. Therefore, he does not focus on formulating what is right and wrong, but distinguishing right and wrong ways in an argumentation process.

The second part of this theological theory which be used as a guiding framework in this research is the ethics of utilitarianism. Utilitarianism is part of the normative ethics of Teleology. The late 18th and 19th century English philosophers and economists Jeremy Bentham (1748-1832) and John Stuart Mill (1806 - 1873) stated that an action is right if it produces happiness and is wrong if it tends to produce the opposite situation, happiness, both on the side of the actor and the resulting impact. This theory differs from deontological ethics which regards some actions or types of actions as right or wrong regardless of the consequences.

The utilitarian theory says that a business activity is good if it can provide benefits to most consumers or society. According to utilitarianism, business is ethical, if the activities it carries out can provide the maximum benefit to consumers and society (Wijaya, et al., 2019). Thus, a good business policy or action is a policy that produces good things, not the other way around causing losses. The positive value of the theory of utilitarianism is its rationality and universality. The rationale is that the interests of the crowd are more valuable than the interests of the individual. Doing business for individual interests and at the same time for the welfare of the wider community is a very noble professional job. In universal logic, all world business people are currently expected to pay more attention to the welfare of the world community, in addition to paying attention to themselves being prosperous (Hartman and Desjardins, 2011). The theory of utilitarianism is used in understanding CSR by several researchers because it relates to moral justification regarding the prevalence of profit earning and maximization of economic value, which is in line with the first aspect of the CSR pyramid from Carroll (1991), i.e the economic aspect (Renouard, 2011; Secchi, 2007).

Fisher and Lovell (2006 pp. 100) describe the mapping of ethical theory in general. He divided it into 4 quadrants with 2 axes vertically and horizontally. On the horizontal axis, there are aspects of principle and policy. Policy is an approach that sets goals to be achieved, generally improvements in some economic, political, or social features, while principles are standards that must be adhered to because they are a requirement of justice or a moral dimension. The ethical theory on the left of his map is about the right and wrong of predetermined principles and standards, regardless of the consequences of an action. The ethics on the right dimension is about measuring truth based on whether it leads to the desired state. The vertical axis contrasts between individual ethics and institutional ethics. The theory on the upper dimension emphasizes the responsibility of individuals to develop themselves and the groups they join, by acquiring self-judgment and knowledge. Theories on the lower dimension are concerned with the development of fixed structures, institutions, which are independent of the individual, but set principles and govern ethical judgment.

In the upper left quadrant, with the individual process and principle axis, he places virtue ethics

with ethical ethics. In the upper right quadrant, with the individual processes and policy axis, he places Ethical learning and growth, which consists of: individual growth, communitarianism, and ethical egoism. In the lower left quadrant, with the Institutional Structure and Principle axes, he places Deontological ethics, which consists of: Kantian imperatives, Rights, and Justice as fairness. And in the lower right quadrant, with the Institutional Structure and Policy axes, he places Teleological ethics, which consists of: Discourse ethics and Utilitarianism.

The discussion of moral theories above is a theory that is commonly known and used in CSR research. This study focuses on looking at the moral philosophy of CSR practices in Indonesian mining, whether it is in accordance with one of the theories above or has its own philosophy.

RESEARCH METHODS

This research uses a qualitative approach, through a case study research method with the philosophical assumptions of constructivism. Data collection in this study used primary and secondary sources, with data collection techniques through interviews, focused group interviews, and document analysis. The primary sources in this study were taken through semi-structured interviews, which are included in the in-depth interview category, to informants consisting of 5 people and 1 group who understand, and have experience in the mining sector, especially Indonesian from private companies, state-owned enterprise, as well as from the Ministry of Energy and Mineral Resources. 4 (four) and 1 (one) group of informants are in strategic positions, and are decision makers and play a role in the Indonesian mining sector.

Data analysis in this study uses categorical aggregation in line with the type of research being conducted, which is instrumental case studies. The validity of the data in this dissertation research is related to four triangulation strategies, i,e : triangulation of data sources, investigators, theory and methodology (Stake 1995).

DISCUSSION

Who is 'social' in the mining sector?

When talking about Corporate Social Responsibility, what will be discussed is who is 'social' to which the company is responsible. Generally, this issue is assessed from the perspective of stakeholder theory. Wheeler et al. (2002) stated that CSR is a conceptual framework that helps to explore corporate attitudes towards stakeholders. A business, almost certainly has social, environmental and economic impacts; so that the company must have concern for its stakeholders, including the government, customers, owners/investors, and the affected community based on regulations.

Veiga et al. (2001) describe mining communities as communities whose inhabitants are heavily influenced by nearby mining operations. Communities can be associated with mining businesses through direct employment or through environmental, social, economic or other impacts. Community sizes can vary from cities to villages. He stated in these words:

"Mining communities...where the population is significantly affected by a nearby mining operation. The community may be associated with the mining venture through direct employment or through environmental, social, economic or other impacts. The community can range in size from a city to a village..."(Viega et al., 2001, p.191)

The Mining, Minerals and Sustainable Development Project (MMSD, 2002:200) describes three distinct types of mining communities – i.e: occupational communities, residential communities and indigenous peoples, as described below:

1. Occupational community is a household or family that derives all or most of its income from mining.

2. Residential communities are those who live within a mining-affected geographical area and may have existed before the mine or have developed as a result of mining operations.

3. Indigenous communities are described as: "households or families with ancient and cultural attachments to the land where mining occurs or impacts".

Mining areas in Indonesia are spread over many islands. Many of which are generally still quite remote, and are not big cities. While some mining companies operate in mining areas, they have direct contact with indigenous peoples, but in general they deal with residential communities. Thus, in this research, the term community around the mine can refer to both residential communities and indigenous peoples. In the interviews conducted in this study, the focus of social terms in the context of CSR is the community around the mine, because they are the people who may be most affected by mining operations in their area of life.

CSR in the Indonesian mining sector

The discussion above about who is meant by social is needed to understand moral philosophy carried out by mining companies towards residential communities and indigenous peoples in the context of CSR. In order to gain a better understanding of this, we will see how the concept of CSR developed in Indonesia.

In Indonesia, the concept of CSR has only been used since the 1990s, and regulations relating to CSR began to be regulated in 2007 in Law Number 40 of 2007 concerning Limited Liability Companies. The law explains that companies that carry out their business activities in the field and/or related to natural resources are required to carry out Social and Environmental Responsibilities. This concept has expanded since the Millennium Development Goals (2000-2015) were proclaimed and continued with the Sustainable Development Goals (2015-2030) by the United Nations (Nuraini, 2019).

In literature review on moral ethics above, Fisher and Lovell (2006) mention several moral theories that apply to business ethics. These theories are also often used in research on CSR. In the research of this article, one of the moral theories that is used to understand the moral philosophy of CSR implementation in Indonesia is utilitarianism. Utilitarianism assumes that a business activity is good if it can provide benefits to most consumers or society. In CSR practices in the Indonesian mining sector, this ethical utilitarianism can be seen in terms of the

benefits generated, especially for the local community. For example, long-term benefits in the fields of welfare, education, and economic independence to be provided to communities around the mine, so that they can be independent and ready when the mining company leaves the mining area. Briefly, the philosophy of utilitarianism can be used to assess whether the implementation of CSR practices brings benefits to many people.

However, CSR practices in the Indonesian mining sector have their own characteristics. When talking about the philosophy of morality, Dubbink and Liedekerke (2009) review its relation to political theory. This means that moral theory often completely encompasses political theory. It is even stated that it is necessary to justify CSR in the context of political theory. A proper conceptualization of CSR should be offered within the contest of an overarching political theory. If this is the case, one thing that distinguishes the political system adopted by Indonesia compared to other countries is the Pancasila democratic system.

To understand about CSR programs in Indonesia, we will first review the constitutional foundation of the economy in Indonesia. The economy in Indonesia has a constitutional basis in the 1945 Constitution Article 33 paragraph (3), which stated that Earth and water and the natural resources contained therein are controlled by the state and used for the greatest prosperity of the people. The meaning of 'controlled by the state' does not have to mean that the state itself directly exploits natural resources. The accentuation of 'state control' or state sovereignty over natural resources lies in the actions of the state in terms of making policies, regulating, administering, managing, and supervising business activities in the natural resources sector.

Pancasila as the Moral Philosophy in Indonesia

Pancasila is the official and fundamental philosophical theory in Indonesia. Pancasila comes from the Sanskrit: "panca" (meaning "five") and "sila" (meaning "principles").

It is composed of five principles:

1. The one divinity.
2. Just and civilized humanity.
3. The unity of Indonesia.
4. Democracy guided by the inner wisdom in the unanimity arising out of deliberations among representatives.
5. Social justice for all the people of Indonesia.

The results of interviews with interviewees of this study show a very strong relationship between CSR practices in Indonesian mining and the values of Pancasila. The interviewees even explained the relationship based on all the precepts of Pancasila. Two very important ethical notions contained in the Indonesian nation, are justice and human rights. The implementation of CSR in the Indonesian mining sector wants to produce social welfare, this is in accordance with a national goal to be achieved, i.e: 'social justice for all Indonesian people', as stated in the 5th (fifth) Pancasila principle.

As business people and people who are at a strategic level within the company, what the interviewees think about is not only how to make a profit, comply with the rule of law, or just do charity to the community, but the main goal is how CSR programs can become a means for companies to provide long-term benefits to society. So that when the mining permit has been completed and the company must leave the mining area. Communities living in the area can continue their lives properly, and their prosperity is guaranteed. The interviewees felt that there was a duty and mandate outlined in Pancasila and the 1945 Constitution of the Republic of Indonesia, that there is justice for all Indonesian people, which is part of the nation's ideology, which they need to do as part of their responsibility. The interviewees felt a responsibility as part of the Indonesian nation to participate and assist the government in equitable development, so that their compatriots who live in remote areas are assisted.

The discussion of ethics, is not just a discussion of the outward origins of human action, but also investigates the motivations and other dimensions that underlie an action. Apart from the legal regulations in Indonesia which oblige state-owned enterprises and other companies, especially those engaged in the natural resources sector, to practice CSR, there are values that exist in society, and in the life of the nation, which characterize this CSR practice. The interviewees repeatedly emphasized that the moral philosophy of this CSR practice in Indonesian mining sector is Pancasila. The noble values that exist in Indonesia, as conveyed by the interviewees, contain other aspects, such as kinship, mutual assistance (Indonesia: 'gotong royong'), social justice, including religious aspects or in this case the spiritual aspect. CSR in Indonesia is not just a formality or donation, or for corporate image. This very broad aspect can be summarized into a philosophy contained in Pancasila.

Dewantara (2017b) in his discourse on Pancasila, reviews Pancasila as a philosophy because it is the result of deep reflection of the soul carried out by the founders of the Indonesian nation, which is then poured into a philosophical system. Pancasila as the philosophy of the nation and state of the Republic of Indonesia implies that every aspect of national, state, and social life must be based on the values of divinity, humanity, unity, democracy, and justice. Epistemologically Pancasila means five principles of moral obligation. This moral norm is not interpreted as a norm of courtesy or a legal norm. But what is meant is moral norms that are rooted in human nature and therefore always apply.

Pancasila in the context of this philosophy is the principle or establishment of the life of the Indonesian nation, meaning that Pancasila is the basic guideline for the attitudes and behavior of Indonesian people in everyday life. Pancasila philosophy examines Pancasila from the point of its deepest core and which is permanent (unchanged), so that it finds the essence of the essence of Pancasila itself. Pancasila philosophy can be defined as Critical and rational reflection on Pancasila as the basis of the state and the nation's cultural reality, with the aim that the philosophy of Pancasila is the embodiment or translation of the ontological beliefs of the Indonesian nation, in the form of determining ontological attitudes and beliefs among the various ontological beliefs contained in philosophical schools in the world. (Hamuni dan Idrus, 2019, p.43).

One of the basic thoughts of normative stakeholder theory is that an organization's internal

processes affect its stakeholders and must be based on moral philosophy and ethics (Goel and Ramanathan, 2014). Every decision taken must consider the impact on all stakeholders and must have moral feasibility beyond the company's financial profit (Donaldson and Preston 1995). That is why decisions regarding CSR within a company should be handled by the strategic level, and not by the business/management level or the operational level of the company (Setyadi, 2013).

The discussion on the philosophy of Pancasila brought Pancasila to its position as the basis of the philosophy of an independent Indonesian state (Dutch: filosofische grondslag) at the session brought by Bung Karno on June 1, 1945. The term Filosofische grondslag is defined as "fundament, philosophy, thoughts with the deepest soul, passion that the deepest depth for which the Indonesia Merdeka building will be erected" (Latif, 2018, p. 62). The phrase "on which the Independent Indonesia Building was built" means that Pancasila as Filosofische grondslag is the equivalent of the term 'foundation of the state'. So that the notion of Pancasila as the 'foundation of the state' is the same as the understanding of Pancasila as the 'fundamental philosophy/state philosophy'.

Pancasila as Filosofische grondslag includes the principle of welfare as one of its principles. This principle is like in the Preamble to the 1945 Constitution, where the issue of justice and the principle of justice are emphasized. It stated that the State wants to realize social justice for all Indonesian people, carrying a mission to realize social justice as the basis of its legitimacy. For example, with the words "an independent, united, sovereign, just and prosperous Indonesian state", in the second paragraph. The same is contained in the first and fourth paragraphs.

Pancasila as the basis of state philosophy (Filosofische grondslag) has philosophical values contained in the Pancasila precepts that underlie all applicable legal regulations in Indonesia. This means that the values of divinity, humanity, unity, democracy and justice must underlie all applicable laws and regulations. Philosophically, in the life of the Indonesian people, it is recognized that the value of Pancasila is a way of life. Thus, Pancasila is used as a guide in behaving and acting in all areas of life, including the economic, political, socio-cultural, and defense and security fields. As a philosophical teaching, Pancasila reflects the basic and essential values and views of the Indonesian people in relation to the source of the universe, God Almighty.

As the basis of the state philosophy (filosofische grondslag), Pancasila is a systemic, fundamental, and comprehensive values. The precepts contained in Pancasila are values that are whole, hierarchical, and systematic. This is contained in and should be understood by mining business actors when preparing and conducting CSR programs, especially for local communities. The basis used in CSR is not just the principle of benefits contained in the philosophy of utilitarianism. On the other hand, far more noble values are contained in the philosophy of Pancasila which forms the basis of CSR practices in Indonesia. Proposition: CSR in the Indonesian mining sector will obtain optimal results if it fulfills the philosophical values of Pancasila, i.e: the values of God, humanity, unity, democracy, and justice.

CONCLUSION

The practice of CSR in Indonesian mining sector contains a very deep philosophical content that describes the soul and noble values that exist in Indonesia. The moral foundation of CSR practices in Indonesian mining is the Pancasila philosophy, and its provisions in the 1945 Constitution of the Republic of Indonesia. The 1945 Constitution is the highest source of law that applies in the Republic of Indonesia and is the embodiment of Pancasila as the state ideology. The 1945 Constitution Article 33 paragraph (3), stated that 'Earth and water and the natural resources contained therein are controlled by the state and used for the greatest prosperity of the people'. This means that the purpose of regulating mining, including CSR practices by mining companies, is based on Pancasila values that are inherent in the life of the Indonesian nation.

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