

ICLSSE 2020

Proceedings of the 2nd International Conference on
Law, Social Sciences and Education

Singaraja, Bali, Indonesia

10 November 2020

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Preface

The International Conference on Law, Social Sciences, and Education is an international forum organized by Law and Social Science Faculty, Universitas Pendidikan Ganesha. This year (2020) is the second ICLSSE and will be held on 10 November 2020 at Universitas Pendidikan Ganesha, Indonesia.

“Entering The New Normal Society” has been chosen as the main theme for the conference, with a focus on the latest research and trends, as well as the future outlook of the field. Call for paper fields to be included in ICLSSE 2020, are Law and International Study, Social Education and Social Science and Humanities.

The conference invites delegates from across the Indonesian and South East Asian region and beyond. It is usually attended by more than 100 participants from university academics, researchers, practitioners, and professionals across various institutions.

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Contents

The Urgency of the Legal Protection for Women to Protect Victims of Sexual Violence Due to Gender Inequality <i>Kadek Desy Pramita</i>	1
Kayoman youth ecoliteracy movement: from tradition to education <i>I Ketut Margi, Luh Putu Sendratari</i>	6
Land Use Directions for Land Conservation in The Rain Shadow Area of the Mount Agung-Bali <i>Dewa Made Atmaja, I Gede Budiarta</i>	14
Conflict Between Buleleng Government and Chandra Dwipa Company Concerning Construction of Green Spaces <i>I Gusti Ayu Apsari Hadi, Komang Febrinayanti Dantes</i>	21
The Corruption of Local Placeman Based on White Collar Crime Criminological Point of View (The Case Study in Klungkung Regency) <i>Ni Kadek Satyam Krisna Parijata, Putu Ayu Nadya Mahaswari, I Putu Windu Mertha Sujana</i>	29
The Role of Ultimum Remedium Principles as a Basis for Thinking of the Implementation of Criminal Law in Resolving Legal Problems <i>Ketut Ardika</i>	36
From Dasar Bhuawana Gelgel Temple to Punduk Dawa Temple (The History of Subaltern Struggle Between Clan Pasek versus Adat Gelgel Village in Klungkung Regency, Bali) <i>Ketut Sedana Arta, Desak Made Oka Purnawati, I Wayan Putra Yasa</i>	41
Coastal Resources Potential in Seririt District, Buleleng Regency <i>Ahmad Rinaldi, I Putu Ananda Citra</i>	45
Pro & Cons for Discussion about the Implementation of the Election in the Pandemic Time Covid 19 <i>Gede Ari Sastrawan</i>	53
Student's Digital Literacy Abilities Against Hoaxes (A Case Study of University Students in East Kalimantan) <i>Rizky Amalia Syahrani, Kheyene Molekandella Boer</i>	62
Social Philantropy in Oral Tradition of Multicultural Society in West Bali as an Effort to Build Inclusive Civilization <i>Ivanka Angelina Dheyanita Prasada, Putu Sulistyawati, Luh Ayu Martasari</i>	70
Punishment for perpetrators of sexual harassment against women, as victims in the rich world in Indonesia <i>Helena LG</i>	75
Digital Literacy Development In Arabic Learning During The New Normal Era In MTsN 8 Tulungagung <i>Yongki Pradana, Ahmad Nurcholis, Syaikhu Ihsan Hidayatullah, Binti Nur Kholifah</i>	81

The Indonesia government strategy to reduce the impact of the Covid-19 pandemic on the national economy <i>Dani Andrean Widodo</i>	89
Legal System Development in the 21st-Century Era <i>Muhammad Rafi Darajati, Muhammad Syafei</i>	97
Panca Sradha in Forming Human Pancasila <i>Putu Ronny Angga Mahendra</i>	104
Pemelekan and Pengebugan: representation of the strengthening of social species of female and male gender through gangsing games <i>Luh Putu Sendratari, I Ketut Margi</i>	111
Potential corruption in handling pandemic covid 19: reviewing the provisions article 27 government regulation in lieu of law no. 1 of 2020 and legal problematics <i>Made Sugi Hartono</i>	118
Critical Social Study of the Oral Tradition of Coastal Communities in North Bali <i>I Wayan Mudana, I Putu Putra Yana Wardana</i>	123
Mobility Behavior Analysis of Migrant from Java in South Kuta-Bali <i>I Made Sarmita, Ida Bagus Made Astawa</i>	129
Analysis of Vegetation Density Using Landsat 8 Imagery for Mapping Characteristics of Green Open Space in Denpasar City <i>I Ketut Putrajaya, I Putu Hendra Mas Martayana</i>	137
The Right Strategy for Coastal Zone Development <i>I Putu Ananda Citra, A Sediyo Adi Nugraha</i>	146
Juvenile Delinquency in Accessing Pornography Through Social Media in the City of Singaraja <i>Ni Putu Rai Yuliantini, M. Jodi Setianto</i>	152
What is the Most Potential Coastal and Marine Resources in the Buleleng Region? <i>I Putu Sriartha, I Gede Astra Wesnawa, Ida Bagus Made Astawa, I Putu Ananda Citra, Putu Indra Christiawan, I Made Sarmita, A. Sediyo Adi Nugraha</i>	160
Monitoring of Coastline Changes in Gerokgak Sub-District In 1995-2020 Using Grid Method <i>I Gst Ngr Yoga Jayantara, I Gede Yudi Wisnawa</i>	165
Effect of Emission Value for Land Surface Temperature on Landsat Image 7 ETM+ <i>A Sediyo Adi Nugraha</i>	171
Legal Consequences Marriage Agreement Post the Constitutional Court Decision Number 69/PUU-XIII/2015 <i>Si Ngurah Ardhya, I Putu Windu Mertha Sujana</i>	179
Transformation of baliseering into ajeg bali: Comodification of bali in exotic tourism industry <i>I Made Pageh, Ketut Sedana Arta, I Wayan Pardi</i>	187

Legal Basis Analysis of Imposition of Land and Building Tax with Tax Object Selling Value <i>Komang Febrinayanti Dantes, I Gusti Ayu Apsari Hadi</i>	195
Inclusive democracy in coastal communities (political sociology study on the election of Perbekel 2019 in patas village, Buleleng district, bali) <i>I Gusti Made Arya Suta Wirawan, I Wayan Mudana</i>	202
Moodle-Based LMS in The Learning Environment During The COVID-19 Pandemic <i>Harry Dhika, Fitriana Destiawati, Surajiyo Surajiyo, Musa Jaya</i>	210
Civic Education in Realizing Nangun Sat Kerthi Loka Bali in the COVID-19 Pandemic <i>I Putu Windu Mertha Sujana, Cecep Darmawan, Dasim Budimansyah, Sukadi Sukadi</i>	217
Empowering citizens against corruption with civic education <i>Venny Rika, I Putu Windu Mertha Sujana, I Wayan Landrawan</i>	225
The Current Application of Teleconferencing in the Criminal Justice Process <i>David Greacy Geovanie</i>	233
Awareness of politicians in implementing political education to realize political voluntarism in buleleng <i>A. A. Istri Dewi Adhi Utami, I Putu Hendra Mas Martayana</i>	239
Undiksha Students' Level of Understanding about the Civic Education in Implementation the Socio-Pedagogical, Socio-Academic, and Socio-Cultural Missions in to Create Smart and Good Citizenships <i>I Wayan Budiarta, A. A. Istri Dewi Adhi Utami</i>	247
Babad Cendek: Inclusive Values in West Bali on Multicultural Communities as an Effort to Deradicalize and Build a Toleran Civilization of a Nation <i>I Putu Hendra Mas Martayana, I Ketut Putrajaya</i>	254
Implementation of Article 7 Law 16 Year 2019 Concerning Amendments to Law 1 Year 1974 Concerning Marriage with the Age Limit of Marriage in Sidatape Village <i>Dewa Gede Sudika Mangku, I Made Yudana</i>	259
Nampah dandan beling tradition as local wisdom for premarital sex education in adolescents <i>I Wayan Putra Yasa, I Ketut Sedana Arta</i>	267
Legal Description of Witnesses in the Criminal Investigation via Teleconference New Normal Era <i>Putu Aditya Darma Putra</i>	275
Community Empowerment as a Supplement of Social Learning Materials of Junior High School <i>I Wayan Kertih, I Wayan Mahardika Prasetya Wiratama</i>	283
Application of Multicultural Based Learning Model with Lesson Study Pattern in Citizenship Education Learning <i>I Nengah Suastika</i>	290

The Role of Geomorphological Maps in Regional Planning and Management in Indonesia (Case: Buleleng Regency, Bali)	298
<i>Dwi Novia Wahyuni, I Nengah Sukarsa, A Sediyo Adi Nugraha</i>	
Model of Empathic Communication for Final Year Students Suffering Anxiety from Final Assignment During Covid-19 Pandemic	306
<i>Dini Safitri, Dian Alfia Purwandari, Hani Yuniani, Dania Siregar</i>	
The drawbacks of learn from home: A student perspective	314
<i>Putu Indra Christiawan</i>	

The Urgency of the Legal Protection for Women to Protect Victims of Sexual Violence Due to Gender Inequality

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Abstract-This research aims to identify and understand the scope of the current regulations governing sexual violence. As well as what regulations are needed so that women get protection from cases of sexual violence that often occur due to gender inequality. This research is a research that uses normative research methods using a qualitative descriptive approach, a conceptual approach and a statutory approach. Then by using primary, secondary and tertiary legal materials to get conclusions that are relevant to the problems at hand. The results showed that the Criminal Code, which is currently one of the references in handling cases of sexual violence, has not been able to cover all problems related to sexual violence. Therefore, additional regulations are needed as legal protection such as the Bill Draft on the Elimination of Sexual Violence which covers sexual violence in a more complex and comprehensive manner regarding sexual violence in Indonesia.

Keywords: gender inequality; sexual violence; women; legal protection

1. Introduction

Women are often seen as weak human beings and are not equal to men. This assumption often results in women getting inappropriate behavior from men. This is a reflection of the unequal gender between men and women. The thing most often experienced by women due to this gender inequality is sexual violence. Sexual violence itself is not only in the scope of rape, but it extends beyond that. Sexual violence received by women can occur anywhere, both in public and private spaces, and can cause psychological and physical harm.

Sexual violence experienced by women in Indonesia is not new. The history of sexual violence that occurred in Indonesia is quite long. Since the days of the kingdom, sexual violence against women has occurred frequently. But at that time it was not too much of a concern. Then the most memorable is the sexual violence that occurred in World War II, during the Japanese occupation of Indonesia. In the Japanese era, this process of sexual slavery was systematic, and involved many parties. Starting from the Japanese military rulers to the smallest indigenous rulers, such as kumicho (RT level). The women who are used as *jugun ianfu* (a term for comfort women from the Japanese side) are not only women from Bumiputera, but from various groups including white women. The method of recruiting used a

variety of modes, ranging from the most subtle means by which they were promised a better job, to the abusive way of taking force from their families. None of the victims' parents or families dared to fight the Japanese military, because the consequences were murder.[1]

It didn't stop there, even during the New Order era, Indonesian women also experienced sexual violence. The New Order, which was represented by the military, had its own way of sexual exploitation. It started with a single discourse in the public, both through the mass media and the announcement that the Gerwani organization was involved in the scenario of the murder of the generals. Since then, after the events of October 1, 1965, women who were considered to be "enemies of the state" were brutally destroyed through sexual violence during the interrogation process, rape, and sexual slavery in the internment camps, such as what happened at the Teben Plantungan camp in Kendal, Central Java.[1]

Even today, cases of sexual violence in Indonesia are very common. Even Komnas Perempuan said that every two hours there are at least three women in Indonesia who experience sexual violence. According to Komnas Perempuan Commissioner Andy Yentriyani, from 2011 to 2019 his party had received 23,021 cases of sexual violence in the community realm. Part of it is reporting of rape type violence.[2]

Based on this, the authors see that the rampant cases of sexual violence against women to date are due to the lack of a legal protection that can protect women from the threat of sexual violence. The articles in the Criminal Code do not cover all problems in sexual violence. Therefore, a sufficiently complex law is needed to cover the problem of sexual violence that occurs in Indonesia.

2. Methods

The type of research used is normative legal research, namely written legal research from various aspects, namely aspects: theory, comparison, structure and composition, scope and material, consistency, general explanation article by article, formality and binding strength of a law, and law language. [3] With a descriptive research. The type of approach used in this research is the regulatory approach and conceptual approach. The legal materials used are primary, secondary and tertiary legal materials. In the framework of legal material procedures, the authors used document study techniques, then described them in accordance with the main problems that were studied qualitatively.

In this study, primary data and secondary data were used. Primary data were collected through observation and interviews. Secondary data is collected through literature / document studies, namely on legal materials that are relevant to the research problem. This research method is carried out in the form of previous studies, textbooks, related news in print media, as well as online data search on the internet. And this method is very useful because it does not interfere with the object of research or the atmosphere of research [4].

This research is descriptive in nature, so the sampling technique used is non-probability sampling, meaning that in this study there is no definite rule on how many samples must be taken in order to represent the population. Data processing and analysis techniques in this study will be carried out qualitatively. All data from the research results were collected both from primary data and secondary data, processed and analyzed by systematically compiling the data. The data that has been compiled are linked between one data and another, then interpreted to understand the meaning of the whole data. The analysis process continues since the search for data in the field and continues until the analysis stage [4].

3. Result and Discussion

Handling of Sexual Violence in the Criminal Code

The Criminal Code also regulates sexual violence. The rules regarding sexual violence are found in book II on Crime, in Chapter XIV on Crimes against Decency. The rules regarding sexual violence are regulated in Article 285 to Article 295 of the Criminal Code.[5]

However, the provisions in the Criminal Code on sexual violence are very limited. Broadly speaking, the only forms of sexual violence are rape and sexual immorality. Even the available arrangements have not fully guaranteed the protection of victims' rights, such as the formulation of articles that stipulate that one of the elements is a threat, so that victims who are in a relationship in a condition unable to give the real consent, not covered by these provisions.[6]

In addition, the provisions regarding rape are difficult to apply if the rape is carried out not through the penis (male) to the vagina (female). This happens because, although the crime of rape in the Criminal Code is regulated in Article 285 to Article 288 of the Criminal Code, the word "rape" only exists in Article 285 of the Criminal Code, while other articles use the word "intercourse." The word "intercourse" according to R. Soesilo, refers to the Arrest Hooge Raad February 5, 1912, which is a complaint between male and female genitalia that is carried out to have children.[6]

Meanwhile, Soetandyo Wignjosoebroto defines rape as an attempt to wreak sexual desire by a man against a woman in a manner which according to morals and / or the applicable law violates.[7] So rape is not just about intercourse.

So if there is a case, which does not meet the sexual requirements referred to in the Criminal Code, then that action turns into obscene act. In addition to obscuring the context of the criminal act of rape, the use of the offense for obscene acts of rape is also detrimental to the victim because the threat of punishment is lower than the threat of rape, thus preventing the fulfillment of a sense of justice for the victim.[7]

Therefore, the regulations in the Criminal Code cannot cover all problems of sexual violence experienced by women. This also triggers the rampant sexual violence at this time. So according to the author, there is a need for new regulations that further regulate sexual violence and can become a legal umbrella for women in dealing with problems of sexual violence.

Therefore, it is necessary to clearly see the reasons for the importance of laws that specifically regulate sexual violence as follows: 1. The rate of sexual violence in Indonesia continues to increase. 2. Cases of sexual violence are detrimental to women, who are often victims. 3. Not creating a deterrent effect for the perpetrator after the incident. 4. Enforcement of cases of sexual violence is often not from the perspective of the victim. 5. Lack of legal instruments that are able to fully resolve every sexual violence that has occurred, this is mainly from the aspect of the availability of regulations. 6. In order to reduce the number of sexual violence, it is necessary to optimize the function of the commissions that oversee various sectors of sexual violence cases. 7. The enforcement of cases of sexual violence is considered less firm. 8. The importance of maximizing the proper function of rehabilitation and recovery for victims of sexual violence. 9. Access to seek, seek and obtain justice for

victims is still not wide open. 10. The justice system for sexual violence, especially against children, is not yet supportive.[8]

Comprehensive Substance in Handling Sexual Violence

In the legal developments that occur, the emergence of the Bill Draft on the Elimination of Sexual Violence can be an answer to the problems that occur. This is because the Draft Law on the Elimination of Sexual Violence provides more detail on sexual violence.

The Bill Draft on the Elimination of Sexual Violence explains that there are 9 (nine) types of sexual violence. As stated in Article 11 paragraph (1) of this bill, sexual violence consists of: a. sexual harassment; b. sexual exploitation; c. forced contraception; d. forced abortion; e. rape; f. forced marriage; g. forced prostitution; h. sexual slavery; and i. sexual torture. Based on this, the scope of sexual violence will be more complex.[9]

In addition, the Bill Draft on the Elimination of Sexual Violence regulates the roles and duties of State Institutions, Government and Local Governments to carry out prevention of sexual violence. This regulation is not contained in the Criminal Code, and cannot be regulated by the KUHP because this content is not a criminal act. Considering the prevention of sexual violence is an important matter, this prevention must be regulated in laws and regulations outside the Criminal Code, namely the Bill Draft on the Elimination of Sexual Violence. What is meant by Prevention in the Bill Draft on the Elimination of Sexual Violence is all efforts to prevent sexual violence from occurring and sexual violence from recurring. Prevention of sexual violence is one of the scopes of eliminating sexual violence which is the obligation of the state, which in its implementation is carried out by involving families, communities and corporations.[6]

This Bill Draft also regulates the roles and duties of service provider institutions in the protection and recovery of victims, things that are not regulated by the Criminal Code, because the Criminal Code does not regulate provisions other than criminal. This Bill Draft also complements the roles and duties of the Witness and Victim Protection Agency to provide protection for witnesses and victims of sexual violence.[6]

Not only that, the Bill Draft on the Elimination of Sexual Violence can not only fill the legal void but also a commitment for this nation to carry out the 5th point of the Sustainable Development Goals (SDGs), namely regarding gender equality and the protection of women. Regarding the SDGs itself, it has been stated in Presidential Regulation Number 59 of 2017 concerning the Implementation of Achieving the Sustainable Development Goals. Thus, the need for a law that specifically regulates sexual violence is increasingly justified normatively.[10]

In terms of criminal procedural law, the law on the Elimination of Sexual Violence has regulated the obligations and prohibitions for law enforcement officers who handle cases of sexual violence, especially the obligation to ensure that victims receive assistance during the legal process from a companion who has knowledge and expertise on the handling of victims with a human rights and gender perspective. as well as the availability of a payment scheme for material and / or immaterial damages that will be imposed on the perpetrator as an additional form of punishment. This is to ensure that victims have the courage to report the violence that befell themselves without fear, because the data held by Indonesian Lanterns says that 93% of survivors of sexual violence (verbal, physical non-sexual, to rape) do not report their cases to law enforcement officials. For reasons such as shame, fear of being blamed and not trusted, having no evidence, not being supported by family and friends, to intimidation from the perpetrator.[10]

Based on the above, the writer believes that the Bill Draft on the Elimination of Sexual Violence can be the answer to the rise of sexual violence in Indonesia. So the authors hope that the government will immediately pass the Bill Draft on the Elimination of Sexual Violence into a Law. It is hoped that later this law can become a legal protection for women to protect victims of sexual violence due to gender inequality.

4. Conclusion

Problems faced by women such as sexual violence due to gender inequality are an urgency in the realm of law today. The rise in cases of sexual violence occurs because regulations on sexual violence have not been able to cover all. Such as the Criminal Code which is currently still in effect for dealing with sexual violence. The regulations in the Criminal Code only cover rape and obscene acts, while sexual violence has a much larger scope. Therefore, women are entitled to the right legal protection. The Bill Draft on the Elimination of Sexual Violence contains regulations that can not only cover all spheres of sexual violence but can also fill legal gaps, regulate the prevention of sexual violence, and the protection and recovery of victims. Therefore it is hoped that the Bill Draft on the Elimination of Sexual Violence will soon be passed into a Law. Because this Bill Draft can deal with the problem of sexual violence in Indonesia.

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Kayoman youth ecoliteracy movement: from tradition to education

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Abstract. A Nature Lover Movement called Kayoman Pedawa has emerged in Pedawa Village, which carried out an ecoliteracy-oriented movement to rescue water. The goals of this study are to (1) clarify the factors behind the ecoliteracy-oriented water rescue movement of Kayoman Pedawa; (2) define and explain the movement strategy of Kayoman Pedawa in ecoliteracy-oriented water rescue action. The Discontent Theory by Alberto Melucci and the theory of McCarthy's Resource Mobilization Structure served as the basis for understanding the context of the strategy for the emergence and movement. With the stage of purposively identifying informants, a qualitative approach is used; determination of primary and secondary data sources; methods of data collection by evaluation, interviews, and documentation; data analysis was conducted descriptively qualitatively through stages of reduction, display and conclusion. In Pedawa, there are three variables found behind Kayoman Pedawa doing the water source rescue movements, namely (1) Concern factor for the state of water sources; (2) Factor of ideological similarity; (3) Sociocultural factor - water as a traditional and cultural resources vehicle. The movement's strategy is to involve the resources of social organizations. The efforts to be made include strengthening the capacity and mobilization of organizational resources, both human resources and material resources (infrastructure), and creating networks of stakeholders inside and outside Pedawa Village.

Keywords: Social Movement; Ecoliteracy; Identity Reconstruction; Inculturation; Networking; Capacity Building

1 Introduction

Bali is not as beautiful as the tales of Indolog. Even Bali is still facing different problems. There are three key problems that are threatening Bali's sustainability, according to Tisna [1], the three main problems include (1) environmental – the competition increase for the use of natural resources especially the water and the land, and the harmful acts to the environment; (2) social – the unequal distribution of economic income and cultural dislocation or strain on Balinese society, social order and traditional; (3) managerial - the weak management system and limited funds for development [2].

In the midst of concerns about the environmental problems in Bali, Nature Lovers that is called Nature Lovers of Pedawa/Kayoman Pedawa (hereafter Kayoman Pedawa) appeared precisely in the village of Pedawa that conducts the ecoliteracy-oriented water rescue movement. The movement focuses on local knowledge and wisdom that the Pedawa community has.

The movement of Kayoman Pedawa invited numerous responses from the group. Some are positive, some are the opposite. Kayoman Pedawa also faces some obstacles and difficulties in four years of the journey, since its establishment in 2016. However, by discovering the local knowledge and wisdom that is embedded the culture, Kayoman Pedawa still exists and is dedicated to building the village. Thus, it is certainly an interesting phenomenon to study.

In the water rescue movement, the examination of local wisdom is intended for relevant scholarly research about how local communities develop their environmental awareness. In addition, it also aims at ensuring the blend of modern and traditional information comprehension. It needs to be done, given that the word Indology was documented in the history of Indonesia. In comparison to the Dutch and Western Europeans, the Indies and its people are depicted as inferior from an Indological point of view. From the western perspective, the picture of an inferior, less knowledgeable East seems irrelevant to understand the society's life. Amid the indications of claims to traditional knowledge, the emergence of the philosophy underlying the indigenous knowledge became relevant, thereby triggering an academic debate on the defense of traditional knowledge [3].

The questions of this research are based on such rationales: (1) Why did Kayoman Pedawa conduct the Ecoliteracy-oriented movement for water rescue? ; (2) What is the approach of the ecoliteracy-oriented water rescue action movement?

To understand the emergence and strategy of Kayoman Pedawa in making its movements, Alberto Melucci's Frustration Theory and McCarthy's Resource Mobilization Structure theory were used.

One part of the philosophy of a modern social movement is the mobilization of human capital theory. The emergence of new social movements is characterized by the increasing range of actors in social movements such as students/professionals, women and no longer being the portfolios of workers and farmers, as well as the issues to be accomplished such as human rights, democratization, women, the environment, inequality, which turned the study of social movements from centralized into spreading on different discipline centers [4].

In addition, Edward and McCarthy [4] claimed that human resources are a category that includes actors and their experience and knowledge. It is all about people who have certain talents, abilities, and experiences that meet the needs of a social movement. In order to get funding and participants, a campaign should be able to organize its actors.

2 Method

This study was conducted using a qualitative descriptive technique in Pedawa Village, Banjar District, Buleleng, Bali. Data sources from primary and secondary sources were collected. Primary sources were obtained from the community leaders (Mr. Wayan Sukrata); Mr. Wayan Sadnyana and Kayoman group: Putu Yuli Supriyadnya; Made Suisen; while secondary sources came from research results, text books, social media, and the internet. Data validity was carried out by triangulating activities through data collection, data reduction, data presentation, and conclusion drawing.

The primary data was collected from the results of filling out the questionnaire. Analytical induction techniques are used to analyze research data. Analytical induction, which is one of the typical data analysis techniques, is carried out with a stringent process in sequence to study the phenomenon under study [5].

3 Result and Discussion

Kayoman Pedawa's Background to Water Source Rescue Movement

Based on the data field analysis and theoretical studies, it was found that there were several variables that triggered Kayoman Pedawa to conduct the water source rescue movements. Such influences are as follows.

Anxiety over Water Source Condition

In Pedawa, the campaign to conserve water supplies could not be isolated from the habits of a group of young men who were inclined to go for a walk in the forest. *Sekeha Demen Ngelindengin Halas Pedawa* (SDNHP) is the way they address themselves (Made Suisen, 45 years old, interview, November 5, 2020).

The youths felt happy and concerned at the same time. The happiness emerged because their village had many water sources. The concern was triggered by the smaller water discharge, especially during the dry season. This condition was increasingly felt after 2007. The smaller water discharge seemed to be closely related to changes in the Pedawa ecosystem.

The Pedawa area was dominated by palm plants (in Balinese, *jake*) before the 19th century. The palm tree or the *enau* tree has the advantage of being a water storage. Information that one adult palm tree can store 150 to 200 liters of water was obtained from agricultural studies. Certainly, if one region is packed with palm plants, the freshness and abundance of water will easily be found. The main source of income of the Pedawa community is from palm trees, according to the story of the elders in Pedawa (the note of I Gede Widja, 2007). At that time, people depended on the production of palm sugar and the *Kolang-kaling* fruit [6]. However, since the Pedawa region was transformed into a coffee plantation area in the 19th century and early 20th century, the situation changed. At the time, the Dutch government suggested that the population plant export commodities, as it was highly sold on the world market. In addition, it was often motivated by political considerations, namely as an attempt to control mountainous areas, which might be used by small businessmen who opposed the Dutch, such as in the case of Banjar war [6].

The introduction of export commodity crops, such as cloves, coffee to the Pedawa people, decrease the number of palm trees because they were cut down and replaced by new, more promising plants, namely cloves and coffee. The presence of gradually reduced palm trees was linked to the state of water discharge in Pedawa Village. The characteristic of clove plants, which literally need water, confirmed this phenomenon. In other words, cloves require more water than other plants. It was contradicting plants of *Enau/aren* that have a water storage function. One of the causes of Pedawa young children's anxiety is the analysis of changes in the Pedawa ecosystem, especially the small water discharge.

Furthermore, another cause of Pedawa youth anxiety is the increase of rare ceremonial plants that emerged around the water source. In the ritual event in Desa Adat, there are several plants required, such as *Lateng Ngiu* as a complement to the wedding ceremony; *banyan* leaves for completeness of *penjor* and decoration of *pelinggih*; bamboo for the production of *kemulan nganten*, *penjor*, *katik sate*, *klakat*, etc. For the completeness of *Banten Balun*, palm leaves are needed. If the plant is not maintained, it is imagined that social and environmental disasters would happen.

The need for *upakara* services, as well as the marginalized ceremonial plants due to the domination of plants for the modern market, on the other hand, became the source of some young people's anxiety in Pedawa.

These problems lower their awareness of their responsibility as ritual practitioners. Traditionally, at the moment of the *ngusaba* village ceremony, *sekeha teruna* has the responsibility to carry the *banyan* leaves to the village temple. In an effort to answer this anxiety, one of the youth leaders of Pedawa Village, namely Mr. Wayan Sadnyana, suggested that groups who like to go around the forest should be formalized as an organization so that access to activities can be expanded and recognized by the community.

The Kayoman Pedawa group, which until now consists of 30 individuals composed of active and inactive members, was born on that basis. According to Made Suisen (45 years old), the initial name of this group is "*Lestari Alamku, Indah Desaku*" whose predecessor began with *Sekaa Demen Ngelindengin Halas Pedawa* (SDNHP). It was called Kayoman Pedawa after being created legally, which means guided and safe, in Sanskrit. The motto of Kayoman Pedawa is "*Ngastiti Ngayomin Desa*" (praying, protecting the village). Thus, young people have the goal of preserving the village. To get rid of anxiety, this slogan becomes their spirit.

It can be said that anxiety is a significant factor behind Kayoman Pedawa's water source rescue movement in Pedawa Village, based on the description above. It is in line with the theory of discontent that states the feelings of dissatisfaction [7] are the origin of social movements. This result is also in line with the research by Suwarno [8] on the Rumbling Movement, which was driven by concerns about environmental harm to the water areas in Muncar District.

Water as Cultural Asset and Ritual Facility

Water is an utter necessity for humans. Water is used for several purposes, including household use; recreational areas; industrial (large, medium and small) purposes; trade; farms. The same also goes for the people of Pedawa Village. Water is used for the daily household and household industries especially cooking, bathing, and washing based on the results of the interview. Water is also used for agriculture and livestock, in addition to household purposes. Finally, the important thing is that the people of Pedawa use water as a ceremonial weapon. There are many traditions whose implementation is very dependent on the presence of water, including the *Ngeyehin Karang* tradition and the *Ngangkid* tradition. One of the rituals that are very sacred and have a direct dependency on water especially the water flowing in *Tukad Pengangkidan*, is the *Ngangkid* ritual. This practice of *Ngangkid* is almost identical to the *Ngaben* Ceremony in Bali generally. Based on the beliefs of the local people, this tradition is a ceremony of *pengangkidan* spirit of Pedawa people who are serving sentences in a sacred place, called *Tukad Pengangkidan*. Here is the location of *the Ngangkid ceremony*.



Source: (Dian Suryantini/Bali Express documentation).

Figure 1. Tukad Pangangkidan in Pedawa Village, Banjar District, Buleleng, is the location of *Ngangkid Roh* ritual for local people. Panglingsir Pedawa Village, Wayan Sukrata.

The need for water for the purposes of all of the above activities was met from *kayoan* (water sources) and rivers that flow in Pedawa Village. It shows how important water is for the Pedawa people. It can be said that water is the source of life for the Pedawa people. The need for water prompted the youth who joined Kayoman Pedawa to take the initiative in their village to save the flowing water. Thus, a group of young men who ultimately took the social action/collective action, namely the rescue of water supplies in their village, had a shared ideology. This finding is in line with the results of Badawi [9] on the rise, against the context of ideological parallels, of the Disaster Response Social Movement.

Movement Strategy

There are several techniques carried out in the execution of the action, based on the result of the interview. The first is to improve the capacity building of facilities and organizations. They all agree that to achieve the goal, it must have a legal organization and be trusted by the community in accordance with the motto of *ngastiti ayuning* village. First, increase the organization's capacity. It can be seen from the changing status of *Sekaa Demen Ngelindengin Halas Pedawa* (SDNHP) to "*Lestari Alamku, Indah Desaku*" and on December 6, 2016, the status was legalized to Kayoman Pedawa. The next effort is to create the organizational completeness (organizational structure), to create the association articles and bylaws, as well as the organization logo/symbol. Here is the logo/symbol for Kayoman Pedawa. In the logo/symbol, the motto, mission, and goals of Kayoman Pedawa, namely *Ngastiti Ayuning Desa*, are written.



Source: Putu Yuli Supradnyana documentation, 2016.

By making a secretariat as the place to run the organizational activities, such as internal meetings, coaching and training places, and receiving visitors from outside of Pedawa Village, infrastructure capacity can be improved. In addition, it is used to save various seed donations from the Environment Agency in the form of *majegau*, *banyan*, *soursop*, *cempaka*, *sapodilla*, *semer* and areca trees, as well as other seeds which are endemic to Pedawa, which the members strive for independently, such as *bunut*, *lateng*, *ampelan* and kolang kaling fruits/*jake* fruits. The secretariat is situated at Chairman Kayoman Pedawa's building (Putu Yuli Supradnyana).

The next approach is to create a social network or collaboration network (social networking). The effort is to mobilize human capital according to each member's capacity and skill. It is in line with the statement from Edward and McCarthy that human resources are a category in which actors and their knowledge and skills are included. It is all about people who have unique talents, abilities, and experiences that suit a social movement's needs.

Resource mobilization is not just in-there, but also external, reinforcing human resource capacity in developing networks with different organizations beyond Kayoman Pedawa. This move is carried out in the light of the holistic view of environmental issues, so it is important for other parties to support the activities of Kayoman Pedawa, such as the head of the village, the head of the environment and the local community. It is also essential, in addition, to establish the cooperation with outside parties. The Environment Department, the Mahima society, Minikino (short film workshop), and others are some of the parties invited to collaborate (Sadnyana, 45 years old, interview, November 5, 2020)

Environmental problems and the rescue of water supplies are not limited to the tree planting problems, not only upstream or systemic problems – the village government and supra villages, but also downstream problems or cultural problems or citizens' literacy problems. Therefore, it is important to add group perspectives on ecoliteration.

In order to form habitus on environmental awareness, the selected strategy is cultivation/inculturation. In Pedawa Village, the goal is elementary school children with the consideration of "it is easier to form character values in children than parents/elderly". Furthermore, Pedawa's future is their property and duty.

The goal and intent is to provide environmental literacy, or ecoliteracy as named by Capra. Education on environment with the participation of students in overcoming the ecological crises is very important because it can enhance the younger generation's environmental literacy skills [10] (Noya, 2013:118-119). In addition, it can reinvigorate the sensitivity of students to spatial planning [11] It is in line with Febriani's [10] findings, which notes that the advent of a literacy movement is intended to increase the literacy potential of the younger generation.

Efforts and methods taken are introducing the Pedawa environment by telling stories, making observations through walking through nature and water sources in Pedawa, and concrete actions in the form of planting trees around the river.

This model was selected because it is known to get students closer to the real world than by just providing the definition of environment as written in the book. Real learning through real experiences can also be used as a reflection tool for students to check directly between what is learned through books and reality. This kind of confirmation is important so that there are no misconceptions in learning.

The basic principle to be instilled is not only a successful formation of environmental groups, but also being able to "make love" to the environment. Thus, there is a value construction of environmental care and the value of responsibility in every activity carried out by Kayoman Pedawa.

In order to achieve the points above, it is needed to revitalize the local wisdom that is hidden behind the tradition, such as the *Ngangkid* tradition, the *ngeyehin karang* tradition, and to know the Pedawa's ecosystem: the source of water and ceremonial plants and the value of living in the community. Knowledge, values, norms, beliefs and environmental ethics behind it are socialized to children, young people, and members of the community, to be used as guidelines for behavior and behavior in carrying out traditions and respecting nature. Thus, to safeguard local wisdom in the future, steps are needed: a) Strengthening community spirit b) Increasing understanding, awareness, concern, and community participation towards an environmentally wise society [12]. Internalization of ecological values contained in local wisdom can help generate human awareness in managing the natural environment so that it can form a good ecological attitude and can make a positive contribution to the preservation of the natural environment [13].

Publishing all events in the form of news in printed and electronic media, Facebook and Instagram is another crucial thing to do. Based on the interview's findings, it was not only intended to introduce Kayoman Pedawa to outside parties, but also to hide the curriculum, namely the reconstruction of identity. Through sociocultural practices, Kayoman Pedawa wanted to shift the derogatory stereotype and predicate/the marking of Pedawa, such as a negative society, fights addicted, bouncers. Published by Kayoman Pedawa via social media, the negative stereotype is expected to be turned into a positive direction. Furthermore, it is expected that there will be a change of attitude through the speech on social media: from "*de kemu*" (do not go there) to "*lan kemu*" (Let's go).

It can be said, based on the explanation above, the movement strategy is to include the resources of social organizations. In the meantime, efforts are being made to improve the capacity and mobilize the organizational capital, both human and material resources (infrastructure), as well as to establish the cooperation with stakeholders inside and outside the Pedawa Village. It is in line with the Theory of Social-Organizational Capital from Edward and McCarthy (in Snow et al. 2004) that describes the social organizations are deliberately formed purposely to achieve the movement's goals. Three elements, namely: infrastructure; social networks; and organizations, can be classified as social-organizational tools.

4 Conclusion

Based on the data, it can be inferred that in Pedawa village there are three factors behind Kayoman Pedawa's water source rescue movement, namely (1) concern/anxiety factor about the smaller discharge of water; (2) factors of ideological similarity; (3) water factor as a cultural asset and religious practice. The movement strategy is to involve social organizations. Meanwhile, efforts are made by increasing the capacity and mobilization of the organization, both human resources and material resources (infrastructure) as well as cooperation with stakeholders, both inside and outside Pedawa Village.

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Land Use Directions for Land Conservation in The Rain Shadow Area of the Mount Agung-Bali

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Abstract. The objectives of this study were to 1) evaluate and map the distribution of land potential on the marginal slopes of Mount Agung through the land capability evaluation mechanism; 2) evaluate and map land suitability classes through a land suitability evaluation mechanism; 3) identify the suitability of land use in the study area; 3) evaluating the suitability of land use with land capability classes and area function criteria; The long-term goal to be achieved is to increase the production of food crops for food security and reduce the rate of land degradation through conservation efforts on the slopes of Mount Agung. The method used to evaluate land capability is to classify the land into land units and assess the characteristics and land quality of each unit based on the guidelines of the Minister of Environment Regulation Number 17 of 2009. The creation of land units uses basic data in the form of Alos Avnir imagery, Landsat 7, and the digital Indonesian Earth Map by applying the working principles of Remote Sensing and Geographical Information Systems. Image processing software is ER Mapper, meanwhile for mapping and database table creation using Arc GIS. Identification of land suitability for food crops refers to the guidelines for the Regulation of the Minister of Agriculture No.79 /OT.140 / 8/2013. Land use suitability is determined by comparing the land capability class with existing land use, referring to the Minister of Environment Regulation Number 17 of 2009. Land use suitability criteria are high (if the conformity is > 75%), moderate (if the conformity is 40-75%), and low (if the conformity is <40%). The criteria refer to the Regulation of the Director General of Forestry Number P.04 / V-Set / 2009. The results obtained from this study are the land capacity in the research area ranging from class III to class VI scattered in each land units in accordance with the land capability map produced in this study.

Key words: potential; land; capability; suitability

1. Introduction

The phenomena studied and become the objectives in this study are related to land capability class, land suitability class, land use suitability, and area function determination based on existing geospatial phenomena on the northern slopes of Mount Agung-Bali.

Administrative areas of the research can be observed based on the mosaic of Indonesia's Digital Earth Map sheets 1807-413 (Kubu). The villages that are included in the scope of the research area are Datah Village, Tulamben Village, Dukuh Village, Kubu Village, Sukadana

Village, Baturingggit Village, and Ban Village. According to Hadiwidjojo (1998), the geological condition of the research area is in the form of volcanic rocks of Mount Agung (Qva), which includes the areas of Datab, Dukuh, Tulamben, Kubu, Baturingggit, and Sukadana villages. Tuff and Buyan-Bratan and Batur (Qbb) lava deposits are found in the village area of Ban. The results of the analysis of the Bali Hydrology Map at a scale of 1: 250,000 and the Bali Soil Map (1970) show that the average groundwater content in the study area is low with a discharge of 0.1 liter / second. There is a type of soil Regosol in Datab Village, Dukuh, Tulamben, Kubu, Baturingggit, and Sukadana; and Regosol Brown in the Ban Village area, and part of the Sukadana Village. Statistic data of Karangasem Regency (2019) shows that rainfall in the northern slopes of Mount Agung is low, which is $\pm 1,300$ mm per year with an average of 114 mm per month. The highest rainfall occurs in January, which is ± 698 mm, while the lowest rainfall occurs in May and June at ± 23 mm[1];[2].

Observing the existing land use conditions in the study area, there is a tendency that farmers have not been adaptive to the development of more relevant farming methods. Land use that does not pay attention to land potential, in addition to providing a risk of failure, can also trigger environmental degradation. Technology inputs and methods that are adaptive and capable of being alternative solutions in an effort to advance agriculture in the research area need to be developed. One of the efforts made through this research is to analyze the characteristics and quality of the land through a land evaluation approach to explore information related to land capability, land suitability and area functions in the research area. This information will then become the basis for compiling recommendations for land use to suit the existing potential of the area[3];[2].

Referring to the phenomena of the northern slopes of Mount Agung, this research feels important to be carried out as an effort to develop agricultural methods that are more adaptive and support the livelihoods of farmers in terms of capacity and land suitability. The information obtained is also an effort to anticipate the rate of land degradation caused by land use practices that are not in accordance with the criteria for land capability and area function.

2. Method

This study applies a spatial approach as well as an environmental approach in assessing the problems that exist in the research area. The spatial approach emphasizes the diversity of the earth's surface by examining each of its spatial aspects. The spatial aspects of the earth include the factors of location, natural conditions, and socio-cultural conditions of the community. In examining these aspects, the spatial approach pays close attention to the factors of location, distribution, interrelation, and their interactions[4].

The design used in this study is a descriptive design. Descriptive research is a research conducted with the main objective of providing an objective description or description of a situation. According to Sukmadinata (2011), descriptive research is aimed at describing or describing existing phenomena, both natural phenomena or human engineering. The phenomena described in this study are related to the condition of land capability, land use suitability, and the function of the area in the rain shadow area of the slopes of Mount Agung. The stages in this research are described as follows.

Pre-Field Work

The preliminary study is focused on identifying the units of land contained in the research area. Furthermore, the land unit map was made. Making a map of land units aims to facilitate the course of the research. The land unit provides clear boundaries for each land characteristic, especially when collecting data in the field. Based on the results of observations and analysis of the research area during the preliminary study, 12 units of land in the research area were

identified. The software used to process satellite image data is ER Mapper, vector data is processed with MapInfo Professional, and the creation of thematic maps and geospatial database tables using ArcGIS[5].

Field Work Stage

At the fieldwork stage, the activities carried out were research sampling and direct measurement of each land unit. The research sample will be analyzed in the laboratory to determine the characteristics and quality of the land.

After Field Work

The stage after fieldwork is to analyze the various measured variables. After analyzing various parameters, then drawing conclusions related to the problems being studied.

Research sites

This research was conducted in the northern slopes of Mount Agung, Karangasem Regency, Bali Province. The research location administratively covers most of the Kubu District area. The location of the study is in the range 8° 10' 50" - 8° 22' 30" South Latitude and 115° 28' 30" - 115° 37' 30" East Longitude[6].

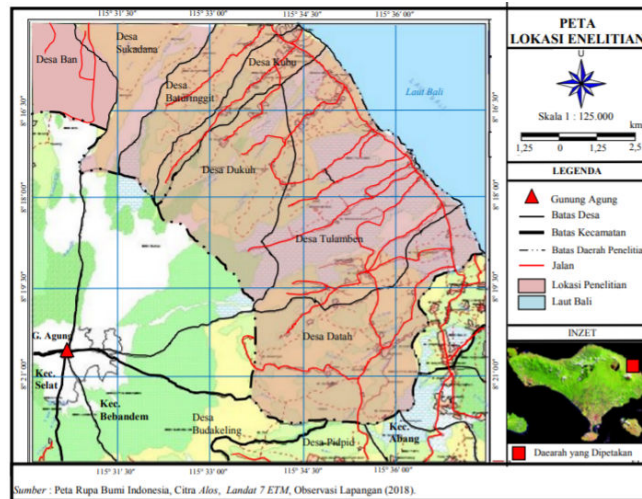


Figure 1. Research Location Map

Research Subjects and Objects

The subjects in this study were the land capability class, land use suitability, and the function of the research area. The research objects are land units that are scattered in the rainy shadow of the northern slopes of Mount Agung. The variables studied consisted of: 1). Supporting factors and limiting land capability (characteristics and land quality) such as: soil texture, surface slope, drainage, effective soil depth, erosion levels that have occurred, acid clay (clay paint), rocks above the soil surface, the threat of flooding or standing water 2). Supporting factors and limiting land suitability, such as nutrient elements[7];[8].

3. Result and Discussion

The data analysis technique used in this research is descriptive-qualitative. The data analysis formulas in this study are as follows.

Determination of Land Capability Class.

The land capability class classification uses the following criteria

Table 1. Land Capability Class Criteria

Limiting Factor	Land Capability Class							
	I	II	III	IV	V	VI	VII	VIII
1. Soil texture (t)								
a. upper layer	t ₂ /t ₃	t ₁ /t ₄	t ₁ /t ₄	(*)	(*)	(*)	(*)	t ₅
b. lower layer	t ₂ /t ₃	t ₁ /t ₄	t ₁ /t ₄	(*)	(*)	(*)	(*)	t ₅
2. Slope (%)	L ₀	l ₁	l ₂	l ₃	(*)	l ₄	l ₅	L ₆
3 Drainage	d ₀ /d ₁	d ₂	d ₃	d ₄	(**)	(*)	(*)	(*)
4. Effective depth	k ₀	k ₀	k ₁	k ₂	(*)	K ₃	(*)	(*)
5. Erosion	e ₀	e ₁	e ₁	e ₂	(*)	e ₃	e ₄	(*)
6. Gravel	b ₀	b ₀	b ₀	b ₁	b ₂	(*)	(*)	b ₃
7. Flood	O ₀	O ₁	O ₂	O ₃	O ₄	(*)	(*)	(*)

The land capability class of the research area will be determined based on the intensity of each inhibiting / limiting factor. The land capability classes range from class I to class VIII.

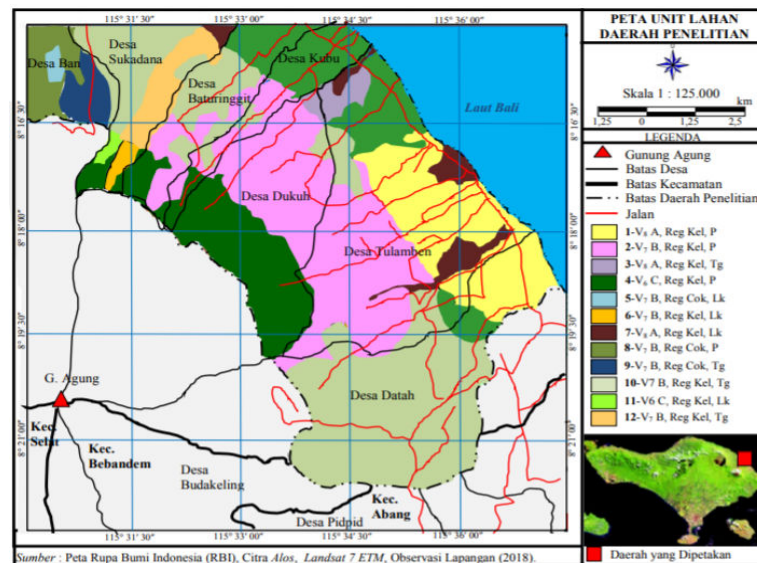


Figure 2. Research Land Unit

Determination of Land Suitability Class for Food Plants

Determination of land suitability classes for food crops follows the guidelines from the Minister of Agriculture Regulation No.79 / OT.140 / 8/2013 concerning Guidelines for Land Suitability for Food Crop Commodities. The results of this study are described in the following table [9].

Table 2. Land Capability in the Research Area

No	Land Unit	Limiting Factor								Land capability class
		Upper texture	Lower texture	Slope	Drainage	Kedalaman efektif	Erosion	Gravel	Flood	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1	¹ /V ₈ , A, Reg. Kel., P	t ₂	t ₂	l ₀	d ₀ /d ₁	k ₁	e ₁	b ₀	o ₀	III
2	² /V ₇ , B, Reg. Kel., P	t ₄	t ₅	l ₁	d ₀ /d ₁	k ₁	e ₁	b ₀	o ₀	III
3	³ /V ₈ , A, Reg. Kel., Tg	t ₄	t ₅	l ₀	d ₀ /d ₁	k ₂	e ₁	b ₁	o ₀	III
4	⁴ /V ₆ , C, Reg. Kel., P	t ₄	t ₅	l ₂	d ₂	k ₂	e ₂	b ₁	o ₀	IV
5	⁵ /V ₇ , B, Reg. Cok., Lk	t ₄	t ₅	l ₁	d ₂	k ₃	e ₁	b ₁	o ₀	VI
6	⁶ /V ₇ , B, Reg. Kel., Lk	t ₅	t ₅	l ₁	d ₀ /d ₁	k ₃	e ₁	b ₂	o ₀	VI
7	⁷ /V ₈ , A, Reg. Kel., Lk	t ₅	t ₅	l ₀	d ₀ /d ₁	k ₂	e ₁	b ₁	o ₀	IV
8	⁸ /V ₇ , B, Reg. Cok., P	t ₂	t ₄	l ₁	d ₀ /d ₁	k ₁	e ₁	b ₀	o ₀	III
9	⁹ /V ₇ , B, Reg. Cok., Tg	t ₂	t ₄	l ₁	d ₀ /d ₁	k ₁	e ₁	b ₁	o ₀	IV
10	¹⁰ /V ₇ , B, Reg. Kel., Tg	t ₄	t ₄	l ₁	d ₀ /d ₁	k ₂	e ₁	b ₀	o ₀	IV
11	¹¹ /V ₆ , C, Reg. Kel., Lk	t ₅	t ₅	l ₂	d ₂	k ₃	e ₂	b ₂	o ₀	VI
12	¹² /V ₇ , B, Reg. Kel., Tg	t ₅	t ₅	l ₂	d ₀ /d ₁	k ₂	e ₁	b ₁	o ₀	IV

Based on Table 2, it can be seen that there are several possible land use options to be maximized in each land unit in the study area. Not only on land units that do not match land capability and use, but also on land units that are already suitable for use. Use that is appropriate needs to be intensified again as long as it is possible to do so. The land use recommendations presented in this discussion are compiled based on the existing land use

conditions in the study area. Land capability in land unit 1, land unit 2, land unit 3 and land unit 8 is the most potential, namely class III. The land use in land unit 1, land unit 2 and land unit 8 is for smallholder plantations, but it is not intensive. While in land unit 3 the dominant land use is moor. In general, there is a match between potential and land use in these land units. However, the existing land potential should be utilized optimally. In addition to plantations (perennial crops), class III land has the potential for seasonal crop farming, as stated in the Minister of Environment Regulation Number 17 of 2009. Land units 1, land units 2, land units 3, and land units 8 should be intensified by combining between perennials and annuals as intercrops to obtain the desired results. This is supported by Pranowo and Purwanto (2011)[6];[10], who state that planting intercrops between plantation crops is one of the efforts to optimize land for land use to increase land productivity through crop diversification.

According to Wahyuaskari (2010), class III land is suitable for all types of agricultural business with special soil preservation measures such as terracing, crop rotation and grooved planting systems. To maintain soil fertility, fertilization is needed. Meanwhile, according to USDA in Suripin (2002), class III land has a rather good capacity but agricultural business that can be carried out is rather limited. To be able to do agricultural business, investment is needed in the form of irrigation, drainage, fertilization, and erosion prevention.

Based on these alternative land uses, the recommendations for land use in class III land units in the study area are seasonal crops and plants that require land cultivation. This is intended so that the potential lands can be utilized optimally so that they can produce the expected results. In the end, optimal land use is expected to improve the welfare of farmers, especially dry land farmers on the slopes of Mount Agung[8].

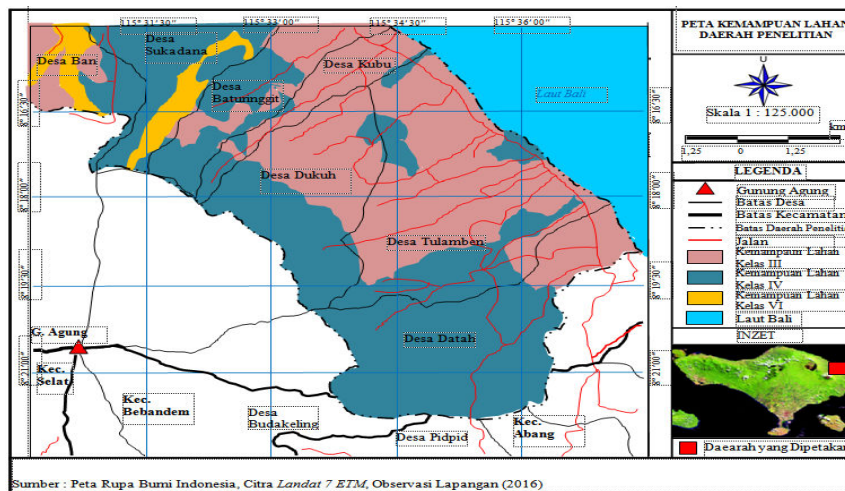


Figure 3. Land Capability Map

4. Conclusion

The land use recommendations presented in this discussion are compiled based on the existing land use conditions in the study area. Land capability in land unit 1, land unit 2, land unit 3 and land unit 8 is the most potential, namely class III. Alternative land uses, the recommendations for land use in class III land units in the study area are seasonal crops and plants that require land cultivation. This is intended so that the potential lands can be utilized optimally so that they can produce the expected results.

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Conflict Between Buleleng Government and Chandra Dwipa Company Concerning Construction of Green Spaces

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Abstract. This study aims to find the form of dispute settlement between Buleleng Government and the Chandra Dwipa Company concerning construction of Green Spaces Bung Karno Park in Singaraja. This research was held within 1 (one) year. The type of legal research using an empirical legal study with data collection by purposive sampling techniques through interviews, observation, documentation and literature studies. The subject of this research is Regional Government Buleleng, especially the Committing Officer (PPK) Department of Housing, Settlement, and Land (Disperkimta), Buleleng Regency. The results show that (1) a contract clause/agreement letter between the Buleleng Government and Chandra Dwipa Company is in accordance with the principle of *pacta sunt servanda*; (2) the mechanism of dispute settlement of Green Spaces Bung Karno Park is the Contractor can't fulfill the project as planned then the government will ended up the work, imposition of penalties, and put the contractor on the black list.

Keywords : Disputes; Contract; Green Spaces; Bung Karno Park; Buleleng Regency.

1. Introduction

The existence of Green Spaces (RTH) become something important in a city. Apart from being designated as the lungs of the city, Green Spaces is also intended to anticipate the emergence of environmental problems in the future. Today, the development of Green Spaces for environmental sustainability increasingly expanded by the public, private sector and local governments. Usually, the private sector will contribute in the form of Corporate Social Responsibility. Awareness from the public is usually carried out through environmentally conscious movements that can reduce damage to the environment itself[1].

The local government in this case has an important role in the development of Green Spaces as a manifestation of the environmental improvement program. The requirement for Green Spaces in urban areas is accordance to the mandate of Act Nr. 26 Year 2007 Concerning Spatial Planning, Article 1 Number 31 which states "Green Spaces is an area that extends / paths and / or groups, which use to more open in nature, a place to grow plants, both grow naturally and intentionally planted". It is also regulated that the requirement for Green Spaces in an urban area as regulated in Article 29 paragraph (2) states that the proportion of

Green Spaces for urban areas is at least 30 percent of the total city area. This arrangement reaffirms the importance of balancing spatial planning, especially the existence of Green Spaces in urban areas[2].

Green Spaces development is a required program that must be carried out by the government because it is a mandate of the Act. In line with that, the government will do their public functions from state administration. Van Vollenhoven argues that government action (*Bestuurshandeling*) is an action in the context maintaining of public by the state and the their people as spontaneously and independently by high and lowly authorities [3]. The government in administrative law as a body that given the authority to determine actions based on administrative law and therefore affect the circumstances or legal conditions of others or to implement some legal actions (based on Civil Law).

The various government functions as a government behavior (*bestuurhandeling*) in accordance with their authority are intended to cause a legal consequences in the administrative law or more simply the actions by state administrative officials in carrying out government affairs [4].

It should be notice that state administrative actions doesn't always have legal consequences for the society, because they are non-juridical (can't be legal consequences), however there are state administrative actions that have legal consequences (legal actions). According to Atmosudirjo, there are four kinds of state administrative law:

- 1) Decisions (*beschikking*, administrative discretion);
- 2) Plan (*Plan*);
- 3) Concrete Norms (*concreto normgeving*);
- 4) Pseudowetgeving.

By the various state administrative legal actions, the government here may make an act which doesn't have any legal consequences. Usually in a regional Spatial Planning which is based on Act Nr. 23 Year 2014 concerning Regional Government Article 12 paragraph (1) regions have obligations government affairs related to basic services, one of which is in the field of public works and spatial planning. So if the government is going to make a plan such as the construction of Green Spacse it is duties of the regional government, then very likely that the government will attach up with the private company in the line of an agreement contract.

The requirement for Green Spaces in urban areas according to the mandate of Act 26/2007 then regulated on a peculiarly regulation of the Minister of Domestic Affairs Nr. 1 Year 2007 concerning the Planning of Urban Green Spaces, thus mandating every city in the territory of Indonesia to build Green Spaces. Green Spaces is intended to support ecological, social, cultural, economic and aesthetic benefits. Unexception in Buleleng Regency, precisely in Singaraja City which in this case has an area about 27.98 km². One of the Green Spaces that Singaraja City has it is Green Spaces Bung Karno Park, which is located in Sukasada District, Buleleng Regency. Bung Karno Park began construction in phase I in 2016 and until 2018 entered Phase III construction. The development of Green Spaces Bung Karno Park Phase III takes fund sourced from the Buleleng Regency APBD of IDR. 5,497,000,000, - (Five billion four hundred and ninety seven million rupiah) and worked by the Contractor PT. Candra Dwipa.

The project construction of Green Spaces Bung Karno Park Phase III for 120 Calendar Days (24 August 2018 to 21 December 2018) due to the incomplete construction of the statue, the Contractor was given the opportunity to complete the work for 50 Calendar Days (22 December 2018 to 9 February 2019) with by imposition of penalties. However, until the opportunity to complete the over construction of the Green Spaces Bung Karno Park Phase III

, the contractor has not been able to complete it. The impact of the unfinished work of the Bung Karno Statue, the Commitment Making Officer (PPK) terminated the contract unilaterally with a work progress of 74.932% of the contract value or equivalent to IDR. 4,119,012,040, - (four billion one hundred nineteen million twelve thousand and forty rupiah).

By observing all the pressures and desires from the Buleleng peoples through an audience with the Buleleng Regent (Friday 15 February 2019) and also hearing meeting with Commission II House of Representatives Regional Buleleng Regency (Monday, 18 February 2019), the construction of the Taman Bung Karno RTH Phase III can be continued and completed in 2019. Thus the authors will analyze the contract agreement between the Buleleng Regency Government and PT. Candra Dwipa through a research entitled, “**Disputes Settlement Of Contract Between Buleleng Government And Chandra Dwipa Company Concerning Construction Of Green Spaces At Bung Karno Singaraja Park**”.

2. Method

This type of research is empirical legal studies with primary data and secondary data. Primary data collection techniques were obtained through observation and interviews. The research are consisting of 5 stages : Phase 1, the preparation, including literature study, making research instruments and applying for research permits. Stage 2, the research implementation, including the process of collecting primary data and secondary data. Primary data is interview with stakeholders the agreements maker, and secondary data is the form of the Bung Karno Park Agreement Letter in 2018. Stage 3, data processing which includes data on the contract dispute settlement mechanism for the construction of the Bung Karno Singaraja Green Spaces by the Buleleng Regency Government, analysis of the contents of the agreement letter which resulted in the inability to complete the construction of the Bung Karno Singaraja Park, as well as a strategic plan for reworking the construction of Bung Karno Singaraja Park. Stage 4, research data analysis using qualitative descriptive analysis. Stage 5, the preparation of a research report.

3. Result and Discussion

Analysis Contract Clause Involving The Buleleng Government And PT. Candra Dwipa Regarding The Construction Of Green Spaces Bung Karno Park

The government or state administration as a legal subject, or as a proponent of rights and obligations. As a legal subject, the government takes various actions, both real and legal. Real actions are actions that have no relevance to the law and therefore do not cause legal consequences, meanwhile legal actions based on their character can make particular legal consequences or can create rights and obligations [5].

Administrative legal action is a statement of will that comes from an administrative body in special circumstances, intended to cause legal consequences in administrative law. Legal consequences that arise from legal action have consequences that are relevant to law such as: the creation of new legal relationships, companies or the termination of existing legal relationships [6]. Government actions in the field of public law are classified into two, namely:

- 1) One-sided public legal action: This legal action results directly from the government being committed to the act without waiting for a reaction from the affected parties;

- 2) Two-sided public legal actions: This two-sided public legal action has legal consequences only after an agreement has been made between the government and the parties involved.

Besides taking action in the field of public law, the government, like an individual, as a legal subject can also take actions in the field of private law. This action is embodied in the quality of a legal entity acting on behalf of the institution not on behalf of a position[7].

One of the implementation legal action or two-sided public legal action is a contract / agreement made by the Buleleng Regency Government in this case implemented by DISPERKIMTA Buleleng Regency with a private company, namely PT. Chandra Dwipa in the construction of Green Spaces Bung Karno Park has been made out since 2018. This two-sided public legal action is an action made by the government (not unilaterally), meaning that it involves other parties. They were obey to and enters into force of Civil Law regulation as well as the principle freedom of contract which binds the parties like any general agreement in common.

In civil law, correlation between the parties whose involved in the engagement to create rights and obligations which then give rise to the term achievement, which is something that is demanded by one of the parties to the other party. Each engagement is to give something, to do something, or not to do something as stated in the Civil Code. Based on this explanation, the engagement creates obligations to certain individuals or parties which can take the form one of the three forms, namely: (a) To give something away; (b) To do something; (c) To do nothing[8].

Agreement or *verbinten* contains the meaning of a legal correlation between two or more people, which gives power to the right of one party to gain achievements and at the same time obliges the other party to fulfill achievements [9]. As stated in the Agreement Letter, the construction of Green Spaces Bung Karno Park according to the contract will last for 120 (one hundred and twenty) based on calendar days. However, until the time limit stated in the agreement between the two parties, PT. Chandra Dwipa could not fulfill his obligation to complete the making of the Bung Karno statue.

Based on the results of an interview with Putu Setyawati as the Commitment Officer (PPK) DISPERKIMTA (interview on July 20, 2020): based on the contract we agreed on (DISPERKIMTA as PPK and PT. Chandra Dwipa as the Provider) that the Provider agreed that the work would be completed in December 2018. Work as stated in Green Spaces Bung Karno Park Phase III Construction Agreement Letter Number: 600/1188 / RTH / 2018 (Attached), Article 2 states that the main scope of work consists of: (a) Preparatory work; (b) Bung Karno (Metal) Sculpture Pair Work; (c) Singa Ambara Raja Sculpture and Wall Sculpture Works; (d) Garden Work Type 3.

The Provider and PPK in the construction of the Green Spaces Bung Karno Park agreed that the contract implementation until the completion of the entire work is 120 (one hundred and twenty) calendar days. In the contract, it is stated that both the provider and the PPK have rights and obligations, including in Article 5, which means that the PPK has the right to supervise and inspect the work carried out by the Provider, request periodic reports on the implementation of work carried out by the Provider, provide facilities in the form of facilities and infrastructure required by the Provider for the smooth execution of the work, paying for the work according to a predetermined price. Meanwhile, the Provider has the rights and obligations to:

- a. Receive payment for the performance of work at the price specified in the Contract;
- b. Requesting facilities and infrastructure from PPK for the smooth execution of work in accordance with the provisions of the Contract;

- c. Report the implementation of work periodically to PPK;
- d. report the implementation for use of domestic production / TKDN periodically to PPK;
- e. To make and complete work in accordance with the work implementation schedule specified in the Contract;
- f. To make and complete work carefully, accurately and responsibly by providing labor, materials, equipment, transportation to or from the field, and all permanent or temporary work required for the execution, completion and repair of the work specified in the Contract ;
- g. Provide information needed for the inspection of implementation conducted by PPK;
- h. Deliver the work results in accordance with the work delivery schedule stipulated in the Contract;
- i. Take adequate steps such as implementing an Occupational Safety and Health Management System to protect the workplace environment, as well as limiting damage and disturbance to the community and property due to the activities of the Provider.

The agreement is an occasion where someone promises to another person or it can be said a moment where two or more people pledge themselves to do something. The definition of the boundary agreement has been regulated in Article 1313 of the Civil Code which states that an agreement is an act whereby one or more people bind themselves to one or more other people. The agreement made between the government and the private sector is no exception, in this case it must be in accordance with the elements in an agreement, namely:

- a. There are parties
- b. There is a consensus or agreement from the parties
- c. The object in the agreement is an materials
- d. There is a material purpose regarding assets
- e. There are certain forms, both orally and in writing
- f. There are certain conditions

The elements of the agreement then contained in the agreement between the parties, especially between the DISPERKIMTA and PT. Chandra Dwipa and it must be implemented in accordance with the principles applicable in the legal agreement when it comes to a dispute, such as default or non-completion of work

The Dispute Settlement Mechanism Construction of The Green Spaces Bung Karno Between Buleleng Government and PT. Chandra Dwipa.

Disputes originate from the dissatisfaction of certain parties with the things that has been done by certain other parties. This dissatisfaction occurs because of the hope that the other party will fulfill or create a required condition. This is come from a person's rights to force someone else to give something, do something or do nothing action. This rights arises because there are other parties who have agreed to fulfill their expectations. This is usually regulated in a contract or agreement where the parties are binding to each other and perform achievements.

Article 1338 Paragraph (1) of the Civil Code, states that all agreements made legally are valid as law for those who make them. An agreement cannot be withdrawn apart from the agreement of the two parties, the agreement is not only binding for the things that are expressly stated in it, but also for everything that is according to the characteristic of the agreement. The consequences of an agreement are as follows [10] :

1. The Agreement Only Valid Between The Parties That Made It (Article 1340 Paragraph (1) of the Civil Code).

2. Regarding Cancellation or Nullitas in the Agreement (Article 1320 of the Civil Code). The following are the kinds canceled, namely:
 - a. The agreement can be canceled (Articles 1330 to 1331 Civil Code).
 - b. Agreement is null and void
 - c. Relative Cancellation and Absolute Cancellation

In accordance with the meaning of the principle of *pacta sunt servanda* (Article 1338 Paragraph (1) Civil Code) which means that every agreement made is binding on the parties that make and applies as a law for the parties. Based on the contents of the Green Spaces Bung Karno Park Phase III Construction Agreement Letter Number: 600/1188 / RTH / 2018 in Article 6, the contract period starts from the contract signing date until the maintenance period ends. The contract period is effective as of the date specified in the Special Conditions of Contract and the completion of the entire work for 120 (one hundred and twenty) calendar days. Estimated work of making Green Spaces Bung Karno Park starting on August 24, 2018 until the end of 120 calendar days is until December 21, 2018.

In the implementation the construction of Green Spaces Bung Karno Park, the PPK supervised the realization of RTH Bung Karno Park. Regarding to the rights to supervise that is owned by PPK if the Provider does not perform the work as specified in the contract, the PPK can take actions such as issuing a warning letter. As was done by the PPK to the contractor, namely giving a warning letter I to the Provider who was nearing the end of the work but the realization yet didn't match as much as accordance with the plan to build Green Spaces Bung Karno Park.

In accordance with the interview, the PPK gave a warning letter number 600/2045 / PPK / RTH / 2018 address to the Director of PT. Chandra Dwipa, which contains the following points:

1. The construction of RTH Taman Bung Karno has entered its 17th week (14 December - 21 December 2018).
2. Work Supervisory Consultant Report for the 16th week (7 to 13 October 2018) plan 43.913%, realization 5.682%, deviation -38.231%.
3. By the time that the remaining work execution until the end of the contract on December 21, 2018 is 7 calendar days (point 1).
4. By observed at the physical condition, there are still a lot of work that has not been completed,
5. In accordance with the points above, the contractor is warned to immediately take steps in completing the work by:
 - a. Increase the work force;
 - b. Increase working time / hours;
 - c. Sending work items that have been done at Hima Gallery Yogyakarta as a sub-contractor.
6. In order to commit to completing the work, the contractor must submit an application letter for the opportunity to complete the work before the end of the contract (21 December 2018) with a statement that contains:
 - The ability to complete work (by providing the opportunity to complete the work and imposition of penalties);
 - To add 50 calendar days of implementation guarantee (until 23 February 2019) and down payment guarantee (up to 23 February 2019).

With that warning letter, based on the contract the Provider agreed to requests the opportunity to extend the work construction period for 50 calendar days, namely until February 23, 2019.

The extra time of work construction is marked by a changes (addendum) to the agreement letter. This is in accordance with what is stated in the General Terms of Contract: B.4 Addendum 36. Change of Contract: The contract can only be changed through a contract addendum. Based on these provisions, an Addendum to Letter of Agreement Number: 600/2080 / RTH / 2018 was made on 19 December 2018 from Letter of Agreement Number: 600/1188 / RTH / 2018 Date: 24 August 2018 which contains the principle changing contract clause which originally contained, " Implementation period according to point E in CHAPTER X The Special Conditions of Contract (SSKK). Implementation period for: 120 (one hundred and twenty) calendar days from the date of commencement of work listed in the SPMK. Meanwhile, the amendment of the agreement becomes: Implementation period for: 170 (one hundred and seventy) calendar days from the date based on the listed in SPMK. Given the opportunity to complete the work of 50 (fifty) calendar days up to 9 (nine) February 2019 with a penalty for late payment for each day of delay, which is 1/1000 (one thousandth) of the total contract value before PPN. Provider is willing to extend the implementation guarantee until February 9 (nine) 2019.

As the validity of the new contract between DISPERKIMTA Buleleng and the Contractor PT. Chandra Dwipa is approaching the end of the additional 50 calendar days the progress work construction still wasn't in accordance with stated in the agreement. Based on the Money Report of the Green Spaces Sector Staff DISPERKIMTA Buleleng, the process of making the Bung Karno Statue did not match with statement from the contractor. Meanwhile, there are 11 reliefs (stories) that have not been completed was made in several workshops at Hima Gallery Yogyakarta as a sub-contractor.

Following up to results of Money by Green Spaces field staff, they were given warnings. PPK issued Letter Number: 600/272 / RTH / 2018 addressed to the Provider, in this case the Contractor of PT. Chandra Dwipa, which contains a warning that the work completion time is only 8 calendar days (1 February 2019 - 9 February 2019). In addition, the PPK also instructs providers to make strategic steps in completing work by increasing the workforce and increasing work time / hours (overtime) as well as paying attention to the availability of building materials in the field.

"If by 9 February 2019 the work has not been completed, we will deciding to terminate the contract and impose a blacklisting sanction in accordance with the applicable provisions", the results of the interview with the DISPERKIMTA PPK."

In the process of finalization remaining work by the contractor and also the sculptor in Yogyakarta, the facts it could not be completed. In this case the contractor and sub-contractor have violated the principle of *good faith* (Article 1338 of the Civil Code) that applies in the agreement[11]. The commitment made by the sculptor and partners to complete the Bung Karno Statue and the reliefs until February 8, 2019 and continue to send it to Singaraja on February 9, 2019 at the latest is not proven, because it is approaching the end of the contract (50 days) to work on the statues and reliefs it is not done yet.

Due to this condition, the PPK took decisive action by terminating work activities. In line with the termination of work activities in the construction of RTH Taman Bung Karno, the PPK issued a Contract Termination Letter Number: 600 / 324.6 / RTH / 2019 dated 10 February 2019 which was addressed to the Director of PT. Chandra Dwipa as the Provider.

According to Article 1381 of the Civil Code, the abolition of an agreement can occur due to several reasons, one of which is the failure to fulfill the conditions for the birth of an agreement (as one of the sources of the engagement). In this case, it can be said that the contractor or provider are unable to fulfill the obligations as stated in the contract so that it is considered to have defaulted in the contract. The legal consequence of this act of default was

that the PPK of Buleleng Regency which was carried out by DISPERKIMTA decided to terminate the work. In addition the agreement become null and void. The contractor is also impositions of penalties in accordance with the applicable contract and included the provider into the black list.

4. Conclusion

The contract / agreement for the development of Green Spaces Bung Karno Park between the Buleleng Government who made by DISPERKIMTA Buleleng and the private company, namely PT. Candra Dwipa ended up with null and void agreement. It based on the PPK Termination Letter of Contract Agreement Number: 600 / 324.6 / RTH / 2019 took firm action by terminating work activities in the construction of Green Spaces Bung Karno Park. The contractor is also impositions of penalties in accordance with the applicable contract and included the provider into the black list.

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The Corruption of Local Placeman Based on White Collar Crime Criminological Point of View (The Case Study in Klungkung Regency)

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Abstract. White Collar Crime was a type of corruption crime that was committed by individual or group that had position to abuse the authority. It showed that, it was not only poverty factor was the background of corruption but the abuse of authority. The problem of this article was the cause factor and the control to decrease the corruption of local placeman based on white collar crime criminological point of view the case study in Klungkung regency. The purpose of this case study is to investigate the factors to influence the corruption based on white collar crime criminological the case study in Klungkung regency and how to handle it. The research method was qualitative method. Based on the result of analysis, there were four factors of white collar crime such as historical factor, opportunity factor, life style factor, and potency (character) of human. The control of white collar crime was committed by preventive and repressive.

Keywords: Criminology, Corruption, Local Placeman

1. Introduction

Today the term of Corruption is no strange to Indonesian society and is considered a phenomenon of social crime. Almost every day there are news related to corruption cases in this country. White collar crime is a type of corruption or arguably a white-collar crime. This term makes corruption is concerned because of people who have a position that is regarded by society as people who have high intellect, but unwittingly they also cause poverty in this country. It can be said that not only the poverty factor that is the background to the crime of corruption, but the prosperity and luxury factor is the driving factor of people commit crime from their positions[1]. Until now, the efforts to decrease corruption have not produced a sickening result; in contrast, corruption crime is increasingly spreading not only to the central government but also at the regional level. The development of corruption crime appears to be increased in terms of quantity and quality. This makes corruption in Indonesia not an ordinary crime but is seen as an extra ordinary crime. Corruption is classed as extra ordinary crime[2].

According to Lerry J. Siegel, in the field of economic activities the form of criminal law violations is distinguished into two, namely white collar crime and organized crime[3]. Both forms of violation of the law are often considered the same, can use their positions to commit a criminal offence. Currently white collar crime is not only focused on the government, but on the private sector or corporations that are legal entities[4].

Criminology is a science in studying evil. Viewed from a criminological point of view, white collar crime can be caused by occupational crime and corporate crime[5]. Occupational crime consists of offences committed by individuals linked to his/her position for his own benefit, while corporate crime consists of violations committed by the corporation and its employees for corporate purposes[6].

White Collar Crime is a crime associated with a legitimate position, so it is as if the prosperity it has comes from his office. This crime is symbolized by the term "white collar" signifying the legal position. In its development, the interpretation of the office is no longer a position obtained from the state, but also a position in a legal entity (corporation). A person who gains office will have the authority or power to do something.

Corruption certainly has a devastating impact on the State. The corruption case can be caused by many driving factors, such as the number of representatives of the people, especially local placemens who are still malfunctioning in using their positions or powers. Feel that the salary earned has not felt sufficient and with the opportunity that facilitates the absence of corruption, in addition to the lack of transparencies carried out in every activity by local officials. This is the basis that can trigger fraud to commit corruption by local officials.

The law is often considered a product of politics or policy. This paradigm of positivism is one of the reasons why law and enforcement are lagging behind. In fact, white collar crime in the form of its existence is corruption which also includes extraordinary crimes in the positive laws of Indonesia. Extraordinary crime in terms of its handling requires extraordinary properties as well. Terrorist and narcotics crimes that constitute exceptional crimes in Indonesia can be upheld until the death penalty, while corruption is not. The existence of White Collar Crime is a corporate crime whose kind very rarely continues to the green table of the criminal realm. This kind of situation is becoming a new problem in the legal world. The law in Indonesia is often labeled as a symbol of rigidity that only races against the text of the legislation. In addition, the punitive Funding Model began to be widely criticized. It is high time the rigidity of this legal nature was useful in dealing with the White Collar Crime. The purpose of the law which includes justice and certainty becomes absolute in the enforcement of White Collar Crime[4]. Based on this, the author raised the issue related to the causes of corruption crimes as well as efforts to counter the corruption of local officials seen from a criminological point of view of white collar crime. It is expected that with the known factors of the cause of corruption crimes as well as efforts to counter corruption can be input for the government to formulate regulations or laws that can lower the level of corruption in Indonesia, especially the local government in Klungkung Regency.

2. Method

The research approach used in this study was a qualitative approach. In the study used a qualitative approach to fit the problems that will be reviewed in this study. This research was conducted by collecting the deepest data and conducting an accurate analysis of the causes of corruption and efforts to counter the corruption of local placeman based on white collar crime criminological point of view (the case study in Klungkung Regency).

This research was a research method with data collection conducted with literature, this research collects data and information used various library sources that have been observed in advance. The results of these data were then through the diting stage of the data and the evaluation of the data. Based on this stage, obtain the data that can be presented in the form of a description of the causes of corruption and how to counter corruption crimes against local placeman (the case study in Klungkung Regency).

The data was presented in the form of a description of the causes of corruption and how to counter corruption crimes against local placeman (the case studies in Klungkung Regency) used a normative juridical and empirical juridical approach. The result of the data was presented in a descriptive form and then the data will be interpreted or interpreted at the end of the research or analysis of the data, it was done in order to conduct a discussion that will be analyzed qualitatively, after which will draw conclusions about the data that has been described.

3. Result and Discussion

Based on the data from KPK website in 2015-2020 there was the data of white collar crime :

Table 1. White Collar Crime Cases in 2015-2020

Jabatan	2020	2019	2018	2017	2016	2015
The member of DPR and DPRD	17	10	103	20	23	19
Head of Institution /Ministry	0	2	1	0	2	3
Ambassador	0	0	0	0	0	0
Commissioner	0	0	0	0	0	0
Governor	0	1	2	1	1	3
Regent and Vice Regent	4	18	30	13	9	4
Echelon I/II/III	7	26	24	43	10	7
Judge	0	0	5	3	1	3
Prosecutor	0	3	0	1	3	0
Police	0	0	0	0	0	0
Lawyer	0	1	4	0	1	2
Private	12	59	56	28	28	18
Other	15	33	31	13	21	3
Corporation	0	1	4	1	0	0
Total	55	154	260	123	99	62

Data Source : <https://www.kpk.go.id/id/statistik/penindakan/tpk-berdasarkan-profesi-jabatan>.

Based on the data it can be known that white collar crime is generally carried out by people who have positions as well as an established economy. The opportunity in the office opens up the possibility of a large number of white collar crime crimes.

Based on Law No. 20 of 2001, there are basically 30 forms/types of corruption crimes. Of these 30 forms, it is divided into 7 large groups, namely (1) deeds that inflict financial losses on the state; (2) bribery bribes; (3) embezzlement in office; (4) blackmail; (5) deed of deed; (6) conflict of interest in procurement and (7) gratuity. The mode of corruption can vary depending on the public officials involved in corruption[7]. According to Andi Hamzah, corruption mode is the way perpetrators commit corruption acts. Almost all officials have been involved in corruption, there are at least nine modes of corruption that can be done by regional officials in his position as regional head. First, corruption through the budget. Second, the possibility of collusion between rulers and entrepreneurs, especially in the field of business. Third, procurement of goods that often happens mark-ups. Fourth, tax receipts often do not go into typical countries. Fifth, registration of government employees with improper levies. Sixth, any permit management. Seventh, utilization of aid and other agency

programs. Eighth, carry out fictitious activities or ask for part of the assistance received by the community. Ninth, darken the help received[8].

Of the nine modes, reported from detiknews.com example of corruption mode that has occurred in Bali that befell the former Regent Klungkung is the mark-up of project funds. This happened when I Wayan Chandra was found guilty of corruption, receiving gratuities and money laundering which was sentenced to 12 years in prison by Denpasar District Court in 2015. The case of corruption was proven to enrich himself Rp. 1.9 billion, where the case began on May 22, 2006 when Candra was the Regent of Klungkung, at that time he published the Decree of the Regent of Klungkung No. 183 of 2006 on the Establishment of the Location of The Construction of The Pier in Klungkung Daratan located in the former Galian C Gunaksa and Tangkas Village covering an area of 50 hectares. But in the land acquisition for Gunaksa Pier there is a budget leak here and there[9].

The article 3 of the Corruption Crimes Act above implies that the perpetrator of a corruption offence must hold a position or position. Then the position or position automatically has authority. Thus the misuse of authority, opportunity and means existed because such position or position uses the authority, opportunity or means attached to the position or position occupied by the perpetrator of a corruption crime for any other purpose than the purpose of granting such authority, opportunity or means[10].

If talking about eradicating corruption is not as easy as turning the palm, there needs to be extraordinary effort. Satjipto Rahardjo argues that eradicating corruption can no longer use ordinary ways of acting and thinking, but should be the opposite of acting and thinking amazingly[11]. It must therefore grow the courage of law enforcement officers to make juridical leaps and balance with the public's legal consciousness to accept verdicts that are out of the ordinary.

The evolving criminology theory can be classified as the cause of white collar crime against local officials in case studies in Klungkung Regency, namely differential association theory. the contributing factors to the crime of corruption abuse of authority in office are: firstly judging by historical factors, Sutherland argues that crimes are learned from human behavior that can be taken from historical factors, so as to explain the causes of the crime[12].

In addition, Gabriel Tarde argues that the crimes committed by a person are the result of impersonation of crimes that have existed in society. The history of corruption in Indonesia began during the Dutch colonial period. Officials in the colonial VOC trade union committed corruption, collusion and nepotism that caused the VOC to go bankrupt with debts of 136.7 million guilders. The VOC finally disbanded on 31 December 1799 after standing for approximately 197 Years. Agus Rahardjo, Chairman of the Corruption Eradication Commission conducted a research that the behavior of corruption since colonial times has made a new habit. White collar crimes committed by VOC members in office made corruption and collusion can be studied repeatedly by its members. This impersonation process turns out to transmit actions outside the group, especially to local officials[13].

The second is the opportunity in the form of the position obtained by the perpetrator and the lack of understanding of the administration in his work so as to cause fraud in the implementation of his work. Coleman argues that when the presence of office and means creates opportunities and is considered to be the only method to still achieve wealth, or in other words "fear of falling" is a strong motivation for the perpetrators of the white collar crime[14].

The three consumptive lifestyle factors, corruption is consumer behavior that is not

offset by adequate income can encourage a person to take various actions to fulfill his or her needs, including with acts of corruption, this can be driven by lifestyle such as by maintaining a prestige and high lifestyle, an official committing corruption to obtain what he wants, an official is compelled to commit corruption if there is an opportunity to do so.

The fourth is a factor of human potential as well as the main cause is of human nature. The phrase "no human being is perfect" may indeed be true. That to be honest with people, must have been wrong. Where the lack of exemplary attitude of the leader in a formal or informal institution has important influence for his subordinates. If the leader cannot set a good example in front of his subordinates, then most likely his subordinates will take the same opportunity as his superiors. When viewed in terms of corrupt behavior, the causes of corruption can arise from the motivation in him that can be said as the desire, intention or awareness to do.

If the orientation is a necessity, when the need is sufficient, it will stop doing. But if orientation is greed, it will never stop and there will be no complacency. These four aspects of criminology make white collar crime against local officials so difficult to uncover that it requires special, extra, and serious treatment to deal with.

The efforts to counter corruption crimes against local placeman in Klungkung regency in the white collar crime criminology, the authors used the theory of crime countermeasures, namely:

1. Preventive Effort

Preventive efforts such as social education in order to develop the social responsibility of the community, the work of the community through moral education, religion and so on. Preventive efforts can be made by[15]:

- a. The Increase internal supervision on the finances of local officials in Klungkung Regency. This supervision aims to ensure that all regional budgets can be used to the maximum without embezzlement. This can ensure that the implementation of government runs in accordance with the expected objectives and objectives. This supervision is carried out starting from the audit process, review, evaluation, monitoring, and other supervisory activities to the implementation of budget tasks and functions in order to provide adequate confidence that the activities have been carried out in accordance with the indicators that have been established. This supervision is carried out to prevent fraud from occurring again, resulting in valuable output to be input of local officials in improving the management and financial accountability of the region in the future..
- b. Conducting regular hand-catch operations by the KPK, Law No. 30 of 2002 on Corruption Eradication Commission makes the KPK has a very important role in the eradication of corruption, especially white collar crime because the KPK is independent or free from the influence of any party. KPK has the authority to conduct regular Hand Capture Operations (OTT) against local officials to see if white collar crime is still common in government and corporate environments[16].
- c. Improving the electoral qualifications of local officials, in general a position holds a very important and influential role in a position. The selection of local officials must be honest and fair with what was previously attended during the nomination and during the inauguration as a local official. This, it needs to be done so that everyone who has a competent position in their field.

This minimizes the chances of a white collar crime against local officials. Because basically, someone who has held office must have high integrity and regardless of nepotism

factor. Because a good society in the future depends on a good and honest leader. Good and honest leaders can support a more prosperous society. Therefore, the problem of corrupt behavior abuse of authority in office should be taken into attention in order to form a more prosperous society..

2. Repressive Effort

Efforts are made to deal with the perpetrators of crimes such as by sanctioning in the form of criminal, prevention and social protection. The application of criminal sanctions related to white collar crime contained in Article 3 of Law No. 20 of 2001 on the Eradication of Corruption Crimes states that "Any person who is with the purpose of benefiting himself or another person or a corporation, abuses the authority, opportunity or means available to him because of a position or position that could harm the state's finances or the economy of the country. The legal definition of 'White Collar Crime', White Collar Crime is iusly constitutum stipulated in Law No. 31 of 1999 Article 3, which reads: "*Setiap orang yang dengan tujuan menguntungkan diri sendiri atau orang lain atau suatu korporasi, menyalahgunakan kewenangan, kesempatan atau sarana yang ada padanya karena jabatan atau kedudukan yang dapat merugikan keuangan negara atau perekonomian negara, dipidana dengan pidana penjara seumur hidup atau pidana penjara paling singkat 1 (satu) tahun dan paling lama 20 (dua puluh) tahun dan/atau denda paling sedikit Rp. 50.000.000,00 (lima puluh juta rupiah) dan paling banyak Rp. 1.000.000.000,00 (Satu Miliar Rupiah)*"[4]. As well as supervision that needs to be increased in preventing corruption committed by officials or civil servants as well as building good and clean morals within a person, it is a very effective countermeasure that can be done from yourself.

4. Conclusion

Corruption is one type of white collar crime or white-collar crime. Some of the factors that influence corruption are reviewed from criminology, namely, judging by historical factors, opportunity factors, lifestyle factors, and potential factors of human beings resulting in the abuse of power in serving as a local government. In this case, there are nine modes of corruption that can be done by local officials. First, corruption through the budget. Second, the possibility of collusion between rulers and entrepreneurs, especially in the field of business. Third, procurement of goods that often happens mark-ups. Fourth, tax receipts often do not go into typical countries. Fifth, registration of government employees with improper levies. Sixth, any permit management. Seventh, utilization of aid and other agency programs. Eighth, carry out fictitious activities or ask for part of the assistance received by the community. Ninth, darken the help received. From various factors and modes carried out by local officials in Klungkung Regency in committing this corruption crime, efforts are needed in tackling White Collar Crime in Corruption Crimes against Local Officials. Efforts that can be made in tackling corruption by local officials with preventive and repressive measures, namely increasing internal supervision on the finances of local officials, this supervision aims to make all budgets of the regional budget can be used to the maximum without embezzlement, Conducting regular hand-arrest operations by the KPK, Improving the qualification of local officials elections as well as the provision of sanctions in the form of criminal, prevention and social protection.

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The Role of Ultimum Remedium Principles as a Basis for Thinking of the Implementation of Criminal Law in Resolving Legal Problems

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Abstract. This study aims to find the principle of ultimum remedium is one of the principles contained in criminal law, especially in resolving legal problems. The type of legal research using is a normative juridical research method because in this paper it examines a principle which is the basis of thought or instructions for the implementation of a branch of law. The results of this study is that criminal law as a rule has sanctions in the form of suffering / suffering for people who violate the provisions contained in the criminal law, it is necessary to pay attention to and implement the ultimum remedium principle in criminal law enforcement where the ultimum remedium principle directs. and make criminal law a means or last resort in solving a legal problem that occurs. This is intended so that a legal violation is not immediately subject to a criminal sanction, because the criminal sanction is pain / suffering, it must be balanced between the action taken and the reaction in the sense of the stages of legal settlement so that there is no legal decision that deviates from the purpose of the law. criminal law itself is manifested in providing legal certainty and justice for the community.

Keywords: ultimum remedium, criminal law, criminal law.

1. Introduction

When talking about legal science, it cannot be separated from the principles contained therein. The principles of law are parts or aspects that are very fundamental to the science of law itself. The existence of legal principles in a branch of legal science is very important considering these legal principles are the instruments, the basis for thinking, and the guidelines for the development of each branch of law science, both in the process of making, implementing, and enforcing law so that it is in accordance with the objectives of science. law itself in creating justice, benefit, and legal certainty in the life of society in general.

According to H.J. Homes, in his book "Betekenis van de Algemene Rechtsbeginselen voor d praktijk" states that legal principles should not be considered as concrete legal norms, but need to be seen as general foundations or directives for applicable law. Then also according to G.W. Paton, the principles of law is a broadly formulated thought which becomes the basis for the rules of law[1].

Criminal law is a branch of legal science that contains or is based on legal principles. One of the principles contained in criminal law is the principle of ultimum remedium which is the knot and characteristic of criminal law in the process of implementing and enforcing the law.

In the dynamics of the development of criminal law, the principle of *ultimum remedium* plays a role as a basis or guide - instructions in implementing or enforcing laws related to criminal law need to be analyzed or studied, because there is still an overlap of society, especially legal actors in making a criminal law product which contains provisions for criminal sanctions and settling a criminal case using the *ultimum remedium* principle[2]. Legal actors are more likely to directly use the *ultimum remedium* principle rather than the *ultimum remedium* principle in making a criminal law product that contains criminal sanctions arrangements and resolves a criminal case, so the question arises how the true role of the principle of *ultimum remedium* as an basis for thinking of the implementing of criminal law, especially in resolving legal problems. From these questions, it is intended for the public to know and understand more clearly the true role of the *ultimum remedium* principle in criminal law, so that the community will not experience any doubts or overlaps in whether or not the *ultimum remedium* principle is used in implementing or criminal law enforcement[3].

2. Method

The method used in this paper is a normative juridical research method. The normative juridical research method is defined as a method of research on statutory regulations, both in terms of the hierarchy of legislation (vertical), as well as the harmonious relationship of legislation (horizontal)[4]. Collecting Data of this study using statute approach which can be interpreted as the main legal material by examining theories, concepts, legal principles and laws and regulations about criminal law. Data will analysis using qualitative descriptive analysis because in this paper it examines a principle which is the basis of thought or instructions for the implementation of a branch of law.

3. Result and Discussion

The Existence of The Principle of *Ultimum Remedium* in Criminal Law

The principle of *ultimum remedium* is one of the principles in criminal law. The principle of *ultimum remedium* is an important or essential thing in criminal law because it has a meaning as a means or last resort in the enforcement of criminal law. Criminal law has the meaning as a law of distress / suffering for people who violate the provisions regulated in it. Suffering for people who violate the provisions of the criminal law contained in the criminal law itself has a special character that is different from other branches of law. In the suffering contained in the criminal law, one of which is the deprivation or limitation of freedom for people who violate the provisions of the criminal law, in this case the death penalty and imprisonment decided by the judge for people who have violating the norms that have been regulated in the criminal law. So from this, criminal law should be viewed as a means or last resort (*ultimum remedium*) that must be used in correcting the behavior of people who deviate from the legal norms prevailing in society[3].

The word *ultimum remedium* was used for the first time by the Dutch minister of justice, Mr. Modderman in front of the parliament of the Netherlands, in response to a statement by a member of parliament, Mr. Mackay, who said that he had failed to find a legal basis regarding the need for a sentence for someone who had committed an offense. According to Mr. Modderman "The principle of *ultimum remedium* not only can always be read in the rules, but also repeatedly said, although it may be in other forms. The principle of *ultimum remedium* is that what is punishable is first of all violations of the law. This is a *conditio sine qua non*.

Second, that what is punishable is violations of the law, which according to experience cannot be eliminated by other means[5].

The punishment should be a last resort. Basically, there must be objections to every threat of punishment. However, this does not mean that we should ignore the determination of when a person can be punished, but it is true that there one must make judgments about the advantages and disadvantages and must keep the punishment really a curative effort and not make the disease worse". Then Professor van Bemmelen disagrees with Mr. Modderman which views the criminal law as an ultimum remedium. Professor van Bemmelen is of the opinion that the condition that has been put forward by Mr. Modderman is as if the criminal law must be ultimum remedium in nature, it should also be considered, because the criminal procedural law has given such great authority to the police and to the public prosecutor. Then Professor van Bemmelen defines the ultimum remedium as a "tool", not as a tool to restore injustice or to recover losses, but as a tool to restore an uneasy situation in society, if something is not done about the injustice, then it can cause people will take the law into their own hands[6].

Judging from the opinion of Mr. Modderman and Professor van Bemmelen, the principle of ultimum remedium in criminal law has an important and consultative nature. The principle of ultimum remedium gives that criminal law has its own place among other laws, that is because when other branches of law cannot fully address the problems and dynamics of existing legal developments or are being faced in people's lives, criminal law is present as a means. or the last resort (ultimum remedium) to sustain and resolve problems and dynamics of legal developments that exist or are being faced in people's lives that previously could not be fully handled or resolved by other branches of law[7].

Determination of sanctions in a criminal rule is not only technical, but is an integral part of the substance or material of legislation, so it must be understood comprehensively. Criminal law recognizes the principle of ultimum remedium as an aspect or nature of criminal law. The principle of ultimum remedium means the last means or last remedy for the act committed by the perpetrator of the criminal act. In other words, that the imposition of criminal sanctions should not be a drug that is more evil than a disease. The principle of ultimum remedium as an aspect or nature of criminal law also aims to avoid over - criminalization, that crime is the most recent tool owned by the state to tackle crimes, but also that criminal law can be followed by other forms of sanctions. The factors that must be considered in order to maintain the ultimum remedium principle as a characteristic of criminal law include:

- 1) Not using criminal law emotionally.
- 2) Not using criminal law if the victim or loss is not clear.
- 3) Not using criminal law if the cost of punishment is greater than the loss for the criminal act committed.
- 4) Not using criminal law if the punishment is deemed ineffective[8].

Then based on this, the imposition of sanctions in a criminal rule made by an authorized official such as a local regulation which contains criminal sanctions must be in accordance with the law concerning the formation of statutory regulations and does not necessarily impose criminal sanctions as regulated in article 10 of the Criminal Code, but also prior to stipulating other sanctions such as fostering sanctions and written warning sanctions in a criminal regulation made by authorized officials such as local regulation, so that this will realize legal functions in addition to creating order and protect the community, as well as to educate or direct the community towards the right direction and action. In addition, it is also in accordance with the nature of criminal law as ultimum remedium.

The role of the principle of *ultimum remedium* as an basis for thinking of the implementing of criminal law, especially in resolving legal problems. According to Professor van Hamel, criminal law is all the basics and rules adopted by a country in implementing legal order (*rechtsorde*), namely by prohibiting what is against the law and imposing sorrow on those who violate these prohibitions[9]. From Professor van Hamel's opinion, the criminal law has a sinister sanction. Sanctions that are sorrowful / suffering from the criminal law are in the form of deprivation and limitation of human rights owned by people who violate the provisions of the criminal law, for example the existence of imprisonment and death penalties which make the human rights to freedom of life owned by people. those who violate the provisions of the criminal law are lost, so that in imposing criminal sanctions it should not be arbitrary, there must be a balance between the action committed by the person who commits the criminal act and the reaction in the sense of the process of settling the criminal act that occurred[10]. Then in the settlement of a criminal act that occurs, all these things are not immediately resolved or processed in accordance with the provisions of the existing criminal law, because there are still other ways or efforts that can be taken to solve an act. the crime that happened. For example in cases of fights and cases of traffic accidents where the victim of the case did not get the consequences that were so harsh or fatal. In accordance with the balance between the actions committed by the person who committed the criminal act and the reaction in the sense of the settlement of the criminal act that occurred, then the settlement of the case is not immediately resolved or processed according to the provisions of criminal law, but there are still efforts the path taken in advance in resolving the case is such as conducting mediation between those concerned or carrying out other peace paths. These things are the true role of the principle of *ultimum remedium* which makes criminal law a last resort or means of resolving a legal problem, in that sense seeing the balance between the action and reaction of a legal problem that occurs, when the legal problem has an unexpected result. so severe or fatal to the victim, the parties involved in a legal issue can first take other routes or methods such as mediation, conciliation, or using the provisions of other branches of law in resolving legal issues. a legal problem. If a legal problem cannot be fully resolved by other means, then criminal law is the last means or measure in resolving a legal problem.

4. Conclusion

Criminal law contains sanctions that are in the form of grief / suffering, one of which is the deprivation or limitation of freedom for people who violate the provisions of the criminal law, in this case there is a death penalty or imprisonment which is decided by a judge for people. who have violated the norms stipulated in the criminal law. so that in imposing criminal sanctions it cannot be arbitrary, there must be a balance between the action committed by the person who commits the criminal act and the reaction in the sense of the process of settling the criminal act that occurred. Then in the settlement of a criminal act that occurs, all these things are not immediately resolved or processed in accordance with the provisions of the existing criminal law must be adjusted to the consequences obtained by the victim, if the consequences received by the victim are not so severe. or fatal, then there are still other ways or efforts that can be taken to resolve a criminal act that has occurred, such as mediation and peace pathways. Then also the imposition of sanctions in a criminal rule made by an authorized official such as a local regulation which contains criminal sanctions does not necessarily impose criminal sanctions as regulated in article 10 of the Criminal Code, but also prior to stipulating other sanctions such as fostering sanctions and written reprimand sanctions in a criminal rule made by an authorized official such as a local regulation, so that this will realize

legal functions in addition to creating order and protecting society, as well as to educate or direct the community towards the right direction and action. Such matters constitute the true role of the *ultimum remedium* principle which makes criminal law the last resort or means in solving a legal problem, then as a basis or guide in the enforcement of criminal law, as well as delivering or making criminal law have its own place in among other branches of law.

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From Dasar Bhuawana Gelgel Temple to Punduk Dawa Temple (The History of Subaltern Struggle Between Clan Pasek versus Adat Gelgel Village in Klungkung Regency, Bali)

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Abstract. This study aims to determine the factors that trigger the conflict between the Pasek Clan and the Gelgel Traditional Village at Pura Dasar Bhuwana Gelgel, knowing the historical process of the establishment of Pura Punduk Dawa as a form of protest from the Pasek Clan against the hegemony of the Traditional Village at the Bhuwana Gelgel Base Temple, knowing the implications of moving the status of the temple for Punduk Dawa Traditional Village and Pasek Clan. This study used a qualitative approach, using data collection techniques with purposive sampling, data collection methods by interview, observation and document analysis. The results of this study indicate that the factors causing the conflict are the existence of harassment towards *sulinggih* pasek at Pura Dasar Buana Gelgel and the failure of mediation by Klungkung Regency Government and PHDI to mediate conflicts at Pura Dasar Buana Gelgel, MDP Klungkung and the Chairperson of MGPPSR Klungkung. The struggle for economic resources in which *Ida Ratu Pasek pelinggih* ceremony is carried out by involving *dadia* management and Pasek stakeholders in Klungkung Regency. However, recently the coordination of *pengayah* at Pura Dasar Buana Gelgel was taken over by the work committee, namely Gelgel traditional village. This conflict grew when the *Kelihan Pengempat* was eliminated and taken over by the Gelgel Traditional Village, the motive according to the TPF was due to *sesari* problems. The implications of moving the temple for Punduk Dawa Traditional Village are (1) The economic impact of visiting residents praying to the *Penataran Agung Ratu Pasek Linggih Empu Gana* temple in Punduk Dawa. *Pesinggahan* Village encourages the *mico* sector, especially restaurants to increase their turnover; (2) The congestion occurred as a result of the praying residents carrying two and four-wheeled vehicles; (3) increased solidarity among the people of Pasek, due to the desire to complete the construction of the temple through fundraising driven by the Central, Regional and Regency MGPPSR in Bali.

Keywords: Pura Dasar Buana; Punduk Dawa; Subaltern

1. Introduction

In Balinese history, conflicts occurred in the reigns of King Jaya Sakti (1148 AD) and King Bhatara Sri Maha Guru (1342 AD). Atmadja's research (1997) examines the conflict in Buleleng Bali that occurred in 1925 between Jaba and Tri Wangsa (brahmanas, ksatriya,

waisya) and Widja's research (1991) between young warriors who upheld a revolution against Balinese kings who wanted the status quo[1].

The source of the conflict in 1945 has similarities with what happened in 1925, namely the problem of structural inequality (the caste system). But behind this equation there is another aspect, namely the struggle for power resources between the reactionary and revolutionary groups who want to establish power on the island of Bali, but with a different system of government. One wants a royal system, while the other wants a republican system based on democracy. The conflict is widespread in Bali because the conflicted parties adhere to the patron-client ideology. The aristocrats as traditional political elites seek support from rural peasants so that conflicts do not only occur at the elite level, but also at the mass order [2];[3];[4].

In 1965, the Balinese people also experienced political conflict which was accompanied by murder. The background to this incident cannot be separated from the struggle for economic resources between the upper class groups affiliated with the Indonesian National Party (PNI). On the other hand, the lower class groups will join the Indonesian Communist Party (PKI). This political affiliation is mixed with the experience of conflict in the era of physical revolution between reactionaries against revolutionaries, or followers of the republic against followers of NICA[5];[6]

Referring to the above opinion, the customary conflicts that occurred between clan pasek and Gelgel Traditional Village are interesting to study, because the sources of conflict are complex, seen from the struggle for economic resources, political resources, ideological superstructures, social structures and material infrastructure. Initially, this conflict was latent in nature and then became open because the formal and informal solutions to efforts reached a deadlock. As a result, there has been a wider social distance accompanied by a strong suspicion of other parties[7].

2. Method

The writing method use observation, interviews, and study of documents and internet sources. The data obtained were analyzed using the Mile and Hubermen models which include data reduction, data presentation, data interpretation, and drawing conclusions[8].

3. Result and Discussion

Conflict Factors between Clan Pasek and Gelgel Traditional Village.

The conflict factor between clan Pasek with Gelgel Traditional Village at Pura Dasar Bhuwana Gelgel are, first, the order of clan Pasek with Brahmana Pasek can lead the ritual using *balé pemiyan*[9];[10]. This problem has been resolved by holding *paruman* between related parties and mediated by Klungkung Regency Government, PHDI, residents of Pasek and Prajuru Pura of Bhuana Gelgel. Second, the struggle for economic resources: the struggle for economic resources is money from *punia* funds. In the book about the construction of Pura Penataran Agung Catur Parhyangan Ratu Pasek Linggih Mpu Gana, it is stated that the central MGPSSR Fact Finding Team refers to Decree No. 086 MGPSSR-Pst / IX 2016 dated September 24, 2016 chaired by Prof.Dr. Pasek Diantha, SH, MS and the secretary of Pandu Prapanca Lagosa, SH, MH when conducting an interview with Ida Pandita Mpu Nabe Suranatha Pramayoga discovered the fact that in the past organizing the piodalan for Ida Ratu Pasek's pelinggih at the Buana Gelgel base temple was always carried out by the entire Pasek

breed. The cost of the ceremony is taken from *sesari / punia* funds from *semeton* Pasek who pray at the Pura Dasar Buana Gelgel[11];[12];[13].

Punduk Dawa Temple as Protes Symbol

The process of establishing Penataran Agung Catur Parhyangan Ratu Pasek Linggih Mpu Gana temple in Punduk Dawa cannot be separated from the dynamics that occurred between clan Pasek and Gelgel Traditional Village in Klungkung Palace, which basically clan Pasek was not satisfied with the results of the paruman meeting at Wantilan Dasar Buana temple, Gelgel, Klungkung Wednesday (31/8), which was specially held by the Regent Suwirta, was attended by all the breeds related to Dasar Buana Gelgel temple, Klungkung, including the Chairman of PHDI Klungkung Ketut Suartana, Chairman of MDP Klungkung Ketut Rupia Arsana, Chairman of the Klungkung MPGSR Wayan Sudiasa, Chairman of the Pesemetonan Pande Klungkung Wayan Sutena, Pengeling of Dasar Buana temple Cok Gde Ngurah, Bendesa Pakraman Gelgel Putu Arimbawa, Jro Mangku Dasar Buana temple, region secretary of Klungkung regency, Putu Gde Winastra, Head of Klungkung Sub-District, Kapolsek and Klungkung Danraman and village administrators Pakraman Gelgel.

This dissatisfaction was manifested in the form of a Fact-Finding Team with Decree No. 086 / MGPSSR-Pst / IX / 2016 which was given the authority to dig up various information objectively in the community about all matters related to the incident at Dasar Buana Gelgel temple. The fact finding team was coordinated by Prof. Dr. I Made Pasek Diantha, S.H., MS as chairman, Pandu Prapanca Lagosa, SH., MH as secretary. This team worked from 24 September 2016 to 27 November 2016 and was able to gather various information, findings of which were contained in the report on the work of the Fact Finding Team.

Solidarity of Clan Pasek

The solidarity of clan Pasek can be observed with the successful construction of the magnificent Punduk Dawa Temple thanks to punia funds from Semeton Pasek from all over Bali and the archipelago coupled with financial support from regional leaders from clan Pasek as written in Buleleng Regional Secretariat Web with the title Buleleng Regency Government Implement Prayers at Penataran Agung Catur Prahyanan Ratu Pasek Temple. The content of the news in it explains that on April 14, 2017. Deputy Regent of Buleleng, dr. I Nyoman Sutdjidra Sp. OG. Accompanied by an OPD covering Buleleng Regency Government, Praying together with a series of *Piodalan* ceremonies at Penataran Agung Catur Parhyangan Ratu Pasek Temple in Punduk Dawa, Pesinggahan Village, Klungkung Regency. On this occasion the Deputy Regent of Buleleng arranged for punia funds which were handed over directly to Piodalan Organizing Committee.

Another aid that supports the construction of the temple is assistance from the Governor of Bali I Wayan Koster. As stated by 9.com editorial on January 18, 2019, which reported that Bali Governor Wayan Koster and the Chairman of the Bali Provincial DPRD Adi Wiryatama accompanied by Pasemetonan Maha Gotra Pasek Sanak Sapta Rsi attended Panyineban prayer ceremony, a series of Great Works of Tribhuwana Panca Wali Krama, Pura Penataran Agung Catur Parhayangan Ratu Pasek Linggih Ida Betara Mpu Ghana, Punduk Dawa, Pesinggahan Village, Dawan, Klungkung, Thursday (17/1).

On this occasion, the Governor of Bali reviewed several temple environments that were still under construction. Currently, Governor Wayan Koster has helped the temple construction process with an amount of Rp. 15 billion through the APBD budget. In the future, Governor Koster wants this temple to be completed, with a good garden and parking

lot and he will be ready to help through the APBD. So that the people who come to make prayers feel comfortable both in their hearts and minds.

In addition, Wayan Koster also invited all Semeton Pasek in Bali and throughout the archipelago in particular and Balinese people in general to remain united, *gilik-saguluk*, *parasparos*, *salunglung sabayantaka*, *sarpanaya*, working hand in hand, realizing "Nangun Sat Kerthi Loka Bali" for the sake of the existence and sustainability of Bali that was inherited by the ancestors.

4. Conclusion

Based on the background, results and discussion, the results of this study conclude that the factors causing the conflict are (1) the harassment of *sulinggih* Pasek at Buana Gelgel temple and the failure of mediation by Klungkung Regency Government and PHDI to mediate the conflict at Dasar Buana Gelgel Temple, MDP Klungkung and the Head of MGPSSR Klungkung; (2) Competition for Economic Resources in which *Ida Ratu Pasek pelinggih* ceremony is carried out by involving *Dadia* management and Pasek stakeholders in Klungkung Regency. However, recently the coordination of *pengayah* at Dasar Buana Gelgel temple was taken over by the work committee, namely Gelgel traditional village. This conflict grew when *Kelihan Pengempat* was eliminated and taken over by Gelgel Traditional Village, the motive according to the TPF was due to *sesari* problems; (3) there was a fourth option from the TPF to build a Baru Temple to carry *Ida Betara Ratu Pasek Linggih Mpu Gana* out of the Dasar Buana Gelgel temple.

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Coastal Resources Potential in Seririt District, Buleleng Regency

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Abstract. This research was conducted in the coastal area of Seririt District with the aim of 1) Describing the potential of coastal resources in each of the Coastal Villages in Seririt District. The method used in this research is interview and observation. Sampling using purposive sampling technique, because this research is related to the potential of coastal resources and coastal areas, so that will be purposive and used as samples are fishermen who are coastal communities. The samples used in this study for interviews were fishermen and those who were observed were the coastal areas of Seririt District. The data taken in this study is the potential of coastal resources in the Seririt District. The data analysis used in this research is a technical descriptive qualitative analysis. The results showed: 1) coastal resources in each Coastal Village in Seririt District include: (1) biological resources, namely: fisheries potential, coral reefs, and turtles, (2) non-biological resources, namely: sand and seawater, (3) artificial resources, namely: canoes, canoe engines, and fishing equipment, (4) environmental service resources, namely: marine tourism (canoeing), diving or snorkeling, turtle release attractions, and dolphin attractions.

Keywords: Coastal Areas; Coastal Resources; Potential.

1 Introduction

The coastal area is an interface between sea and land areas that influence and are influenced by one another, both biogeophysical and socio-economically [1]. Coastal areas also have a strategic meaning because they are transitional areas between terrestrial and marine ecosystems, and have very rich potential for natural resources and environmental services [2]. The island of Bali is one of the islands where most of its territory is a coastal area. The coastal area on the island of Bali has been utilized with various activities, one of which is tourism, both the coastal areas of South Bali and North Bali. However, there is a gap in tourism development in Bali Province, namely between northern Bali and southern Bali. The rapid development, especially beach tourism in southern Bali, such as Kuta Beach and Sanur, almost does not occur on the coast of Buleleng [3].

Buleleng Regency is one of the regencies in the northern region of Bali Province which is known for its natural tourism objects. Buleleng Regency has a land area of 136,588 hectares or 24.25% of the total area of Bali Province and consists of 9 districts. Also, Buleleng Regency is one of the regencies in Bali which has the longest coastline among other districts,

with a coastline length of 157.05 km [4]. The coastline in Buleleng Regency stretches from the east (Tejakula District) to the west (Gerokgak District). Of the 9 sub-districts in Buleleng Regency, 7 sub-districts are coastal areas. Many marine tourism objects have developed in Buleleng Regency. However, on the other hand, there are other districts whose coastal areas are underutilized and developed. One of them is Seririt District, although the development of coastal tourism only develops in western and central Buleleng and Seririt District is included in this part, the development of its coastal area, especially for coastal tourism, is not like Gerokgak District and Buleleng District which are part of western and central Buleleng.

Seririt District is a district that has an area of 111.78 km² and is the fourth sub-district that has the longest beach length in Buleleng Regency with a beach length of 11.61 km. It is not only the length of the beach that is fourth in the Buleleng Regency but also the number of fishermen. The number of fishermen in the Seririt District is 597 fishermen [4]. Although Seririt District ranks fourth based on the length of beaches in the Buleleng Regency after Gerokgak, Tejakula, and Buleleng, the development of coastal areas in the Seririt District is not that developed compared to the 3 sub-districts. So far, tourists who visit the Buleleng Regency only visit districts that have tourist attractions that are of interest to the tourists themselves. Seririt sub-district is the only sub-district in a coastal area where there are no tourist visits. The following is a table of tourist visits in the Buleleng Regency in each district.

Table 1. Tourist Visits in Buleleng Regency in 2018

No.	Sub-district	Object Name	Domestic	Abroad	Amount
1.	Gerokgak	Air panas banyuwedang, Pura Pulaki, makam jayaprana, pemuteran, TNBB	208,703	10,355	219,058
2.	Seririt	-	-	-	-
3.	Banjar	Air terjun munduk, danau tamblingan, air panas banjar, wihara banjar	58,447	134,023	192,470
4.	Busungbiu	-	-	-	-
5.	Buleleng	Lovina, ex pelabuhan buleleng, museum buleleng, gedong kertya, karang upit labuhan aji	84,380	43,742	128,122
6.	Sukasada	Danau buyan, air terjun gitgit	12,329	27,264	39,593
7.	Sawan	Air terjun sekumpul, pura beji	8,602	57,134	65,736
8.	Kubutambahan	Air sanih, pura medowe karang	9,931	7,981	17,932
9.	Tejakula	Air terjun les	898	2,862	3,760
Jumlah			383,290	283,361	666,671

Sumber: [5]

Tourist visits in Buleleng Regency occur in gaps between sub-districts in western and central parts of Buleleng. The discrepancy occurs, namely the unequal number of visits to sub-districts including in the western and central parts of Buleleng, namely in Gerokgak District 219.058, Banjar District 192.470, Buleleng District 128,122, while in Seririt District there are none and among the lowest along with Busungbiu District among tourist attraction visits is in Buleleng Regency [5]. This could be one of the problems where the tourist attraction in Seririt District is still lacking, especially for marine tourism, so it requires a strategy to develop coastal areas.

Lack of management and development in the coastal area of Seririt District is a problem that must be resolved by the Seririt District government in particular, especially since the Seririt District ranks fourth in the length of the coast and the number of fishermen in Buleleng Regency and has 9 coastal villages. Therefore, managing and developing coastal areas is very important because coastal areas are very potential areas to be developed in various fields, such as tourism. This can be proven by the potential for abundant coastal resources, such as biological resources, non-biological resources, artificial resources, and environmental services. Strong and sustainable regional economic development is an effective collaboration between the use of existing resources, the community and the government. One of the optimal utilization of local resources is to develop these resources [6].

These potentials must be managed and utilized properly by the government so that coastal areas can develop. However, in Seririt Subdistrict there is still no data that provides information on the potential of coastal resources in each coastal village. Does not require the possibility that every one coastal village has more than one potential coastal resource. Based on the above background, it is interesting to research the potential of coastal resources in each coastal village in Seririt District. This study aims to describe the potential of coastal resources in each Coastal Village. So that later this research will produce data about the potentials owned by the Coastal Village in Seririt District.

2 Method

The location in this study is in the coastal area of Seririt District which includes coastal villages. For more details regarding the research location, it can be seen in Figure 1. as follows.

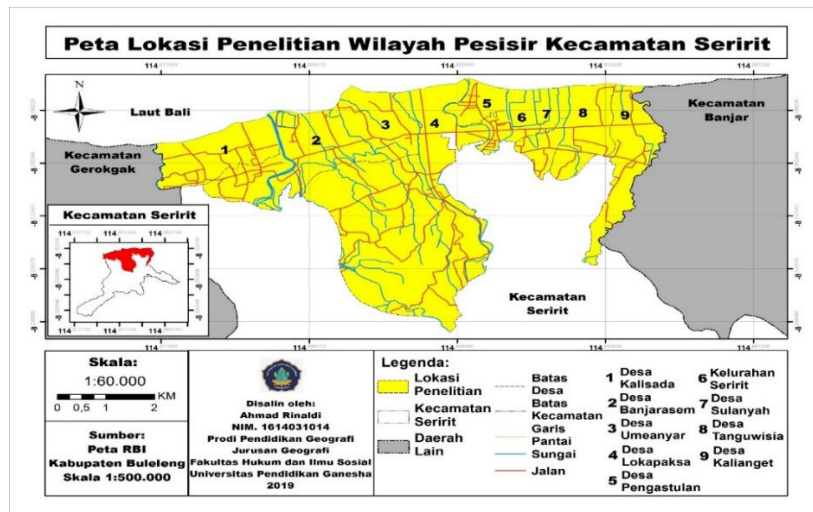


Figure 1. Map of the Research Location

The sampling technique in this study was using a purposive sampling technique. The population used in sampling is the number of fishermen and the determination of the key informants in this study included the Village Head, Bendesa Adat, Community Leaders, Fishermen and the Head of the Fishermen Group in each village. The data collection techniques used in this study were observation and interviews using tools such as observation sheets and questionnaires. This type of research is descriptive qualitative and the variables used are coastal areas and potential of coastal resources which include biological resources, non-biological resources, artificial resources, and environmental services of each Coastal Village in Seririt District.

3 Result and Discussion

Coastal resources are a source of income and livelihood for the community, especially in coastal areas. The importance of coastal resources so that management must be integrated [7]: [8]. Potential coastal resources in Seririt District are very diverse and various. The potential coastal resources in Seririt District are as follows.

Biological Resources

Most of the Coastal Villages in Seririt District have biological resources in the form of fish and coral reefs, but their development is not optimal. Fish are usually sold to markets, collectors, and online. If you get a little, then the fish is consumed personally and sold alone, but if a lot of it is only sold to collectors, markets, or online. Seaweed is also being developed, precisely in Kalianget Village. The seaweed is usually sold online for 80 a pack.



Figure 2. Seaweed that has been wrapped in Kalianget Village

Umeanyar Village is the only Coastal Village in Seririt District which has a lot of biological resources, namely fish, coral reefs, turtles, and seagrass beds. The type of coral reef has been researched, namely ginger coral and it has been developed for tourism, namely diving and snorkeling.



Figure 3. Artificial Coral Reefs in Umeanyar Village

Besides, there are also artificial coral reefs in collaboration with restaurant owners in this village, namely Nalika and the D3 Department of Marine and Fisheries Cultivation, Ganesha University of Education. For the seagrass field itself, it has not been developed, and what kind has not been studied. For turtles, according to the Chairman of POKMASWAS, Mr. I Gusti Bagus Cakra Wijaya, he said that in January 2020 190 turtles had been released and 8 more were in captivity to be treated and conserved.



Figure 4. Turtles in the Captivity of Umeanyar Village

The biological resources in Umeanyar Village are only seagrass beds that have not been developed yet because they are still in the research stage of their species. The coral reefs in Umeanyar Village have been researched and the species found are ginger coral and there are also artificial coral reefs, while the turtles in Umeanyar Village are conserved before returning to the sea. The results of this study are in line with research conducted by [9] which examines the identification of potential and mapping of coastal resources in small islands and marine Natuna District, Riau Islands Province. The results of his research show that in the small islands and seas of Natuna Regency, there are many coral reefs with fringing reefs that live along the coast.

Non- Biological Resources

Non-biological resources based on research results in all coastal villages in Seririt District are the same, namely, there is only sand and seawater, while for the same development, nothing has been developed. The problem with the non-development of non-living resources in this village is that there is no skill training for processing, there is no expert in the field who processes and develops these resources, there is no management method, no processing system, and equipment. The results of this study are in line with the research [10] regarding coastal resource management strategies in Buleleng Regency. The results showed that Seririt District did not have or did not have developed non-biological resources. The sub-district that is developing its non-biological resource potential is Tejakula District.

Artificial Resources

Almost all of the artificial resources in each of the Coastal Villages in Seririt District are almost all the same, namely sampan/boats, sampan/boat engines with a power of 5-15 pk, and fishing equipment.



Figure 5. Damaged Artificial Resources in Lokapaksa Village

But the special artificial resources of Lokapaksa Village are now being neglected because the fishermen groups are no longer active and the fishermen have switched professions in the village, while Sulanyah Village does not have artificial resources because

there are no fishermen or fishermen groups. The results of this study are in line with research [11] who researched the empowerment of the Silo Baru Village fishing community through the Tangguh Coastal Village Management Program (PDPT). The results showed the problems in Silo Baru Village, namely the low level of welfare of the coastal community, low quality of human resources, the absence of spatial planning for coastal areas, the inadequate management of capture fisheries and aquaculture, and the inadequate management of marine tourism potential and attractions so that the implementation of the PDPT program in Silo Village Only then can improve existing conditions and problems.

Environmental Service Resources

Environmental service resources in Seririt District are only found in Tanguwisia Village and Umeanyar Village which have implemented tourism villages.



Figure 6. Canoes rented to visitors in Tanguwisia Village

Based on Figure 6. It can be seen that on the coast of Tanguwisia Village canoes are rented out to the public. Usually, visitors who come and rent a canoe in the afternoon. Besides, there are also seeing dolphin. The tourism supporting facilities and infrastructure in this village are villas, 3 boats to see dolphins, and 4 canoes. Umeanyar Village is the only village in Seririt District that applies a Tourism Village. This village has marine tourism such as diving or snorkeling, canoeing, seeing dolphins and turtle release. There are also many tourist support facilities in Umeanyar Village, such as villas, hotels, and restaurants. The results of this study are in line with [10] regarding coastal resource management strategies in Buleleng Regency. The results showed that the types of marine tourism services or environmental service resources found in the Buleleng Regency were observing dolphin attractions, fishing, diving, and snorkeling. The results of this study are in line with [12] regarding coastal resource management strategies in Pemuteran Village. The results showed that the types of marine tourism services or environmental service resources found in the Pemuteran Village were fishing, diving, and snorkeling.

4 Conclusion

Based on the results and discussion that has been described regarding the potential of coastal resources in each Coastal Village in Seririt District the following conclusions are obtained. (1) The potential of coastal resources in the coastal areas in the Seririt District is generally diverse, such as fish, coral reefs, seaweed, seagrass beds, turtles, sand, seawater, canoes, canoe engines, fishing equipment, marine tourism, and tourism facilities (villas, hotels, and restaurants). Most of the coastal villages in the Seririt sub-district only develop biological resources, especially fish. However, development is not optimal. Fishermen are only just catching and marketing them. (2) Coastal resource potential that has not been developed at all in the coastal area of Seririt District is non-biological resources. (3) Umeanyar

Village is the only Coastal Village in Seririt District which has a lot of biological resources, marine tourism and already has many tourism support facilities.

The Impact of this a research is that the community knows potential coastal resources in their village, village officials can also know it so they can develop this potential and the potential coastal resources that were previously unknown can now be known. The recommendation given is that the community pays more attention to coastal areas, especially the potential coastal resources and the government is advised to collaborate with investors to develop the potential coastal resources.

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Pro & Cons for Discussion about the Implementation of the Election in the Pandemic Time Covid 19

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Abstract. The Pros and Cons of Implementing the General Election during the Covid 19 pandemic, this is currently happening among the community and is influenced by social issues whose impact is more likely to have negative effects. The implementation of PILKADA during the Pandemic Period has been regulated in PKUP RI No. 13 of 2020 is the implementation of the PILKADA regulations that have been made to regulate the implementation of the Pilkada, but these regulations do not necessarily guarantee the safety of the community in choosing candidate pairs and it is still a discussion of pros and cons among the community in a discussion, the author has the right to know and collect valid data through literature review through mass media information, and literacy, for the pros and cons of the implementation of PILKADA can provide answers that can convince the public in the implementation of Pilkada, then in general, when reviewed in a juridical study, the implementation of PILKADA is the duty and obligation of the state in state administration is to implement Constitutional Rights, implement laws and the existence of a period of moderation of office. The purpose of this research is to find out the pros and cons of the implementation of regional elections during the Covid 19 pandemic. The research method used is the empirical juridical research method, an approach which is based on the main legal material by examining the phenomena and legislation related to this research. Based on the research content, it can be summarized as follows: 1. Implementation of regional elections and campaigns during the COVID-19 pandemic. 2. Implications of Law No. 4 of 1984 with Pkpu Ri No. 13 of 2020.

Keywords: Law No. 4 of 1984; PKPU RI No. 13 of 2020; Pros and Cons of Regional Election.

1. Introduction

The Indonesian state does not implement policies like other countries, but the Indonesian state applies policies through CIRCULAR LETTER NUMBER HK.02.01 / MENKES / 199/2020 CONCERNING COMMUNICATION TO HANDLING CORONAVIRUS DISEASE 2019 (COVID-19) apart from that stated in article 12 of the Constitution The President of the Republic of Indonesia then issued Presidential Decree (Keppres) of the Republic of Indonesia Number 11 of 2020 concerning the Determination of Health Emergencies, and several other appeals such as psychological distancing, social distancing, adhering to health protocols (Diligently washing hands, wearing masks when leaving the comfort zone , and avoid crowding out), and obey government advice or policies in general. [Circular Letter Number HK 02.01 / MENKES / 199/2020 Concerning Communication for Handling Corona / Virus people who do not agree, but when quoting a

statement from Ir Soekarno, that "My struggle is easier in facing the colonial era, while your struggle will be more difficult because it is against your own nation". From his statement there is a point, and in fact, during this pandemic, he did not only face the Covid 19 pandemic, but also faced criminal cases, for example, the Crime of Theft, the Crime of Murder, and various other criminal acts. There are several other cases such as cyberlaw which are related to Hoax Information in the form of online and offline which until now in its legal urgency is still weak because there is a system that cannot be achieved and fulfilled.

The impact of covid 19, not only Indonesia is affected but the impact is global. The resulting impacts in facing this pandemic are quite alarming because this pandemic period does not only have an impact on health but also has an impact on the economy, agricultural industry, educational work, tourism etc. But behind the general impact there is also an absolute impact, namely the law itself, why law is said to be an absolute impact because law is the supreme commander, and is used as a basic reference in the state, therefore Indonesia is said to be a constitutional state by upholding justice[1].

In terms of the topic of discussion, during the Covid 19 pandemic, when examined in law, there were many deviations from policies and legal regulations regarding infectious disease outbreaks listed in article 14 paragraph (1) of Law No.4 of 1984. The contagious disease epidemic in question is the COVID-19 pandemic, but from these regulations there are many problems between the community and state officials regarding its implementation, besides that there are regional elections whose implementation is not balanced with other fields. The fields referred to are in terms of education, religious ceremonies, tourism and economic recovery. Why is PILKADA a problem? Because Pilkada has several core activities in it, one of which is campaign activities, and Pilkada activities. The issue that is currently still being discussed is whether the pilkada activity will lead to the growth of new clusters? The answer is, because pilkada activities can become clustered activities and lead to the growth of new clusters during this pandemic. Therefore, the author wants to know the extent to which "Implementation of Article 14 Paragraph (1) of Law No. 4 of 1984 on Contagious Disease Outbreaks, Implementation of Regional Elections during the Covid 19 Pandemic" which is currently still the pros and cons of its implementation besides justice during the pandemic. Covid 19, the truth is increasingly eroded, and a lack of understanding of the situation and enforcing the law itself[2].

2. Method

This research is a type of empirical law research, which identifies the application of norms or rules in society that are against the established rules so that there is a gap between *das sein* and *das sollen*. Empirical law can also be said to be a sociological study, which is meant by empirical legal research is legal research carried out by examining situations in the field or real events that have been experienced. The method used in this research is empirical legal research studies. Collecting data of this research using primary data with interview research and observation. Data will analysis using qualitative descriptive which the sources that Law No. 4 of 1984 in article 4 paragraph (1) concerning Outbreaks of Infectious Diseases in Criminal Provisions, and Administration / Implementation of Pilkada during the Covid 19 Pandemic, PKPU RI No. 13 of 2020 concerning Second Amendment to Regulations General Election Commission Number 6 of 2020 Concerning the Implementation of Elections for Governors and Deputy Governors, Regents and Deputy Regents, and / or Mayors and Deputy Mayors Simultaneously Continuing In Zero Disaster Conditions Corona Virus Disease 2019 (COVID-19), and several regulations which contains the Regional Election and General Election during the Covid 19 Pandemic[3].

3. Result and Discussion

Implementation of Regional Election and Campaign during the Covid Pandemic 19

The Covid 19 pandemic is an Infectious Disease Outbreak as stipulated in Law No. 4 of 1984 and is also supported by the policy provided by the government through CIRCULAR NUMBER HK.02.01 / MENKES / 199/2020 CONCERNING COMMUNICATION TO HANDLING CORONAVIRUS DISEASE 2019 (COVID-19). This is a very detrimental impact on all fields such as Health, Education, industry, economy, work and social activities, especially the implementation of the Regional Head Election during this pandemic, therefore, it is necessary to confirm, carry out obligations and evaluate the implementation of Pilkada in the future. The creation of the Pilkada event is in dire need of human capital as a capable and capable driving force to fill the void of regional leadership. The principle contained in the Pilkada, basically emphasizes social justice without sharpening the slightest difference (including for individuals and groups)[4]. PILKADA from previous years are very important to be implemented because the benefits obtained in the implementation of this pilkada are, moderation of government agencies or regional head agencies, and their staff, but the things that impact the implementation of the pros and cons of the PILKADA are due to differences of opinion, suspicion, an element of hatred in the hearts of the people, and the imbalance in the application of the law in society, especially according to the point of view of society's own judgment. To make it easier and more specific, there are several core explanations for responding to the Pilkada implementation during the pandemic which is currently still being discussed in the community.

PILKADA is one of the second objects of election, Pilkada is basically the same as PEMILU which has an attachment in the implementation of democracy. Both were held to elect leaders directly. Pilkada is held to elect regional heads such as governors-deputy governors, regents-deputy regents and mayors-deputy mayors. Pilkada is carried out in a certain scope. This PILKADA during the Pandemic is a momentum that cannot be held, besides that this can also be a source of growth for new clusters in the confirmation of the Covid 19 pandemic, this is actually an obstacle to the constitution, and also an obstacle to its implementation[5]. To find out more about PILKADA, the legal basis has been regulated, one of which is, the General Election directly and simultaneously in Indonesia is divided into 3 types of elections, namely the General Election of President and Vice President; General Election of DPR, DPD, and DPRD; and Elections for Governors, Regents and Mayors. The legal basis is Law no. 7 of 2017 concerning General Elections and Law no. 1 of 2015 concerning Stipulation of PERPU No. 1 of 2014 concerning the Election of Governors, Regents and Mayors. Then it is operationally regulated in the General Election Commission Regulation (Kristiyanto, 2018)[6].

When reviewed in the General Guidelines for Facing the Covid Pandemic 19 for local governments, it is explained that regional elections are political activities to determine power, responsibility, obligations, and leaders in society, but if you look at the conditions that have occurred in Indonesia in the face of the COVID-19 pandemic, The Central Government through the General Election Commission Number 179 / PL.02-Kpt / 01 / KPU / III / 2020 has decided to postpone the election for governors and deputy governors, regents and deputy regents, and / or mayors and deputy mayors in 2020 in an effort to prevent the spread of COVID-19. This delay is one of the responses to the development of the current situation in the spread of the disease outbreak caused by the Corona Virus Disease 2019 (COVID-19) in the territory of the Unitary State of the Republic of Indonesia and by taking into account the official statement of the World Health Organization (WHO) which declares COVID-19 a

global pandemic, The official statement of the President of the Republic of Indonesia stating the cause of COVID-19 as a National Disaster (Non-Natural Disaster) and the Decree of the Head of the National Disaster Management Agency (BNPB) regarding the Extension of the Status of Certain Disaster Disaster Outbreaks of Disease Due to the COVID-19 Virus in Indonesia.

Based on the conditions of the Covid 19 pandemic that the PILKADA activities were temporarily postponed due to the emergency conditions of Covid 19, in addition, several explanations were explained about the postponement of regional election activities carried out during the Covid 19 Pandemic which was revealed by several experts including:

- a. The government must conduct an in-depth study of the articles in the existing election regulations, especially those related to emergencies. In general, the majority of these regulations allow elections to be postponed or rescheduled, or for polling stations to be moved. Some explicitly authorize election administrators to change election dates. Most do not, but EMBs tend to have broad authority over general emergencies that can include changing dates.
- b. In areas where an absent voter must provide reasons according to a list of acceptable reasons. This list can be expanded both through the interpretation of existing provisions allowing for voting to be absent for health reasons (quarantine, etc.).
- c. When the polling station is located in a care / quarantine facility, moving it to a location with fewer vulnerable people is a reasonable policy.
- d. Election workers may be unwilling to serve voters because of health risks, which can make the election more difficult. Relocating to a more conducive polling station, where several electoral areas vote at the same location, or moving to a polling center, where each voter from a jurisdiction can vote at any polling place, usually a larger facility can reduce the total number of polling officers required, making it more efficient.
- e. In many countries, persons with disabilities / persons with disabilities have the option of using roadside / vehicle voting; Voting workers carry their ballot cards or ballot signs into the car so that voters do not have to enter the building.

Some explanations of the conditions for implementing the PILKADA during the Pandemic are actually not easy to implement, because considering the impact of the Covid 19 pandemic, it is actually detrimental from various fields such as: Health, Economy, tourism, education, industry, trade and law. When talking about the law during the Covid 19 pandemic, refer to Law No. 4 of 1984 on Contagious Disease Outbreaks. Then the implementation of the PILKADA during the Covid 19 pandemic has had the latest legal basis, which has been regulated in Law No.1 of 2015 concerning Stipulation of Government Regulations in Lieu of Law No.1 of 2014 concerning Elections for Governors, Regents and Mayors. In fact, there are mechanisms that can be implemented if conditions compel or allow the regional head election stage to be postponed. The choice is in the form of a further election and a follow-up election. Article 120 of the Pilkada Law states that a follow-up election is a mechanism to postpone the election which later continues the halted stages, while the conditions for a further election are stipulated in article 120 paragraph (1) which reads: security, natural disasters, or other disturbances which resulted in the inability to carry out some stages of the Election, then a further election was conducted[7].

Apart from going through this mechanism, there are other alternatives, namely the selection of a follow-up in accordance with Article 121 paragraph (2) the mechanism is carried out for all stages in the sense that it starts from the beginning. Then technically, in

anticipation of the spread of covid-19, the General Election Commission has issued a policy set out in KPU Decree Number 179 / PL.02-Kpt / 01 / KPU / III / 2020 concerning Postponement of Election Stages for Governors and Deputy Governors, Regents and Deputy Regent, and / or Mayor and Deputy Mayor of 2020. In general, there are 4 stages of holding the postponed regional head elections, including the inauguration of the voting committee, verification of the support requirements for individual candidates, the formation of the Voter Data Updating Committee, as well as updating and compiling the voter list.

There are several important reasons why the regional elections during the Covid 19 pandemic should continue to be carried out, here are the explanations:

Implement the Law

KPU member, I Dewa Kade Wiarsa Raka Sandi, said that the KPU had previously postponed the implementation of the pilkada stages in March. The postponement due to the corona virus pandemic (covid-19). However, after the delay, the government issued a Government Regulation in lieu of Pilkada Law Number 2 of 2020 as a legal basis for holding a democratic party at the regional level. "First, the KPU will certainly carry out the mandate of the applicable regulations," said Dewa. , in Jakarta, Sunday, June 22, 2020.

No one can confirm when Covid-19 ends

The next reason, said Dewa, is that no one can confirm when the Covid-19 pandemic will end. The government and the DPR then agreed that the simultaneous regional election will be held on December 9, 2020. The KPU also coordinates with the Covid-19 Handling Task Force. The task force's suggestion is that the pilkada can be continued as long as it is carried out according to health protocol safety standards. "Pilkada is continued in accordance with the joint decision of the government, DPR and election organizers. God.

Constitutional rights

The third reason, said Dewa, is regarding the constitutional rights to vote and be elected. Every five years, there must be a change of leadership. "When we decided to postpone the elections, we hoped that it could be continued after Covid-19 ended. However, over time, WHO conveyed its conclusions and views that this global pandemic will not possibly end in a short time. Covid- 19 will not disappear, "said KPU member Viryan Aziz.

Budget governance

Another reason concerns the election funds. If the elections are postponed past the year or in 2021, the budget that has been disbursed in 2020 will be wasted because it has passed the budget year. Meanwhile, what has been disbursed has reached Rp. 4.1 trillion. "This is what we have to think about (if we postpone it to the next year)," said Dewa.

Then before the formation of the PKPU Regulation during the Covid 19 pandemic at the implementation of the 2020 Regional Election, recently there was the implementation of KAMPANYE which was held in Purwokerto, Gorontalo, early September 2020 by a candidate pair of Regent and Deputy Regent by carrying out a Music Concert Activity that made the public not One of the controls in carrying out health protocol activities is not keeping distance or psychological distancing (Source <https://www.kompas.tv/live>). Then after campaign activities carried out by several regions such as Gorontalo, solo, and others, the resulting impact was the growth of new clusters during the pandemic and an increase in positive confirmed cases of Covid 19, which is increasing. In the case that occurred, the Government and state officials had concerns about the implementation of the elections,

especially in the implementation of the CAMPAIGN. To overcome feelings of concern and overcome cluster cluster growth which resulted in an increase in confirmed cases, the government together with the DPR and KPU to make a Perpu for the implementation of the 2020 Regional Election during the PANDEMIC Covid 19, the Perpu is PKPU RI No. 13 of 2020 concerning the Second Amendment to the Election Commission Regulation General Number 6 of 2020 concerning the Implementation of Elections for Governors and Deputy Governors, Regents and Deputy Regents, and / or Mayors and Deputy Mayors Simultaneously Continuing in Zero Disaster Conditions Corona Virus Disease 2019 (COVID-19).

Implication of Law No. 4 Of 1984 With PKPU RI No. 13 Of 2020

Law No. 4 of 1984 on Communicable Disease Outbreaks is a law that has been specifically regulated regarding virus outbreaks which is the benchmark in facing the pandemic, the article of which is the focal point is article 14 paragraph (1) talks about the criminal provisions which state that Whoever deliberately obstructs the implementation of the epidemic control as regulated in this Law, shall be punished with imprisonment of up to 1 (one) year and / or a maximum fine of Rp. 1,000,000 (one million rupiah). When examined in Law No. 4 of 1984 on Communicable Disease Outbreaks, it tends to be more likely to offenders who still do not have confidence in disease, and especially in people who often cause problems, this has certainly become the main provision in the urgency of the legal umbrella in facing the covid pandemic period due to efforts to protect, affirm, and enforce an applicable law. When talking about the implementation of the elections. Whereas the legal basis is always copied and modified from several articles, one of which is PKPU RI No.13 of 2020 concerning the Second Amendment to the General Election Commission Regulation Number 6 of 2020 concerning the Implementation of Elections for Governors and Deputy Governors, Regents and Deputy Regents, and / or Mayors and Simultaneously Deputy Mayor Continues to Follow Up in Disaster Conditions Zero Corona Virus Disease 2019 (COVID-19)[8].

Quoting the opinion of Beetham (2002) which states that the basic concept of democracy is political equality, with the principles of justice and equality that must be attached to each people individually, so that people are able to carry out their roles and functions in democracy (Apriani et al., 2020 The problem is, the epidemic caused by Covid-19 has forced the government and society to rethink and prepare new schemes in implementing future democratic parties, in accordance with field dynamics, of course[4]. Various kinds of analysis can be applied, to measure the extent of preparation and readiness of each element in the Pilkada later. The government is trying to take the best steps for policies regarding the implementation of PILKADA activities and CAMPAIGN activities to reduce the emergence of new clusters during the Covid 19 pandemic. As time goes by, if the PILKADA and KAMPANYE are carried out offline, there will be an increasing number of confirmed positive cases of Covid 19 due to the growth of new clusters, which started with the uncontrolled implementation of the campaign, the government, DPR, and KPU issued PKPU RI No.13 2020 concerning the Second Amendment to the General Election Commission Regulation Number 6 of 2020 concerning the Implementation of Elections for Governors and Deputy Governors, Regents and Deputy Regents, and / or Mayors and Deputy Mayors Simultaneously Continuing in Zero Disaster Conditions Corona Virus Disease 2019 (COVID-19) in article 88 (Emphasizes more on Pilkada implementation regulations, which must comply with health protocols) and Article 89 (emphasizes more on the implementation of campaigns that are carried out virtually). This regulation is precisely to reaffirm the

implementation of the PILKADA so that it is more upholding the health protocol, besides that this regulation is also formed, because it reflects on experiences from previous problems which tend to have an impact and arise a sense of concern[9].

In fact, logically, the Pilkada Activities during the Covid 19 pandemic had violated the Law of Law No. 4 of 1984, which was said to be a sloppy matter and had more theory than implementation. This is really a very big impact on mankind because during the Covid 19 pandemic, the stakes are that sick lives are a little called covid, while the lives that have been lost are said to be covid, so that this world seems to be filled with the words Covid 19. So , The government is trying to take the best steps for policies regarding the implementation of PILKADA and CAMPAIGN activities to reduce the emergence of new clusters during the Covid 19 pandemic. As time goes by, the implementation of PILKADA and KAMPANYE if carried out online will increase the number of confirmed positive cases covid 19 due to the growth of new clusters, which started with the uncontrolled implementation of the Campaign, the government, DPR, and KPU issued PKPU RI No.13 of 2020 concerning the Second Amendment to the General Election Commission Regulation No. 6/2020 concerning the Implementation of the Election for Governors and Deputy Governor, Regent and Deputy Regent, And / or Mayor and Deputy Mayor Simultaneously Continued in Zero Disaster Conditions for Corona Virus Disease 2019 (COVID-19) in article 88 (More emphasis on Pilkada implementation regulations, whose implementation must comply with health protocols) and Article 89 (emphasize more on implementation Campaign conducted virtually). This regulation is precisely to reaffirm the implementation of the PILKADA to further re-enforce the health protocol, besides that this regulation is also formed, because it reflects on experiences from previous problems which tend to have an impact and arise a sense of concern[10].

In the discussion that the implementation of Law No. 4 of 1968 concerning Communicable Disease Outbreaks with the implementation of the Pilkada which has been regulated in PKPU RI No.13 of 2020 concerning the Second Amendment to the General Election Commission Regulation No. 6 of 2020 concerning the Implementation of Elections for Governors and Deputy Governors, Regents and Deputy The Regent, And / Or Mayor And Deputy Mayor Simultaneously Follow Up In the Zero Disaster Condition of Corona Virus Disease 2019 (COVID-19) there is no longer a problem because :

- a. The provisions of Law No. 4 of 1968 concerning infectious disease outbreaks discuss Article 14 paragraph (1) provisions delegated to people who often create problems and violate health protocol rules.
- b. PKPU RI provisions No. 13 of 2020 concerning the Second Amendment to the General Election Commission Regulation No. 6 of 2020 concerning the Implementation of Elections for Governors and Deputy Governors, Regents and Deputy Regents, and / or Mayors and Deputy Mayors Simultaneously Continuing in Zero Corona Disaster Conditions Disease Virus 2019 (COVID-19) which contains article 88 regarding the Rules for implementing the Regional Election during the Pandemic and Article 89 concerning the Rules for implementing CAMPAIGN in the pandemic period
- c. The provisions of Law No. 4 of 1968 Article 14 Paragraph 1 can be linked to PKPU No. 13 of 2020 Articles 88 and 89, in terms of the rules of act of speech because they both contain regulations that are legality.
- d. The provisions of the Law and PKPU are based primarily on article 12 of the Constitution of the Republic of Indonesia. The President then issues the Presidential Decree (Keppres) of the Republic of Indonesia Number 11 of 2020 concerning the

Determination of Health Emergencies, and several other appeals such as psychological distancing, social distancing, adhere to health protocols (Wash your hands frequently, wear a mask when you are out of your comfort zone, and avoid crowds), and obey general government policies or advice. CIRCULAR NUMBER HK.02.01 / MENKES / 199/2020 CONCERNING COMMUNICATION TO HANDLING CORONAVIRUS DISEASE 2019 (COVID-19) [Circular Letter Number HK 02.01 / MENKES / 199/2020 concerning Communication on Handling Corona / Virus Disease 2019 (Covid-19)]

- e. If the government is able to carry out a sharp analysis, then automatically the level of risk that is feared from the implementation of the Pilkada amid the threat of the Covid-19 outbreak will also decrease. Then, the existence of a legal decision in the form of Perppu No. 02/2020 concerning the implementation of the Pilkada on December 9 should actually be able to solve problems in the field. In the midst of the Covid-19 outbreak, the choice to seek the safety of the people as a priority is part of the government's fundamental task in administering the country as well as possible[4].
- f. Utilizing the ICT (Information and Communication Technology) system in digitizing the general election system, then referred to as a digital election system that can be carried out online or offline. The system in question is the entire general election system starting from registration of candidate participants, updating voter data, proposing and determining candidate participants, campaigns, voting, re-voting, vote counting, recapitulation, and even supervision. Therefore DKPP and Bawaslu must also be able to adjust the KPU's development in the digital general election system[6].
- g. Create a community with full confidence or trust so that people are confident and able to choose according to their agency, and there is also a need for an evaluation of implementation activities, to find common ground for problems that never end.

Then the thing that needs to be confirmed in the implementation of the Regional Head Election is the enforcement of health protocols, As we know, the Covid-19 health protocol requires us to be physical distancing and prohibits us from crowding, diligently washing our hands, applying awareness and ethics when coughing, sneezing or having a fever (Susiloet, al, 2020). In fact, the implementation of regional elections would have the potential to cause crowds. Thus, the KPU as the organizer should regulate several matters related to health protocols in the implementation of regional elections (Landman, & Splendore, 2020), including: (1) Limiting the number of times during campaigns or other political activities related to regional elections; (2) Arranging patterns and mechanisms for verification and matching of voter data by officers (as has been implemented, from previously visiting each house to now being coordinated by the Head of RT) including data on support from individual candidates; (3) Limitation on the number of voters who are allowed to be in polling stations (TPS); (4) Providing hand sanitizer, body temperature measuring devices, and special booths for voters with signs of fever at each TPS; (5) Requiring body temperature measurement to every voter or officer who intends to enter TPS; (6) Requiring officers to carry out general health checks at certain designated health facilities to ensure their health and physical readiness prior to duty; (7) Requiring voters and officers to use personal protective equipment in the form of masks and several other devices; etc; (8) facilitate and guarantee the voting rights of citizens who are outside the voting area, with the option of sending ballots through the post office just like the elections for Indonesian citizens abroad[7].

4. Conclusion

In conclusion, during the Covid 19 Pandemic, of course it became a complicated problem in its resolution, besides that the resulting impact greatly affected the losses suffered by others so that the impact was not only in the health sector but also on education, industry, economy, work and social activities, but this can also be used as a momentum in the implementation of pilkada during the pandemic, this tends to lack of participation expected in the implementation of the elections because Pilkada implementation has been regulated in PKPU No. 4 of 2017 Article 5 paragraph (2) which confirms the implementation of regional elections and campaign implementation. Then whether PKPU No.4 of 2017 contradicts Article 14 paragraph 1 of Law No. 4 of Law of 1986 the answer is no, because this article has been covered by Circular Number HK 02.01 / MENKES / 199/2020 concerning Communication on Handling Corona / Virus Disease 2019 (Covid-19). Then the Government together with the DPR and the KPU made a Perpu to address concerns, and reduce the growth of new clusters which resulted in an increase in confirmed positive cases, this was done so that there was no freedom in the implementation of the Regional Head Election, and this was also so as not to become a commotion that made the public not sensitive to the implementation of regional elections that were carried out during the Covid 19 pandemic. Furthermore, to reaffirm that the PILKADA in this pandemic period is very important to be carried out for the period of periodization, the right to power, to fill the parliament, the leadership that has obligations and responsibilities, and strengthen ICT (Information and Communication Technology) in the implementation of the Regional Head Election during the Covid Pandemic 19.

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Student's Digital Literacy Abilities Against Hoaxes (A Case Study of University Students in East Kalimantan)

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Abstract. Social media is now becoming the major needs in our society. The rapid flow of information has made the existence of hoaxes even more numerous and provocative. Literacy activities within university's environments in East Kalimantan are considered low so that students, as agent of change, are needed to fight hoaxes that occurs in the society. This study uses qualitative research by taking six informants from three different campuses. The results of the study show that the majority of informants decided not to share the news that they got when the source was not reliable enough.

Keywords: Hoax, Digital Literacy, Student

1 Introduction

The pattern of public information consumption has shifted over time. Alternative media are increasingly coloring the public's choices in seeking information. Since 2000, internet consumption behavior which initially focused on television platform began to shift to internet-based media. The internet now became the "it" item because of the facilities that it offers. For example, users can browse everything they want to find 24/7. Internet users also have full control to access over their routines to use the internet in which they do not have such control over a television.

Top 25 Countries, Ranked by Internet Users, 2013-2018						
millions						
	2013	2014	2015	2016	2017	2018
1. China*	620.7	643.6	669.8	700.1	736.2	777.0
2. US**	246.0	252.9	259.3	264.9	269.7	274.1
3. India	167.2	215.6	252.3	283.8	313.8	346.3
4. Brazil	99.2	107.7	113.7	119.8	123.3	125.9
5. Japan	100.0	102.1	103.6	104.5	105.0	105.4
6. Indonesia	72.8	83.7	93.4	102.8	112.6	123.0
7. Russia	77.5	82.9	87.3	91.4	94.3	96.6
8. Germany	59.5	61.6	62.2	62.5	62.7	62.7
9. Mexico	53.1	59.4	65.1	70.7	75.7	80.4
10. Nigeria	51.8	57.7	63.2	69.1	76.2	84.3
11. UK**	48.8	50.1	51.3	52.4	53.4	54.3
12. France	48.8	49.7	50.5	51.2	51.9	52.5
13. Philippines	42.3	48.0	53.7	59.1	64.5	69.3
14. Turkey	36.6	41.0	44.7	47.7	50.7	53.5
15. Vietnam	36.6	40.5	44.4	48.2	52.1	55.8
16. South Korea	40.1	40.4	40.6	40.7	40.9	41.0
17. Egypt	34.1	36.0	38.3	40.9	43.9	47.4
18. Italy	34.5	35.8	36.2	37.2	37.5	37.7
19. Spain	30.5	31.6	32.3	33.0	33.5	33.9
20. Canada	27.7	28.3	28.8	29.4	29.9	30.4
21. Argentina	25.0	27.1	29.0	29.8	30.5	31.1
22. Colombia	24.2	26.5	28.6	29.4	30.5	31.3
23. Thailand	22.7	24.3	26.0	27.6	29.1	30.6
24. Poland	22.6	22.9	23.3	23.7	24.0	24.3
25. South Africa	20.1	22.7	25.0	27.2	29.2	30.9
Worldwide***	2,692.9	2,892.7	3,072.6	3,246.3	3,419.9	3,600.2

Note: individuals of any age who use the internet from any location via any device at least once per month; *excludes Hong Kong; **forecast from Aug 2014; ***includes countries not listed
Source: eMarketer, Nov 2014

181948 www.eMarketer.com

Figure 1. Indonesia ranked 6th by internet users in 2013-2018 (www.eMarketer.com)

Internet users in Indonesia are dominated by those aged from 19 to 34 years old or as much as 49.52%. Then in the second position as much as 29.55% of internet users aged 35-54 years old while in the lowest position, teenager 16.68% users aged 13-18 years old [1]. This data shows that 19-34 years old is the largest age group using internet in carrying out their daily activities.

One of the products presented by social media was the emergence of fake news or hoaxes. Hoax is news with unclear source and truth, where hoaxes aim to create anxiety, panic, and a chaotic event for certain agendas and goals.

Teenager are often considered the agents of change, hence the quality of a nation in general can affect the quality of the next generation. Technology also plays a big role in determining the quality of the next generation. With the large access to information, the internet offers both benefits and harms when being used. We can call internet as threats for those who do not know how to handle it.

East Kalimantan also get the special “highlight” when most of the national news announcing it as the chosen capital city of Indonesia. This becomes a new challenge since East Kalimantan is chosen as the new capital city, the news traffic will also become more hectic and jammed. Therefore, educating teenager by using digital literacy is needed as soon as possible.

Media literacy [2] is a perspective when an individual is actively responding the media and describing the meaning of the message. Digital literacy activity in East Kalimantan is considered low as only few news agencies, communities, and universities that do the digital activities.



Figure 2. Literacy event from Tribun Kaltim Newspaper at Senior High School 2 Balikpapan
 Source: <https://kaltim.tribunnews.com/2018/12/13/video-tribun-kaltim-goes-to-school-literasi-digital-cegah-hoax-di-smkn-2-balikpapan>



Figure 3. GenBi Indonesia Literacy Activities

Source: <https://www.sketsaunmul.co/event/menjelajah-literasi-digital-dalam-serasi/baca>

The picture shows GenBi (*Generasi Baru Indonesia* or Indonesian New Generation Community) also actively do literacy activities in East Kalimantan. The goal is to educate citizens to be aware of hoaxes in social media. The researches about literacy education are also considered low in East Kalimantan which makes it hard to see how the literacy skills are developing in East Kalimantan.

This article is structured as follows. First, we discuss the concept of media literacy. Second, we provide an overview of the previous research about media literacy. Finally, we discuss the concept of media literacy ability that communication science students' have in East Kalimantan against hoaxes that are currently bombarding their social life every day. Students as the agent of change also have a big role to change the society by possessing the ability to receive information.

2 Literature Review

2.1 Media Literacy and Hoaxes in Indonesia

Literacy is an activity that aimed to train each person ability to choose media products or digital contents to have the best quality of information. James potter [3] states that media literacy is a perspective that we actively use when exposing ourselves to the media in order to interpret the meaning of the messages we encounter. We build our perspective from knowledge structures; thus, we need the tools and the raw material. The tools are our skills. The raw material is the information from the media and the world. Active use means that we are aware of the messages and are consciously interacting with them.

Literacy is an effective way to respond to the global condition nowadays. A lot of information that we have every second makes information seems overwhelming since we do not know its quality. Media digital power on sharing the information is also worrying, because most hoaxes shared in social media tend to create a harmful atmosphere and disrupt peace in the society

Media literacy also emphasizes the following elements [4]

1. Critical thinking skills that allow audience to develop independent judgments about media content;
2. An understanding of the process of mass communication;

3. An awareness of the impact of media on the individual and society;
4. The development of strategies with which to discuss and analyze media messages;
5. An awareness of media content as a “text” that provides insight into our contemporary culture and ourselves;
6. The development of a greater enjoyment, understanding, and appreciation of media content; and
7. In the case of media developers, the ability to create effective and responsible media messages.

To have the ability in the media literacy the society needs to reinforce four key concepts [5]:

1. Appreciation of the power of reliable information and the importance of a free flow of information in a democratic society;
2. Understanding why news matters and why becoming a more discerning news consumer can change individual lives and the life of the country;
3. Understanding how journalists work and make decisions and why they make mistakes;
4. Understanding how the digital revolution and the structural changes in the news media can affect news consumers; understand our new responsibilities as publishers as well as consumers.

Hoax is information that is manipulated to hide the actual purpose or change the facts using information that looks promising but the truth is not able to be verified. Hoaxes are always shown to our social media dozens or hundreds of times a day, mostly on Instagram, Facebook, and WhatsApp groups. Everything is well-prepared and ready to serve to public with various responses.

A survey that MASTEL (*Masyarakat Telematika Indonesia/Indonesian Telematics Society*) did about hoaxes in 2019, respondents in Indonesia showed that about 34.6% respondents received hoaxes every day and 14.7% had at least one hoax a day. MASTEL also showed the media that are mostly used to share hoaxes are digital media like websites, chatting applications, and social media. [6]

Hartono (2018) in his article [7] tells us that hoaxes are related to post-truth phenomena where truth is not only based on the truth itself but based on subjectivity that includes the interest in politics, religions, organizations, etc.

This phenomena is now becoming the most important note to the communication technology in Indonesia. Indonesia as a developing country has always been open to new things. Technology existence is not only to give the good sides, but also a few things to learn for example the amount of hoaxes that spreading around easily.

3 Research Method

The research applies case-study as the method and it is carried out with these following steps:

The data collection is performed with in-depth interviews, observation, and literature review. The interview is conducted in a flexible, open and informal ways, without rig structure and able to be repeated to the informant. The questions are arranged with an interview guide and it becomes the priority in the interview process. After that, the guide can be expanded, developed, and modified for gaining deeper and unpredicted information. For accuracy, the answer will be written down [8]. The informants are chosen with purposive sampling method and criterion-based election. In this research, the informants are the students that currently enroll in communication science major at 3 biggest universities in East Kalimantan while the observation is conducting a focus group discussion and the literature review is conducted by analyzing

various works of literature regarding media management. The data reduction in this research is the process of selection, simplification, and abstraction of the data taken from the interview record and field note. [9]

4 Result and Discussion

4.1 Appreciation of the power of reliable information

Most of the informants are using social media to find information, although a few students also read newspaper every day to fill their daily needs of information.

“I look out for more information on websites and read what is on social media such as, liputan6.com and cnn.com” (Informant Rini)

Most often, I read from Jawa Pos and Kompas. When I open online portals I prefer to find what news is currently viral on Twitter, like about *Kartu Prakerja* sometime ago where people can get 3 million monthly, sometimes I open several media for instance, detik.com, liputan6.com ...” (Informant Roro)

“I like to find news more on social media, I frequently read from Tempo’s, Kaltim Post’s Koran Kaltim’s and detik.com’s *e-paper*. For the local media, I favour to read Kaltim Post and Koran Kaltim since both have a good reputation and the news sources are trustworthy as far as I’m concerned. In television, I love watching Mata Najwa news. I’m no longer subscribing newspaper and if I have to read newspaper, I will read it in my campus” (Informant Aswin)

“I search for news from online media where it usually gives notifications. If I am interested, I will open what I consider verified. Usually I get news from Instagram but if it has not been verified, I am going to find the comparison in the social media or news program on television and when I do not find the suitable standards, I will watch anything shown in the channel I open” (Informant Hana)

“I always open Instagram first and after I open it and I want to ensure the clarity of a news, I will open YouTube. If I still do not get satisfied of my findings there, I will rely on other media such as, Google. As I switch on my television, the news will be broadcast in the morning or afternoon although it is published more often in the afternoon in Metro TV or SCTV where it is done the most frequently” (Informant Erika)

Three statements above showed that student’s preference has moved to digital/online media. The function of printed media is still used but moving to digital media (by using e-paper from the same source). We can conclude that their preference on choosing the media is because of the easy access provided by their smartphone. As updating is the main character of new media, informants state that e-paper is much easier to use and more handier than the usual newspaper.

4.2 Understanding why news matters

Most hoaxes found at student's WhatsApp group and it is filled with chained messages which untraceable or any broadcast without reliable source. The informants showed knowledge of their media content, hoaxes and function that they had from the media itself:

“Normally, the way I verify fragments of news online is by looking out for more on other media first. Once I have clearer picture and understanding of what the news is about, I try to conclude it” (Informant Aswin)

“What I do to identify hoaxes is by going through other media. Afterwards, I will examine the structure and content of the news itself if it tends to be containing author-based opinions or whatsoever so I cannot fully trust such news. When a news title is

bombastic, I will look at it first and find the similar ones from other media” (Informant Aswin)

“When it comes to a broadcast news, typically there will be no sources stated, mam despite claiming that it comes from a ministry or agency yet there is no official sources written. If it truly is an official news, other media should have been doing the delivery instead of being broadcast. Unless there is an officially issued letter, I am not going to be sure it is valid. I also received a strange news about Covid. But since I found it odd, I did not share it” (Informant Fahmi)

Informant Aswin and Fahmi were identifying hoaxes by looking at the main source, then find the other reliable sources. Then conclude if the main source is real or not. Prasetyo [10], Head of Indonesian Press Council, says that hoaxes on social media often comes from news that is difficult to verify. Chained messages or broadcast messages received in social media which have unreliable source makes individuals directly digest the information because they think there is nothing wrong to protect themselves. The government also continues to strive to eradicate hoaxes circulating as an effort to educate the public to have the ability to analyze and consume news that is fit for the society.

4.3 Understanding how media work and make decisions and why they make mistakes

The types of hoaxes that circulating are differs. The form could be written texts, videos, images and many more. Various social media are also easy platforms for hoaxes to circulate. This study found various facts conveyed by informants about the dominating of the types of hoaxes that were circulating and which media had the most hoaxes.

“I found hoaxes the most on WhatsApp since in my opinion, it has the ‘Share’ feature” (Informant Roro)

“I found hoaxes mostly on Facebook and WhatsApp. Older women love using Facebook irresponsibly” (Informant Rini)

“On Facebook mam, although I rarely use it, I frequently found a lot of news what I thought was odd” (Informant Fahmi)

“I often received hoaxes in the form of text like the typical news circling around WhatsApp groups and Twitter. On Twitter, someone can share something from a website but it is not necessarily reliable therefore we, as the readers, found it strange and questionable” (Informant Hana)

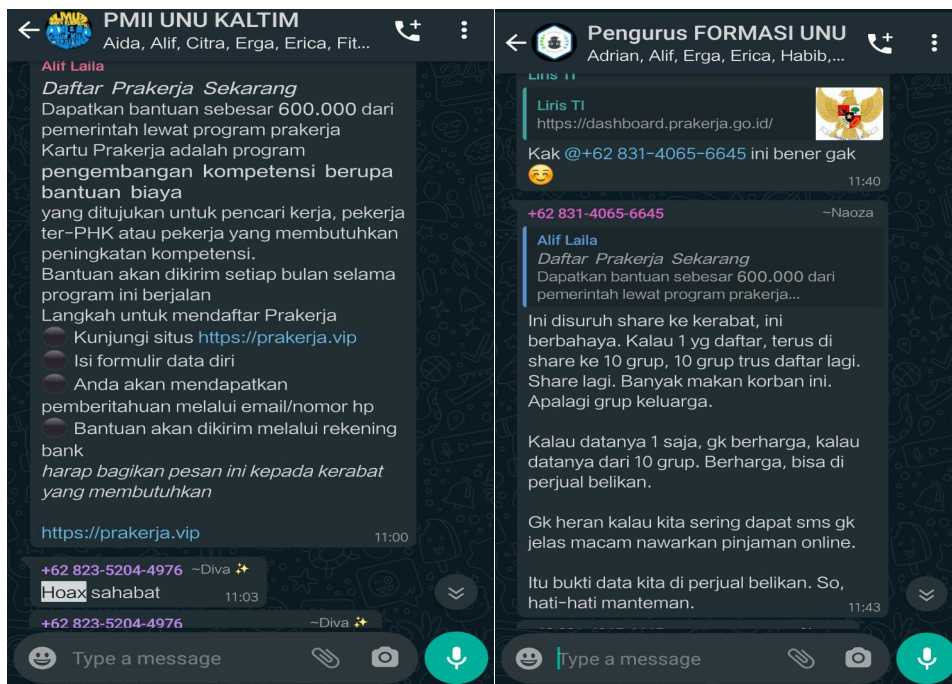


Figure 4: Hoaxes in A Student's community WhatsApp group

4.4 Understanding how the digital revolution can affect the news consumer

As we know that Facebook has more features such as like, comment, and share button that connect bigger societies to reproduce any messages. The reproduction is possibly targeting bigger hoaxes in the society.



Figure 5: Informant Hana shows the reliable source after looking a hoax shared by an anonymous account in a Facebook group

Facebook has various features that enable people to interact while using the application. Students as the agent of change expected to bring innovations through their new thoughts and behaviors that are transmitted to the society. The ability of students' media literacy could vary as some informants tried to take a role and educate the environment while receiving hoaxes information. But there were also a few informants who decided to do nothing because there were already another member of the community/group who has been providing reliable sources of news.

5 Conclusion

Looking at the results of this study, it can be concluded that:

1. The majority of informants decided not to share the news that they got when the source was not reliable enough. They tended to keep it to themselves or discuss it with their closest family, friends or colleagues. This study found that the majority of informants had good media literacy skills by trying to be critical of the news that they found on social media.
2. Informants had the ability to access the information they received and able to see the level of accuracy, quality and urgency of the information. The students decided to not to share the information to society when the information is not accurate or reliable.

6 Acknowledgements

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Social Philanthropy in Oral Tradition of Multicultural Society in West Bali as an Effort to Build Inclusive Civilization

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Abstract. This study examines the notion of social philanthropy contained in the oral tradition of multicultural societies in West Bali. This study seeks to explore the values of local wisdom in which it shows a symbolic interaction that is thick with historical nuances. Indonesia as a forum for diversity has the potential to experience vertical and horizontal conflicts. If it is not managed properly, diversity will lead to social disintegration. Therefore, inclusive values are needed to build the adaptive civilization of a plural Indonesian nation. This research offers a perspective on the oral traditions of a society that was born based on the similarities and goals of life as an entity formed by history. This study uses a qualitative research method coupled with three disciplines, namely the science of history which helps explain the origin of communities through the study of archives and documents. Sociological studies help document people's social interactions. Meanwhile, the anthropological approach helps ethnographic research. The results of this study illustrate that oral traditions formed through past agreements tend to be able to become the social glue of multicultural societies in West Bali. This research concludes that social philanthropy is a historical and cultural trend of a multicultural society in West Bali which is formed based on the same fate and purpose in life.

Keywords: inclusive; multicultural; philanthropy; tradition

1. Introduction

In recent times, concerns about the decadence of national and state life have emerged in a number of cases. The values of nationalism in the life of society, nation and state in Indonesia are being disturbed by issues related to SARA (ethnicity, religion, race, between groups), terrorism, radicalism, intolerance and identity politics, which ultimately lead to the disintegration of the nation[1][2]. The problem of national disintegration and the disturbance of the values of unity is more caused by the development of narrow thoughts such as the strengthening of identity politics and intolerance [3].

Oral traditions that live and develop in a multiethnic and multi-religious society in West Bali have similarities with Pancasila as the consensus of the past. By linking various national phenomena recently such as the strengthening of ethnic sentiments and religious primordialism,

efforts to explore inclusive values in local elements, especially with historical nuances, need to be done[4][5]. Apart from being an effort to strengthen the national identity as well as to provide confidence about a sense of self which is *Bhineka Tunggal Ika* so that foreign understandings that try to tear the national fabric called Indonesia can be avoided [6].

2. Method

This study used a qualitative research design. Conducted using an ethnographic study design combined with historical and sociological approaches by making the social community formed by Dutch colonial plantation workers since the second decade of the XX century (1918) as the research subject. They consist of various ethnicities such as Madurese, Javanese, Bugis and Balinese. Research with an ethnographic study approach for the above purposes requires the researcher to be directly involved in the research arena to make observations, in-depth interviews, and discussions, as well as study historical documents.

3. Result and Discussion

Before becoming a settlement, the West Bali area was an area dominated by forests, savanna and steppes. Towards the nineteenth century, European foreign private parties wishing to open plantations in this area had difficulty getting workers from other areas of Bali compared to plantations in Java, so they brought workers from Madura and Java[2]. The workers from south Bali are generally brought in only at harvest time, because most of the workers are casual and not on a contract basis. Meanwhile, the Javanese and Madurese workers got tougher tasks, namely clearing land, including digging soil and ripping forests. Female workers generally receive lighter shares, such as weeding crops and sowing seeds. After harvesting, workers from Bali as casual laborers will return to their home areas, while workers from Madura and Java who get tougher jobs make settlements and settle permanently around plantation areas[7]. The first settlement of the Madurese when Sumberklampok village was opened for coconut plantations in 1918 was carried out in the name of A. Willem Remmert who brought 65 forest furniture from the island of Sapudi, Madura. They are the first generation of Madurese in Sumberklampok village. Meanwhile, the Javanese established settlements in different plantation locations but were still within the same village area[8].

Massive East Balinese migration to West Bali began in 1963 when Mount Agung erupted. The area, which is still empty of population, is an alternative destination for migration. The arrival of the southern Balinese people only started in the mid-1980s in line with the need for labor on plantation lands[9], in Sumberklampok village whose concession rights were transferred to PT Dharmajati and CV. Margarana. The placement of the southern Balinese people began during the leadership of the Governor of Bali, Anak Agung Bagus Sutedja. He borrowed the Sumberklampok plantation land covering an area of approximately 50 hectares for 89 farmer family heads in 1962. However, not having had the chance to issue a circular⁵ to recall the 89 farmer families, the traces of it disappeared along with the bloody murder of 1965/1966. There were allegations that they were members of the Barisan Tani Indonesia (BTI), an organization that was said to be affiliated with the Indonesian Communist Party (PKI)[2].

The Dutch Colonial Agrarian Law of 1870 which was in effect in Java was then implemented also in areas outside Java in 1875. The starting point of this Agrarian Law is the statement of public land ownership by citizens (*domein verklaring*). All land is declared to be owned by the state, unless other parties such as the king state otherwise with certain reasons and evidence.

The Dutch government can lease agricultural lands that are not demanded by other parties to plantations and European capital owners for a long period of time, namely 75-99 years, which also includes a statement of ownership of land ownership by the government and a prohibition on transferring of agricultural lands[10]. by indigenous people to foreigners who prevailed in Bali Dutch influence officially entered Buleleng after the conquest in 1849. The Jembrana area which was previously a conquest of Buleleng automatically became Dutch subordinates as well. Dutch influence expanded even more after a resident assistant was placed in Buleleng in 1885 and a controlleur in Jembrana in 1856[11]. The first lease of land in Bali was carried out by I Gusti Made Pasekan¹⁰, Regent Jembrana in 1860 to L.G.G.R. de Mey van Streefkerk, a clerk in Banyuwangi with a rental payment of f 1500 per year and transactions written in palm leaves. Geographically, the locations of Jembrana and Buleleng are very advantageous in the Balinese economy. This area covers the west coast plains to the hilly plains, extending from the middle of Bali's southwest coast to the mountains. At that time, Resident of Bali and Lombok, F.A Liefcrick, rejected the request to open a plantation in southern Bali because he would urge wet farming in the form of rice. The solution is to make West Bali and northern Bali as private European plantation land. A suitable plant to be cultivated in this area is coconut, which is suitable to grow everywhere in Bali, especially in coastal areas. In the late 19th and early 20th centuries, the need for coconut (copra) was increasing for export, especially to Singapore[12].

In the case of former Dutch colonial plantation workers in West Bali, who consisted of three different ethnicities, namely Balinese, Madurese and Javanese, past self-records did not become the domination of one group alone[13]. They have consciously registered their existence formally since 1967 when the administrative village was first formed. This can be seen in the short chronicle. The aim is clear, namely to legitimize the origin that they and their descendants are the legal heirs to the land they occupy, even though in reality until now their status is only land use rights[14]. Although the formal existence is in the form of a physical record that was only legalized in 1967, Babad Cendek as the idea of social integration of the three ethnic West Balinese inhabitants has existed since the opening of the first plantation in Bali in the second decade of the twentieth century. This is reflected in the social behavior of the community that shows respect, such as the tradition of ngejot, metulungan. The problem is that the integrative attitude is not as fluid as contemporary Balinese society, but still maintains its social segregation. This is possible, because the settlements are built using the collect model. This means that one ethnicity with another ethnic group establishes separate settlements based on ethnic groups and religions[15]. This condition was also supported by the colonial policy in placing the settlements of each ethnic group according to the work specialization. Misnawi (55 years), one of the Madurese figures revealed that the short babad becomes a kind of inter-ethnic social glue that can reduce social tensions. The chronicle has also become a force capable of uniting the local population when dealing with the state. Together, they used the story in the babad as a reference to explain the position and rights of the land where they were born. Putu Artana (45 years), the head of the village of Sumberklampok for two periods (2002-2012) explained that through babad cendek, the sense of ownership was fostered and formed because their ancestors besides being Dutch plantation workers had also built the village. They were already buried and may have become ancestors who would have stayed behind to watch over the village from another realm. Not paying attention to every inch of village land is the same as inviting danger in the form of abstract sanctions such as kepongor. Therefore, the land struggle which is legitimized by babad cendek as a past agreement must be carried out and realized.

4. Conclusion

Both vertically and horizontally, the oral tradition in the form of Babad Cendek becomes the source of identity and primary reference to the past about one's existence. Identity is an important means of legitimacy that the people of West Bali have the right to space. Oral tradition has also become a social glue capable of dissolving ethnic and religious boundaries. This is shown through socio-cultural expressions in the form of certain actions that reflect tolerance. The similarity of fate and the existence of the same aspirations in the future also strengthen the sense of belonging.

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Punishment for perpetrators of sexual harassment against women, as victims in the rich world in Indonesia

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Abstract. The development of information and communication technology (ICT) is currently very helpful for human activities, especially during the Covid-19 pandemic. With the existence of sophisticated technology during the COVID-19 pandemic, it can facilitate the flow of communication and information without being hindered by space, boundaries, distance and time, and can increase productivity and efficiency. However, it cannot be denied that with the development of information communication technology (ICT), new crimes in cyberspace, especially sexual harassment of women, are the biggest victims of being harassed in cyberspace. This harassment is carried out through social media such as Facebook, Instagram, Snapchat, and other social media. Perpetrators of crimes of sexual harassment in cyberspace in Indonesia can be sentenced to a criminal sanction which is contained in the Criminal Code and the ITE Law. The theory that the author uses in compiling this paper is library research and the purpose of this study is to monitor the position of women as the biggest victims of sexual harassment in cyberspace and how active sexual harassment perpetrators are in social media in the ITE Law.

Keywords: Learn from home; Covid-19; Higher education; Student perspectives; Motivation

1 Introduction

The globalization process of information and communication technology (ICT) in a rapidly developing world makes it easy for users to access the information they need with just one touch of a finger. The development of mobile phones, for example, in the past cell phones could only be used to talk and send short messages (SMS), but now cellphones have developed like a sophisticated mini computer. The sophistication of cellphones has developed very rapidly, previously using digital technology, now it has used touch screen technology and even this sophistication is increasing after being combined with certain features such as Android technology. The advancement of information technology (ICT) is closely related to the needs of the internet [1].

Along with the development of people's needs in the world, information technology (information technology) plays an important role, both in the present and in the future. Information technology is believed to bring great benefits and interests to countries in the world. There are at least two things that make information technology so important in spurring

world economic growth. First, information technology encourages demand for technology products themselves, such as computers, modems, USB (Universal Serial Bus), and a means to build internet networks. Second, it can facilitate business transactions, especially financial businesses, in addition to other businesses[2].

Cybercrime is a crime that uses computer technology and the internet as its media, recently showing significant numbers, both in terms of quantity and quality. The use of computers and the internet as media to commit crimes is generally known as "cryber crime" (Agus Rahardjo, 2002: 92). Cyber-crime can also be defined as an act that violates the law by utilizing computer technology which is based on the sophistication of internet technology (Budi Raharjo, 2002: 23). As stated by Andi Hamzah in his book "Criminal Aspects in the Computer Field" (1989) which defines cyber-crime as a crime in the computer sector in general it can be interpreted as illegal use of computers. Meanwhile, according to Eoghan Casey (2001: 16) "Cybercrime is used throughout this text to refer to any crime that involves computer and networks, including crimes that do not rely heavily on computer[3].

However, currently the rate of crime through the internet network or (cybercrime) is not followed by the government's ability to keep up with it, making it difficult to control it. The emergence of several cybercrime cases in Indonesia has posed a high escalation threat to the stability of the social and security services. The government with its legal instruments has not been able to keep up with the techniques of crimes committed with computer technology, especially the internet network (internetwork). A criminal act is an act that is prohibited by law, which is accompanied by a criminal threat for anyone who violates the prohibition. In the formulation of a criminal act, there is always a legal object (abbreviated as object). The element regarding the object of a criminal act is an absolute element, it is always present in every formulation of a criminal act by law. This formulation does not mean that there is no element of the object of the crime. In criminal law, there are no exceptions. Often times we find exceptions in certain cases and circumstances from a certain norm or necessity in a norm. Exemplified in the formulation of persecution (Article 351 KUHP) which does not include the element of the object[4].

This is an exception from the necessity that the object of a mandatory legal act of a crime is an exception, it is the "necessity" to state the object in every formulation of a criminal act there are no exceptions[5]. There can be no exceptions. Nowadays, along with the development of the era, the problem of pornography and porno-action is getting more and more alarming, and the negative impact can be seen clearly, including frequent sexual harassment, adultery, rape and even murder. The people who are victims of this crime are not only adult women but many victims are still children, especially women.

2 Method

This research is a library research, therefore it is a technique used in data collection is literary data collection namely materials that are coherent with the objects of discussion in question[6]. The data in the literature is collected and processed by Editing, namely re-checking the data obtained, especially in terms of completeness, clarity of meaning and harmony of meaning between one with others, Organizing, namely organizing the data obtained with a framework that's already needed, Findings of research results, namely to carry out further analysis of the results of organizing data using rules, theories and predetermined method in order to obtain certain conclusions is the result of the answer to the problem

formulation. The research design used a basic qualitative. According to this basic qualitative design, it is intended to produce a deep understanding of learning from home from data collected from students and then analyzed in the form of descriptive narratives. This qualitative design is an approach that is generally used to understand and interpret social phenomena in their natural [5]

3 Result and Discussion

During 2008-2020 Komnas Perempuan issued a red note related to the high escalation of victims of sexual violence in Indonesia. Based on his records, the increase in the number of victims of sexual violence in adult women increased by more than 700%, girls victims increased by 65%, victims of online sexual harassment increased by 300%, and groups with disabilities increased by 47% in 1 (one) year from 2019- 2020. Then, based on data from the Women and Children Advocacy Institute, it was found that during the COVID-19 pandemic, the spike in online-based sexual violence cases also increased, which within half a year there were 4 (four) cases. This number is high because if we compare it to the 2019 report, the number of cases is 2 in a year. This phenomenon also includes data from victims who are willing to report and from other people who report immoral acts, not including hidden victims who do not report themselves to be victims of sexual violence. Simply put, the problem of sexual violence is still an iceberg phenomenon in Indonesia[6].

Based on cases of online gender based violence, KBGO is found on various social media platforms. The most common incidents occurred on Facebook, where 39% of women were sexually harassed. This figure is then followed by Instagram (23%), Whatsapp (14%), Snapchat (10%), Twitter (9%) and TikTok (6%). Research shows that one in five girls have stopped or reduced their use of social media after such attacks, while one in ten changed the way they express themselves online as a form of self-protection[8]. According to the National Sexual Violence Research Center (NSVRC) Sexual violence occurs when a person is forced or manipulated by another person to engage in sexual activity that he does not want or without the party's consent. Anyone can become a victim of sexual violence, whether children, adolescents, adults and even the elderly. Perpetrators of sexual violence can be foreigners, people who are trusted by the victim and even family members. Sexual violence can take many forms, from rape, incest or incest, sexual violence with minors, sexual harassment, sexual exploitation, exposing genital parts or nudity to others, masturbating in public to seeing or peeking at someone's private activities. without the knowledge / permission of the party.

By reviewing targets or potential victims of sexual violence, in fact they can come from various age groups and genders. The Plan International survey found that in Indonesia alone, 38% of respondents experienced KBGO. This figure is well below the global average of 58%. However, the number of KBGO cases itself is increasing. Komnas Perempuan's Annual Record (CATAHU) which reports on cases of harassment against women in 2019 shows an increase in complaints of cyber crime cases by 300% (from 97 cases in 2018 to 281). Of the various forms of KBGO that were reported to Komnas Perempuan, the most cases online took the form of threats and intimidation of the distribution of pornographic photos and videos of victims. Reporting of criminal acts of sexual harassment against women in technology and information media is currently constrained by various factors, one of which is that the victim will receive a louder scorn than the perpetrator then questions about how to dress and behavior, these two things justify the reason for the woman to receive sexual harassment, with

women who Speaking up for what they experienced was considered only seeking attention and was considered telling lies and every time there was an incident of sexual harassment, not a few women and men felt that the victim did not need to share their story. Therefore, the role and interests of victims are the considerations of law enforcers in law enforcement practice, in particular the application stage of criminal law provisions, the types and sizes of the severity of the crimes imposed on the perpetrator are strongly influenced by the way and motivation of the perpetrator in realizing his crime, a criminal crime can be revealed by reports or complaints made by victims or the public. The position of women as victims of harassment in cyberspace, namely as victims who are basically the ones who suffer the most in a crime, do not receive as much protection as provided by law to criminals. Perpetrators of crimes are sentenced to criminal sanctions by the court, however the condition of the victims seems to be completely ignored, even though the issue of justice and respect for human rights does not only apply to the perpetrators of the crime but also the victims. Almost all of the principles of criminal procedure law adhered to by the Criminal Procedure Code prioritize the rights of suspects, there are at least ten principles adhered to by the Criminal Procedure Code with the intention of protecting the rights of citizens in a fair legal process[11]. In Law no. 11 of 2008 concerning Information and Electronic Transactions also does not have the term pornography, but "content that violates decency".

Electronic Information is a set of electronic data, including writing, voice, images, maps, drafts, photographs, electronic data interchange (EDI), electronic mail (electronic mail), telegram, telex, teletype, or the like, letters, signs, numbers, Processed access codes, symbols, or perforations that have meaning or can be understood by those who are able to understand them[7]. The formulation of the criminal act of pornography on the Internet is regulated in Article 27 Paragraph 1 of the ITE Law which reads "every person intentionally and without right distributes and / or transmits and / or makes electronic information and / or electronic documents accessible which contain content that violates decency[8]. In the contents of Electronic Information and / or Documents, this article regulates the prohibition of the distribution of Electronic Information and / or Electronic Documents that have contents that violate decency. In Law Number 11 of 2008 concerning ITE, Article 45 Paragraph 1 also regulates the punishment carried out by perpetrators of sexual harassment or acts related to decency in Article 27 Paragraph 1 of the ITE Law which reads "everyone who fulfills the elements referred to in Article 27 Paragraph (1), (2), (3), and paragraph (4), shall be subject to imprisonment for a maximum of 6 (six years and / or a maximum fine of Rp.1,000,000,000.00 (one billion rupiah). It should be emphasized that this content contains a meaning bias, the meaning bias is the coercion of decency, whether civility or politeness is the meaning of the term morality in general or is the meaning referred to in morality is pornography which is identified with obscenity or eroticism[9].

In general understanding of law, there is a tendency to include pornography as part of the environment of decency and moral norms. Violations against him, including offenses against politeness. As in the Criminal Code itself does not formulate the definition of pornography, but based on the interpretation of Articles 281, 282, 283, 532, 534, and 535, the definition of pornography from these articles, as well as in articles 411 to 416, Article 420, and Article 422 The RUUKUHP term pornography is not explicitly stated and formulated, therefore the definition of pornography and porno-action according to the Draft Criminal Code can also be inferred from the articles that regulate the crime of decency. According to the large Indonesian dictionary, morality comes from the word susila which means that the language is not good, while pornography, which is to arouse lust or can also be interpreted as reading material that is deliberately and solely designed to arouse lust in sexes[10]

The immorality of these acts is sometimes very dependent on public opinion at that time and place. That people having intercourse in the middle of the street destroy public decency (decency) is no longer a problem, but kissing in a public place in a big city is currently being done by the Indonesian people. Until now, the people of Jakarta are still not offended by the presence of women and men bathing at the river which can be seen from the public road naked or half naked, whether in the future[11]. If the understanding of the legislators is the same as morality in the true meaning of the term, it will be an implementation bias of this article. This is because the attitude of law enforcement itself will be fragmented according to the existence of the territory and the people faced by law enforcers. For example, in dealing with ethnic people who are different from one another, as well as their different religions, if this happens then the effectiveness of this article will experience many obstacles, it is different if what is included in this article is material content. pornography, according to the author, is more appropriate, because it is miniature, because according to its understanding, its enforcement will be more generally applicable to the Indonesian people. In addition, if it is synchronized with the Pornography Law, this will be harmonious, so that their enforcement will support each other in terms of preventing and overcoming pornography in Indonesia through positive law.

4 Conclusion

The position of women as victims of harassment in cyberspace, namely as victims who are truly the ones who suffer the most in a true crime do not receive as much protection as provided by law to criminals. Perpetrators of crimes are subject to criminal sanctions by the court, however the condition of the victims seems to be completely indifferent even though the issue of justice and respect for human rights applies not only to crimes but also to victims. Almost all of the principles of criminal procedure law adhered to by the Criminal Procedure Code prioritize the rights of suspects, there are at least ten principles adhered to by the Criminal Procedure Code with the intention of protecting the rights of citizens in a fair legal process[18]. Penalties for perpetrators of criminal acts of sexual harassment through social media are based on the Law on Information and Electronic Transactions 2008 in article 27 Paragraph 1, which states that acts that contain an element of decency and are posted on social media are subject to 6 years in prison or a fine of 1,000. 000,000 (one billion).

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Digital Literacy Development In Arabic Learning During The New Normal Era In MTsN 8 Tulungagung

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Abstract. The Covid-19 pandemic has shifted the way of social interaction includes the world of education. This phenomenon forces the learning system to adapt to educational technology (EdTech). This article aims to explain, analyze, and examine the digital literacy development in learning Arabic during the new normal era in MTsN 8 Tulungagung with the assumption that MTsN 8 Tulungagung has been able to implement a learning system that makes teachers and students easier to carry out distance learning. This research uses a qualitative approach with a phenomenological analysis method. The results show that the concept of digital literacy development includes organizational dimensions, the human resource dimension, the financial dimension, and infrastructure dimensions. Supporting factors are the availability of internet facilities and language laboratories, the availability of LCDs in every class, and teachers who can use PowerPoint media. The inhibiting factors are teachers and students that do not master technology and limited infrastructure to support the school innovation.

Keywords: Arabic language; digital; learning; new normal.

1 Introduction

The urgency of digital literacy is being felt by the public. Political, social, educational, and cultural phenomena are influenced by cyberspace literacy. Modern society is no longer focused on conventional forms of literacy, they are more interested in digital literacy because it is more efficient and effective. This is what is known as disruption, the tendency to shift from conventional literacy to digital literacy [1].

The existence of digital literacy activities as a literacy trend for the millennial generation, especially in the new normal era that shifts conservative literacy proves the existence of digital literacy. Teenagers who are interested in certain themes in this era, more often use short or long writings to attract followers. For adolescents, these digital writings are easier to convey and accept [2].

Supporting factors to make the educational programs successful are needed to achieve educational goals. The success of the learning process is an important point in achieving educational goals. To make the students be truly interested and actively participate in the process, the teaching process must create a conducive atmosphere. Digital literacy-based media is one of the factors that determine the success of teaching as efforts to create a conducive atmosphere. The theory that supports the use of literacy-based media in teaching

Arabic says that the sense of listening functions less than the function of the sight sense and direct experience of knowledge acquisition [3].

Learning resources that do not adapt to the development of Science and Technology will be left behind. Meanwhile, internet access has reached remote villages. Therefore, it is appropriate to use technology for the teaching and learning process. As an exemplary figure, the teacher must have the skills and abilities in utilizing digital literacy-based technology.

Teacher's ability to adapt and use the technology is highly expected by the millennial generation due to the developments and demands of the era when they live, especially in this new normal era. At least, a teacher can operate a simple and unpretentious tool but is a must to achieve the expected teaching goals. Specifically, teachers can operate digital literacy-based tools/media related to Arabic learning.

Arabic language has 28 alphabet letters with each letter *makharijul huruf*, it is a uniqueness that other languages don't have. *Nahwu* and *shorof* introduced us to *I'rob* or words change that quite complicated. Therefore the Arabic teachers' role is very urgent. The Arabic teachers' ability to master various Arabic sciences with effective and efficient media is a requirement to achieve the learning goals [4].

On the other hand, learning media and teaching methods are very important to support the success of learning. Digital literacy-based learning media besides its supporting function, also has the main function to carry out or conveys material and ideas to students. The function of this digital literacy-based learning media is very beneficial in this new normal era.

Digital literacy-based learning media plays an important role in learning, especially since 2013, the KTSP curriculum has been replaced with a new curriculum, namely the 2013 curriculum or K13 where students are more encouraged to be active in the learning process. Moreover, the Minister of Education and Culture, Nadiem Anwar Makarim, through a web seminar on May 5, 2020, said that technology does not replace teachers but as an acceleration in increasing their potential. This is the essence of the "Merdeka Belajar" policy which provides a large space for every educational institution to carry out various innovations.

Therefore, the researcher wants to conduct a study at MTsN 8 Tulungagung to obtain information, analyze, and provide interpretations about "Digital Literacy Development in Learning Arabic during the New Normal Era at MTsN 8 Tulungagung".

2 Method

Researchers use a phenomenological qualitative approach [5] with a theoretical orientation or perspective analysis method to find out the meaning behind reality [6]. The phenomenon is digital literacy development in learning Arabic during the new normal era in MTsN 8 Tulungagung.

The research site is MTsN 8 Tulungagung, it is located at Masjid st. Number 8 Sumberdadap, Tulungagung, East Java. The research subjects are teachers, school principals, curriculum staff, and students. As the research instrument, the researcher is in charge of planning, collecting data, analyzing, interpreting data, and reporting the results of the research [7]. The sources of data are persons such as the teachers, school principals, curriculum staff, and students. The data collection technique is an in-depth interview. Researchers use Miles and Huberman data analysis. While the validity testing uses triangulation including

triangulation of sources, times, and methods. Besides, the researcher also uses peer debriefing to discuss the data that has been obtained with experts and research partners.

3 Results and Discussion

Understanding the Digital Era

The Digital era is an era when the digital system is being used by most people in their daily activities. The rapid technological changes towards globalization advancement impact all aspects of human lives [8]. Digital violations will occur if laws and ethics are ignored. The efficiency provided by technological advances that provide very wide access without being influenced by national borders makes dependency in this globalization era. Then, the internet is the answer to these needs [9].

Digital Literacy

Digital literacy is a basic technical skill to operate computers and the internet. Furthermore, it is an ability to understand and think critically to design communication content and evaluate the digital media [10],[11]. Dyna Herlina S., as she cited Paul Gilster, stated that digital literacy is the ability to operate digital devices effectively and efficiently to access technology and information in various human activities including career, academics, and everyday life [12].

Digital Literacy in Educational Aspect

A challenge faced by the world of education in the new normal era is its readiness to produce graduates who capable to enter real-life society. It is in line with Wardiman Djojonegoro, Minister of National Education in 2017 opinion regarding link and match. Producing graduates who can contribute to the world and field of work is the goal of education. Vocation must be in line with the readiness of the world of education in producing graduates. Job opportunities and market competition are challenges that must be faced in the new normal era. Therefore, the millennial generation needs special abilities in digital literacy-based learning [13].

Digitalization in Arabic Language Learning Internet

A student can participate in a discussion forum, make direct contact with native speakers, and so on if they can maximize the use of the internet. Through the internet, teachers can provide online assignments and work instead of direct interaction with students. The students' speaking skills, for example, can be developed through the use of the Power-point application.

The Internet provides many sites related to Arabic. Sites about morals, Islamic history, Sufism, monotheism, and other fields can be easily accessed via the internet. Besides, Arab world studies and various other Arabic fields about past, current, and future data and information are also available on the internet [14].

Interactive VCD

One of very effective and efficient language teaching media is VCD (Video Compact Disk). This tool is a continuation of the tape recorder with additional facilities and functions provided. VCD can be heard and watched, while the tape recorder can only be heard. Currently, many VCDs accommodate Arabic language teaching programs, they can be played on a computer equipped with multimedia features.

Satellite/Parabola

The next media is satellite/parabola. Arabic vocabulary enrichment and culture introduction can be facilitated by satellites, it makes the teacher easier in delivering the

material. This satellite is mostly used for listening skills (Maharatul Istima'). We can enjoy live Arabic TV broadcasts (Palestine, Yemen, Saudi Arabia, Egypt, etc.) by using digital satellite receivers.

Arabic E-Learning

Asmani, quoting Darin E. Hartley, stated that e-learning is the use of the internet in the teaching and learning process. A broader definition is conveyed by Learin Frame.Com in the Glossary of e-Learning Terms that e-learning is the use of internet media, computer networks, and standalone computers in the form of electronic applications in an educational system to support the teaching and learning process [15].

Supporting and Inhibiting Factors of Digital Literacy Development

Educational development in terms of the success of educational goals has been greatly assisted by technological developments. That is why several supporting factors are needed. Optimizing the use of educational technology in schools has at least 5 supporting factors as follows:

- a. Content and application factors provide timeliness and place so the content can be used comfortably.
- b. The financial factor requires good cooperation of banks and institutions
- c. The policy factor, the work program must be following the ideals of national education and institutional needs.
- d. The human resource factor requires the ability in using technology.
- e. Sufficient information access factor wherever and whenever needed.

On the other hand, the implementation of technology in education also has some inhibiting factors. These obstacles are caused by:

- a. Availability of adequate budget or funds in providing technology infrastructure and its maintenance.
- b. Teacher's ability to use digital sources.
- c. The availability of quality learning materials according to academic standards supported by digital-based technology.
- d. Teacher incapability in operating digital-based ICT technology.
- e. Limited infrastructure in supporting the application of digital-based technology.
- f. The less support and willingness of all parties to implement digital-based learning.[18]

The Concept of Digital Literacy Development in Arabic Learning in the New Normal Era at MTsN 8 Tulungagung

The concept of digital literacy development in learning Arabic in the new normal era at MTs Negeri 8 Tulungagung includes 4 dimensions as follows:

a. Organizational Dimension

The principal has advised and instructed all teachers of MTs Negeri 8 Tulungagung to elaborate learning materials with digital-based learning models by utilizing IT (Internet, language labs, LCD, and laptop) and all digital facilities available, especially in this new normal era.

b. Human Resources Dimension

Before compiling the learning tools, the teachers approach students to create a close relationship. It means that the learning characteristics of each student must be detected first by the teacher so the models, strategies, methods, and techniques for delivering material are matching. This activity increases human resources both for the teacher and the students.

c. Financial Dimension

The school financial manager provides internet and laboratory. The internet is used for accessing Arabic language learning and even before K13, in 2010 this school has its language laboratory for learning Arabic, English, and Indonesian.

d. Infrastructure Dimension

Since 2015, every class has LCDs and laptops to use for various learning processes, especially in Arabic to support digital-based learning in the new normal era.

Implementation of Digital Literacy Development in Arabic Language Learning in the New Normal Era at MTsN 8 Tulungagung

Regarding the design of digital literacy development in Arabic learning, before its implementation, teachers as implementers approach students before making preparations to fulfill the teaching materials. This activity creates a close relationship between teachers and students. In that sense, the learning characteristics of each student must be detected first by the educator so the learning models, strategies, methods, and techniques for delivering material can be adapted by students. Ustadz Asrori explained this phenomenon by stating “Before compiling learning tools, teachers approached students at the beginning of the meeting.”

Creativity in utilizing every element in school is needed by a teacher to achieve maximum output. The success or failure of a learning process is very likely to occur if the management of the technology procurement has been maximally designed and teachers understand its management.

Regarding the implementation of digital literacy development in Arabic learning at MTsN 8 Tulungagung, Mr. Suyoko as the vice-principal said:

In general, MTsN 8 Tulungagung has implemented digital literacy development management in learning Arabic such as the provision of the internet to access Arabic learning. Besides, even before the implementation of K13, in 2010 this school had its language laboratory for learning Arabic, Indonesian, and English. This laboratory encourages students to be more active and creative. These activities are following the concept of K13. LCDs and laptops have been installed in all classes since 2015. We did all this after receiving direct advice from the principal of MTs Negeri 8 Tulungagung, he suggests to use the LCD learning model in delivering material.

The description above is in line with what was conveyed by the Arabic teacher at MTsN 8 Tulungagung. He said:

Digital-based Arabic learning by elaborating material with learning models has been recommended to all teachers, that is by optimizing the use of IT (Internet, language labs, LCDs, and laptops) in learning. This school is trying to keep up with the times, especially the new normal era, by utilizing digital-based technology. Although, there is a lack of balance between learning infrastructure and the number of students.

Meanwhile, in implementing digital literacy development in Arabic learning at MTs Negeri 8 Tulungagung, Arabic teachers conveyed the process that:

The problem of preparing technology-based Arabic learning is the same as what occurs in every school in general. We prepare a syllabus, lesson plan, videos, pictures, and various tools to support the material delivery. For example in Maharatul Istima's learning, there are provided various Arabic audio conversations to be listened to by the students, then they are invited to discuss with groups and explain the results of the discussion.

The data above is in line with what Ustadz Asrori, an Arabic teacher at MTsN 8 Tulungagung, said:

It is the same as what teachers prepare in every school in general such as the use of lesson plans and syllabus. However, there are various supporting tools, for example, the learning models related to student creativity.

In line with this opinion, the vice-principal explain as follow:

Managing the digital-based Arabic learning process, first of all, is the preparation of learning tools. The material delivery begins with the learning media preparation and it is the key to reach the learning goals.

The digital literacy development in Arabic learning at MTsN 8 Tulungagung is not only structured as administrative fulfillment, but also it is a complete combination of the process of becoming a professional teacher to realize the ideals of national education which is not only able to do direct (face-to-face) learning, but also become a professional teacher in the Covid-19 pandemic.

Supporting and Inhibiting Factors for the Digital Literacy Development in Learning Arabic in the New Normal Era at MTsN 8 Tulungagung

Regarding the supporting factors of digital literacy development in learning Arabic in the new normal era at MTsN 8 Tulungagung, Mr. Asrori as an Arabic teacher explained his teaching experience. He conveyed:

Since 2015, this school has facilitated the teaching and learning process with internet and language labs. Also, there is an LCD for every class, teachers are required to take advantage of all these facilities, for example, LCD can be used to display material presented with PowerPoint, it makes the teachers and students easier in discussing the material and make them more creative and active. The digital facility received a positive response from teachers and students, even though not all agree about technology-based learning, because there are still some who have not mastered technology as a whole.

Regarding the inhibiting factors of digital literacy development in learning Arabic in the new normal era at MTsN 8 Tulungagung, Mr. Asrori as an Arabic teacher explained his teaching experience. He conveyed:

While the inhibiting factor is the teacher's problem in mastering technology and there are still many students who do not understand technology-based Arabic learning, they still familiar with the old methods such as the lecturing method. There is also the problem of the high cost, provide good infrastructure needs much money. Besides, most students still unfamiliar with Arabic, which makes the learning process mostly conducted by using LCD.

Contribution of Digital Literacy Development in Learning Arabic in the New Normal Era at MTsN 8 Tulungagung

Regarding the contribution of digital literacy development in learning Arabic at MTsN 8 Tulungagung in this new normal era, Mr. Asrori as an Arabic teacher explained his teaching experience. He conveyed:

The contribution can be seen directly today, Indonesia is hit by the Covid-19 pandemic which requires all schools to conduct online learning like what has been instructed by the Ministry of Education and Culture and the Ministry of Religion. This school has implemented online learning by optimizing the use of the internet. On this occasion, Ustadz Asrori explained the online learning of every grade. First, for grade 7, online

Arabic learning is carried out using social media WhatsApp, that is by inviting students to discuss according to the material inside the WA group. Second, for grades 8 and 9, online Arabic learning is carried out through WhatsApp and Google Classroom. Most students feel the benefits of its implementation, but there are some complain because there is a problem in understanding material when it is delivered by online media.

Based on this explanation, it can be concluded that digital literacy development in learning Arabic at MTsN 8 Tulungagung in the new normal era has a real contribution. Even though some students do not understand and be less active during the learning process in the online class.

4 Conclusion

The concept of digital literacy development in learning Arabic in the new normal era at MTsN 8 Tulungagung includes, they are: First, the organizational dimension. Second, the human resources dimension. Third, the Financial dimension. Fourth, the Infrastructure Dimension. These four dimensions have become the paradigm for MTsN 8 Tulungagung in developing digital literacy so far. The implementation of digital literacy development in learning Arabic in the new normal era at MTsN 8 Tulungagung, namely: First, for grade 7, online Arabic learning was carried out using WhatsApp by inviting students to discuss the material. Second, for grades 8 and 9, online Arabic learning is carried out through WhatsApp and Google Classroom. The supporting factors of digital literacy development in learning Arabic in the new normal era at MTsN 8 Tulungagung are the presence of internet facilities and language labs, each class has an LCD, and teachers are required to take advantage of all these facilities. While the inhibiting factors are some teachers who do not master technology, students who are not familiar with technology-based Arabic learning, limited infrastructure to increase educational innovation in the school environment. The contribution of digital literacy development in learning Arabic in the new normal era at MTsN 8 Tulungagung is this can hold online learning that has been instructed by the Ministry of Education and Culture and the Ministry of Religion by maximizing the internet as the main facility in learning Arabic and a media for digital literacy.

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The Indonesia government strategy to reduce the impact of the Covid-19 pandemic on the national economy

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Abstract. This study aims to determine the fiscal and monetary policy strategies for the stability of the Indonesian economy in dealing with the impact of the Covid 19 virus. In this study, researchers chose to use the descriptive type of research, namely to explain an event whose operations revolve around data collection, data processing and data interpretation. Data is obtained through literature studies, by reading and reviewing and analyzing various literatures, in the form of documents, journals, publication data from ministries and from official websites that release information relevant to research. Meanwhile, data analysis was carried out by reducing, classifying, interpreting and drawing conclusions. The Indonesian government has taken comprehensive fiscal and monetary policies to deal with Covid-19. In the fiscal sector, the Government has implemented a policy of refocusing activities and budget reallocation. From the revenue side, the government must pay attention to the contribution of revenues from PPN and Corporate Income Tax and from the expenditure side, the government must be able to pay attention to the realization of the use of these funds so that they are right on target and prioritize priority activities for preventing the Covid-19 pandemic to reduce the budget deficit.

Keywords: Covid-19; Strategy; Government; Economy; Fiscal; Monetary.

1. Introduction

Coronavirus is an infectious disease caused by the acute respiratory syndrome coronavirus 2 (Sars-CoV-2). The disease was first discovered in December 2019 in Wuhan, the capital of China's Hubei Province, and has since spread globally, resulting in the 2019-2020 coronavirus pandemic. The World Health Organization (WHO) declared the 2019-2020 coronavirus outbreak an International Public Health Emergency (PHEIC) on 30 January 2020, and a pandemic on 11 March 2020[1]. Covid-19 affects many elements of people's lives and the Indonesia economy. The total positive cases of Covid-19 around the world have reached 31,2 million with a total death of 964 thousand as of 20 September 2020. Each month it has increased to 277,886 on a world scale which illustrates that the struggle for dealing with Covid-19 is still in a tough position in various countries. The escalation has spread in more than 216 countries

with an additional world daily cases of nearly 300 thousand. Likewise, the epicenter has shifted to large populated countries such as the United States of America, India, Brazil, Russia, South Africa and even Indonesia. Many countries have taken steps ranging from extreme lockdowns to social restrictions and have even implemented what is called The New Normal with health protocols. However, every country has periods where there is an increase in cases again so they continue to make adjustments. For vaccines, development efforts continue to be carried out as an effort to deal with Covid-19, of course with health protocols in various parts of the world. With such conditions, we must see that the risks in the social and financial economy are still very real due to Covid-19 [2].

In Indonesia alone, the cumulative number of positive cases is 248,852 as of 21 September 2020, with the rate of recovery continuing to increase, but if seen from the total deaths, caution must continue to be reduced. Judging from the location, Jakarta Province has again become the largest epicenter center in the number of positive cases. The escalation of the Covid-19 case, such as West Java, Central Java, East Java, South Sulawesi, West Kalimantan and this province are not only large in terms of their population but also large in terms of their contribution to the national economy so that it will definitely affect the performance of the national economy with the conditions of Covid-19 which is still a major factor in influencing the economy, economic growth at both the global and national levels is still largely determined by the ability to control Covid-19 [3].

The crisis due to Covid-19 is currently occurring simultaneously, so that the impact is greatly felt by vulnerable groups who are getting worse, including business groups that need mass crowds, groups of casual daily workers, street vendors, workers affected by layoffs, farmers, the poor, and so on [4]. In this situation, it is understandable that the government does not dare to take lockdown steps in this phenomenon, because the risk leads to an economic disaster, which automatically has implications for other social impacts [2]. The simple picture is that the cycle of economic activity in the community has drastically decreased, so the government must take strategic policies that are accelerated in dealing with the economic difficulties that befall the community [5]. If the government is slow in making strategic decisions, then the vulnerability to social disasters, including conflicts, will easily occur [4].

The government responds to the impact of Covid-19 by issuing Government Regulation in lieu of Law No.1 of 2020 concerning State Financial Policy and Financial System Stability for Handling the Pandemic Corona Virus Disease 2019 (Covid-19) and / or in the Context of Facing a Dangerous Threat The National Economy and / or Financial System Stability of the Perppu is then promulgated into Law Number 2 of 2020 [6].

The Government Regulation in lieu of Law above also provides additional authority to Bank Indonesia, the Deposit Insurance Corporation, and the Financial Services Authority. The Financial System Stability Committee is given the authority to handle financial system stability, including providing short-term liquidity loans to systemic and non-systemic banks. In addition, BI was given the authority to purchase long-term government bonds or state securities in the primary market. Corporations are also given the opportunity to obtain funding through the resale of debt securities.

Initially, the government allocated a total of IDR 405.1 trillion for handling Covid-19 in the health sector and national economic recovery. Furthermore, the government summarizes various policies in dealing with the impact of Covid-19 in a program called National Economic Recovery (PEN). The government has allocated APBN funds for economic recovery amounting to IDR 695.2 trillion [6].

Various regulations, both laws and others, have been made by the government as a legal basis in an effort to increase national economic growth. The formulation of the problem in

the subject matter of this paper, namely what fiscal policies are taken by the government in maintaining national economic stability and what steps are taken by BI to maintain the stability of the national financial system.

The purpose of discussing the problems in this paper is so that readers can know and understand the various strategies taken by the Indonesian government in suppressing the impact of the Covid-19 pandemic on national economic stability, such as fiscal policies made by the Ministry of Finance and monetary policies adopted by Bank Indonesia. It is hoped that overcoming the problems arising from Covid-19 will not put too much pressure on the APBN deficit. Therefore, a strategy is needed that can help regulate the current economy. Fiscal policy in terms of government revenue and expenditure has played a very large role in overcoming the impact of Covid-19.

2. Method

This research uses a descriptive qualitative approach, which is an understanding that understands the various concepts found in the research process, using content analysis techniques and library research. The content analysis technique is a research method used to see the conclusions of a text. Or in other words, content analysis is a research method that seeks to reveal the manifested and latent ideas of the author. Meanwhile, library research in this study uses types and sources of secondary data obtained from research, articles and reference books that discuss topics related to the research theme [7].

In the data collection process, researchers conducted a document study process by collecting various articles from government websites such as www.covid.go.id, information from online news such as www.kompas.com, and other sources of information. Other sources that are no less important are various scientific articles published in various national and international journals. The various sources that have been collected are then carried out a comparative study and analysis, so that the appropriate source is determined according to the theme of the writing being made.

The final stage of this research process is the writing process by describing the data that has been collected so that the economic impact of Covid-19 on Indonesian society can be seen in detail.

3. Result and Discussion

Realization of tax revenue until the end of May 2020 was recorded to have decreased by 10.8% compared to the same period last year. The decline was recorded to be deeper than the 3.1% end of April. This was explained by the Minister of Finance Sri Mulyani Indrawati, S.E., M.Sc. Ph.D. through the APBN video conference, that the tax revenue realization until the end of May 2020 was valued at IDR 444.56 trillion or 35.4% of the 2020 APBN target which has been amended according to Presidential Decree No. 54/2020 worth IDR 1,254.1 trillion.

Table 1. Realization of tax revenue

Uraian	APBN	Jan- Mei 2020	Δ%
	2020*	(Rp)	'19–20
Pajak Penghasilan (PPh)	703,34	281,81	-12,44
- Non-Migas	659,6	264,83	-10,38
- Migas	43,75	16,98	-35,58
PPN & PPnBM	529,65	159,99	-7,95
PBB dan Pajak Lainnya	21,11	2,76	-3,45
Jumlah	1.254,11	444,56	-10,82

The Minister of Finance issued Regulation of the Minister of Finance Number 23 of 2020 (PMK 23 of 2020) Regarding Tax Incentives for Taxpayers Affected by the Covid-19 Virus Outbreak. The provision of this incentive is a response from the government to the decline in productivity of business actors due to the economic decline of taxpayers due to this outbreak [8].

Income Tax (PPh) Article 21

This incentive will affect the income that each employee will receive for the past 6 months. If previously employees were deducted from Article 21 of their income, from April to September 2020 the employee will receive another Income Tax 21 discount. The deduction is given along with the monthly income received by the employee. The status, which was previously borne by the recipient of the income, becomes borne by the government or it is called Government-borne Tax (PDP). So, if an employer violates the regulations related to this PMK, they will be subject to sanctions in accordance with the applicable regulations [8].

Income Tax Article 22 Import

Income Tax Article 22 Imports are given incentives in the form of tax payment exemption. This exemption is the effect of the reduced activity of sending goods to enter Indonesia in order to prevent the spread of the virus which is increasingly developing in Indonesia, whether it is a temporary suspension of the country of origin or a reduction in spending activities of importers in Indonesia. The decline in import activity has greatly affected Indonesia's trade balance, so it is necessary to provide a stimulant through incentives so that taxpayers who are business actors will be enthusiastic about carrying out activities in such a non-conducive situation. Taxpayers who carry out import activities will be given an exemption from import income tax article 22 for 6 months. The granting of this facility is given through an Import Tax Free Certificate (SKB) to the taxpayer [8].

Installments of Income Tax Article 25

Income Tax Article 25 which will receive incentives with a reduction in the amount of installments by 30% of the total installments that should be paid over the next 6 months. Income Tax Article 25 is included in this regulation because many business actors have started to reduce their activities or even temporarily stop their business as long as this outbreak has not stopped. When conditions like this the productivity of the taxpayer it would be unfair if taxpayers who had been paying installments of this type of tax were not given incentives. During this regulation, taxpayers do not need to apply for reduced installments to get incentives because it will take effect automatically [8].

Value Added Tax (VAT) Restitution

VAT is given incentives during the Covid-19 outbreak. For VAT, the treatment of incentives is different from the three previous types of taxes. The VAT incentive provided is by facilitating the process of providing restitution to PKP which has been determined in PMK 23 of 2020 for the next 6 months starting in April. There are differences in the nominal limit of restitution given to PKP Exporters and PKP Non Exporters. For PKP that acts as an exporter there is no nominal limit on the VAT that will be refunded, while for PKP Non-Exporters, an accelerated restitution is given with a maximum value of 5 billion rupiah. Exporter PKP will get unlimited facilities in this time to apply for restitution. This is adjusted to the application of VAT rates that have been provided by exporters. For PKP who are classified as tax incentives,

there is no need to submit applications for low-risk PKP determination to registered Tax Offices [8].

In increasing state revenue, the government will implement digital taxes or Trade Through Electronic Systems (PMSE). Perppu No.1 / 2020 states that the PMSE scheme will collect digital taxes in the form of value added tax (VAT) and PPh. If the regulation is immediately enacted, the tax authorities will immediately make regulations so that the digital tax law umbrella becomes more specific. The tax authorities and the Ministry of Finance are preparing a Minister of Finance regulation (PMK) as the legal basis for VAT in the PMSE. Meanwhile, PPh and taxes on digital transactions will be prepared by a Government Regulation (PP). This activity is very relevant to be carried out in relation to the increasing online activities carried out by economic actors as a result of social distancing and PSBB. Activities using the zoom application increase during this pandemic period, so that activities can be levied on the activity tax. Online trading for which data is not currently accessible to tax collectors can be subject to strict supervision and regulations to comply with the merchant's obligations as taxpayers who carry out their activities through electronic media[3].

During the Covid 19 pandemic, the government adopted policies namely: support for the health sector, medical energy monthly incentives, social protection, electricity rates, raising the pre-work card budget, economic recovery, anticipating the APBN deficit, KUR customers getting installment relief, in the non-fiscal sector, refocusing and relocation of expenditures, prepare a Perpu. Furthermore, the Ministry of Finance will reallocate APBN funds amounting to IDR 62.3 trillion [9].

The funds are taken from official travel budgets, non-operational spending, honoraria, for handling / controlling Covid-19, social protection (social safety net) and incentives for the business world. It is also hoped that the APBD will be refocused and reallocated for these 3 things. Strengthening the handling of Covid-19, is carried out by providing facilities and medical devices, medicines, incentives for the medical team to handle Covid-19 patients and other needs. Social safety net is given to increase people's purchasing power through the family hope program (PKH), Smart Indonesia Card (KIP), food cards and prosperous rice. The government is projecting an increase in budget financing to IDR. 852.9 Trillion due to the impact of the Covid-19 pandemic This figure has increased by IDR. 547 trillion from the 2020 Revenue and Expenditure Budget (APBN). The APBN deficit widened 5.07% of GDP. Investment financing also increased. From minus 74.2 trillion to minus 229.3 trillion[10].

Based on materials from the Ministry of Finance, this year's budget financing increased by IDR. 186.3 trillion from Presidential Regulation (Perpres) No. 54 of 2020 which amounted to Rp. 852.9 trillion to Rp. 1,039.2 trillion. This is in accordance with the amount of the 2020 State Budget deficit outlook. Debt financing was recorded to have increased by IDR. 213.9 trillion from IDR. 1,006.4 trillion to IDR. 1,220.3 trillion. This debt financing outlook increases, to finance a widening budget deficit and additional investment financing. Investment financing was recorded to have increased by IDR. 24.6 trillion from IDR. 229.3 trillion to IDR. 253.9 trillion. This includes additional SOE investment financing which is part of the funding for the national economic recovery program[8].

Overcoming the economic impact of the Covid-19 outbreak on the Indonesian economy will largely be determined by policy choices and the government's preparedness to deal with the outbreak. The difference in the level of fatality rates in various countries is also a valuable lesson that government policies are very decisive in overcoming this pandemic, in addition to system support and community behavior. Some steps should be taken by the government for efficiency in the production side [9]: issuance of debt securities (sun) in rupiah

figures to reduce interest payments; refocusing the 2020 state budget; the legal consequences for misappropriation of the covid-19 countermeasures fund.

Due to the outbreak of the Covid-19 pandemic, Bank Indonesia (BI) continues to strengthen all instruments and policies to stabilize the rupiah exchange rate, control inflation, and support financial system stability. At the same time, BI is also active in preventing a decline in the economic activity of Isbih Langit through close coordination with the Government and the Financial System Stability Committee (KSSK).

The BI policy mix consists of six important aspects. First, the cut in the monetary policy rate (BI7DRR) four times until July 2020, each by 25 bps. This reduction in policy interest rates is consistent with the forecast for low and controlled inflation in the 3+1 percent target range, as well as to support national economic recovery [11].

Second, BI also stabilized and strengthened the rupiah by increasing the intensity of intervention policies both on the spot market. Domestic Non Deliverable Forward (DNDF), as well as purchases of Government Securities and the secondary market Rupiah stabilization was also pursued through a reduction in the mandatory minimum reserve (GWM) of foreign currencies, a decrease in the rupiah reserve requirement for many who carry out export-import activities, financing micro small and medium enterprises and other priority sectors, as well as expanding the types of ringing of transactions for foreign investors.

Third, BI continues to expand instruments and transactions in the money market and foreign exchange market. This is taken. On the other hand, it can provide many trading assets, ternate hedging, value-for-money rupiah exchange through DNDF transactions, multiplying foreign exchange swap transactions, providing repo terms for banking needs. as well as strengthening monster operations and in the real financial market through various instruments, BI also strengthens the term deposit instrument eyebrows to improve liquidity management, foreign exchange in the domestic market and encourages banks to use the reduction in foreign currency reserve requirement reserves that have been decided by BI.

Fourth, to encourage financing for the business world and national economic recovery, BI injected liquidity (quantitative easing) into the money market and banks in large quantities. Until July 14, 2020, BI has injected liquidity of around IDR. 633.24 trillion, among others, through the purchase of Government Securities from the secondary market, provision of banking liquidity with SBN repos, foreign exchange swaps and reduction in the rupiah statutory reserve requirement (GWM).

Fifth, easing macroprudential policies to encourage banks to finance the business and financial world. This is done through loosening the provisions of the Loan to Value Ratio (LTV), Macroprudential Intermediation (RIM), as well as a decrease in the rupiah reserve requirement for financing the business world, especially for export-import and for micro small and medium enterprises in order to mitigate the impact of Covid-19. In addition, efforts will also be made to provide liquidity for banks in restructuring loans for micro small and medium enterprises and ultra-micro businesses that already have loans from financial institutions[12].

Sixth, Keep the ease and smooth operation of the cash and non-cash payment system to support various economic and financial transactions. This is done through hygienic circulation of money, as well as encouragement for the public to use more cash transactions, such as electronic money, internet banking, and the use of Indonesian QR Code. BI is also accelerating the implementation of the digital economy and finance as part of efforts to recover the economy through collaboration between banks and fintech.

In addition, non-cash payments are also intended to support government programs in channeling social assistance funds, such as the family hope program (PKH) and non-cash food assistance, the pre-employment card program, and the Indonesia smart-college card program[6].

4. Conclusion

The Indonesian government takes a policy comprehensive in the field of fiscal and monetary for facing Covid-19. In the fiscal sector, the Government carry out activity refocusing and budget reallocation policies. From the revenue side, the government must pay attention to the contribution of revenue from VAT and Corporate Income Tax and from the expenditure side, the government must be able to pay attention to the realization use of these funds to be right on target and prioritize pandemic prevention priority activities Covid-19 To reduce the budget deficit. Fiscal policy strategies that affect output and inflation in the Indonesian economy can be seen from the stated government policy in 3 stimuli. Government payments can refocus / revise the budget in the APBN to optimize its use during the Covid-19 pandemic. Besides, with new normal policy recently, hopefully can support this economic growth. With operation of the industrial sector, the economy can wriggle back and pick up growth the economy Due to the outbreak of the Covid-19 pandemic, Bank Indonesia (BI) continues to strengthen all instruments and policies to stabilize the rupiah exchange rate, control inflation. and support financial system stability. At the same time, BI is also active in preventing a decline in the economic activity of Isbih Langit through close coordination with the Government and the Financial System Stability Committee (KSSK). The BI policy mix consists of six important aspects.

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Legal System Development in the 21st-Century Era

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Abstract. Law is a normative institution that gives effect to the society, the law also receives the influence and impact of its society. One of the important issues is how the law to maintain survival amidst the changing times. The modern era can't be avoided by any country including Indonesia. This article aims to see the direction of the legal system in the era of globalization, including in Indonesia. The results show that entering into the era of globalization, where among countries in the world increasingly borderless, there is a tendency to convert the legal system, because there is not really a perfect legal system, all the legal system have positive and negative points.

Keyword: Globalization; Law; Convergence

1. Introduction

Nowadays, there is not only one legal system exist, but various legal systems. Two legal systems that are very recognizable are the Civil Law System and the Common Law System. In addition to these two, many other legal systems are worthy of bearing a legal system, such as the Islamic legal system, the Chinese legal system, the Japanese legal system, the legal systems of African countries. Within the legal system, there are various elements, regarding this, there is Friedman's theory which is quite well known that the elements of this legal system are legal substance, legal structure, and legal culture[1]

Between this legal system and its scope, there is a close relationship, namely the relationship of interaction or mutual exchange between the two. This means that in addition to the law is a normative institution that gives influence to the environment, and it also receives the influence and impact of the environment. One crucial problem faced by every system is how to maintain survival amid the pull of these changes. This challenge can be answered by providing answers in the form of adapting to these changes to maintain their survival or fail to adapt to these changes. It is especially entering the modern era like today, where changes are swift, and the impact of these changes is quite significant.

Any country, including Indonesia, cannot avoid developments in this modern era. The Indonesian legal system, as a result of its historical development, is compound. They have so-

called because up to now in Indonesia, several legal systems have their patterns and arrangements. The legal system is the customary law system, the Islamic law system, and the civil law system. These combination means the merging of the three values of the legal system, even though the three values of the legal system have different philosophical and sociological foundations. Even so, the Indonesian legal system has its style, namely the existence of the 1945 Constitution and Pancasila[2]. It is not an easy task to realize a national law for the Indonesian people, which consists of various ethnic groups with different cultures and religions, and the diversity of laws left by the former colonial government. The development of national law will apply to all citizens regardless of the religion they hold must be done carefully. In order not to become a broken legal system due to being unable to adapt to the times, it is necessary to make a revolutionary adjustment. Therefore, in this article, we will look at the trends of the legal system in the 21st century and the development of the legal system in Indonesia.

2. Method

This study used a descriptive qualitative research method. Methods of collection using observation techniques, document study. The data analysis techniques used are data reduction, data presentation and conclusion drawing. In this study, the method used is legal research in empirical studies, by looking at law as a reality that includes social, cultural, and other realities.

3. Result and Discussion

Legal System dan Legal Tradition

The legal system is an organized, structured unit consisting of elements or parts that interact with one another and work together for the interests and objectives of the unit. Experts on legal comparison no longer distinguish the existence of a legal system in the world only between the common law system (Anglo-American legal system) which is dominated by unwritten and precedent laws (previous court decisions) with civil law (Continental Europe Legal System) which is dominated by laws and regulations. However, at this time regarding the legal system, there are already more varied differences, namely (Ali: 2008, 203):

1. Civil law, which applies in Europe and the countries of the former colonies. According to this legal system, the law must be codified as the basis for the enactment of a country's law so that legal certainty is created. Countries that adhere to this civil law system have complete and continuously updated laws to determine everything that can be brought to justice, such as the application procedure (procedural law) and the appropriate punishment for each violation (material). The role of the judge here is to establish the facts of the case and apply which articles can be met with the resolution of the case[3].
2. Common law, which applies in the United Kingdom, the United States, and Commonwealth countries. In this legal system, there is no known standard or codified legal source, so that community habits are developed or have been decided by the court, which is the source of the law. In this system, the judge has a significant role in shaping the law.
3. Customary law, which is widely applicable in several African countries, China and India
4. Islamic law, which applies in Islamic countries, especially in the Middle East

5. A mixed legal system applies to Indonesia, which applies positive legal systems, customary law, and Islamic law.

In a modern legal system, there must be a variety of sources of the law so that the benchmarks for identifying law will vary and usually include a written constitution, the provisions of the legislature, and judicial precedents (Hart: 1997, 157). When discussing the legal system, it will not be separated from the theory of Lawrence M. Friedman about the legal system. Where the legal system is described as having three elements, namely (Friedman: 1975, 18):

1. Legal substance, where it is a rule, norms, and patterns of real human behavior in the system. The legal substance also includes output produced by individuals who are in the system in the form of new rules or decisions.
2. The legal structure is a fixed framework or part and gives limits to law enforcement agencies. It is also said that structure is one of the essential and tangible elements of the legal system. In Indonesia, the legal structure can be described in the form of advocates, prosecutors, judges, and police.
3. Legal culture is an atmosphere of mind in a social system that can determine how the law is used, avoided, or even abused by the community.

As a comparison, Sunaryati Hartono divides the elements of the legal system into twelve elements, such as (1) philosophy, (2) substance or legal material, (3) the whole legal institutions, (4) legal processes and procedures, (5) human resources, (6) legal education system, (7) organizational structure and system and coordination among legal institutions, (8) office equipment of legal institutions, (9) software such as proper implementation instructions, (10) legal information, (11) legal awareness and behavior of the legal community, and (12) state budget that is provided for carrying out the duties of legal institutions and carrying out professional legal development (Mahfud MD: 2012, 21).

The next part is the legal tradition; the word "tradition" comes from the Latin language, which means transfer or forwarding so that the tradition is a continuous repetition of an action. In law, this tradition is something that has reached us now from the past. The form of tradition from the right side is information and will enable those who receive it to provide diverse analyses to understand the function of the tradition itself again[4].

The legal tradition can distinguish between the characteristics of one legal system with other legal systems so that through seeing from the legal tradition can be identified about different legal families. However, although differences can be identified, it is not easy in practice, a country has a pure legal tradition to form its legal system without a mixture of other legal systems. Through several influences, both historically, politically, and economically, a country's legal system is often an amalgamation of various legal systems, which means incorporating elements of different legal traditions[5]. This legal tradition is something that has taken root and historical attitudes that condition the nature of the law, about the role of law in society and government, about the organization and operation of the legal system, and about the way these must be created, applied, studied, perfected, and taught[6].

This paper will focus on the Indonesian legal tradition, where three main legal traditions have an essential influence on the development of law in Indonesia. The legal traditions are customary law, Islamic, and western legal traditions. The customary law tradition is believed to have lived since the early formation of the indigenous people in the archipelago. As a form of legal tradition, customary law has three bases. First, namely in its form as a prescription, customary law consists of various interrelated institutions in society; second, as a rule, customary law is a directive to obey a specific rule in the institution concerned; and third, in its

form as an interpretation of a decision, customary law is what arises in the decision of indigenous people functionaries (Lukito: 2013, 7).

The other legal tradition is the Islamic legal tradition, where Islamic law is sourced from the Qur'an and the Hadith. Islamic law is complete at the theoretical level so that it can be used to handle cases that have not even occurred. Islamic law is not made to meet human needs, but human needs are expected to submit to God's will. The propagators of Islam in Indonesia can be quite successful with the marked absence of resistance because propagators of Islam combine Islamic legal values with other legal traditions in Indonesia. The encounter of harmonization between Islamic legal traditions and legal traditions in Indonesia today can be seen from, for example, at the time of marriage, divorce law, banking law, inheritance law.

The third legal tradition is the civil law tradition. This legal tradition was brought by the Dutch when they colonized Indonesia. The main idea of the legal tradition is to separate the relationship between law and religion so that elected representatives will form the government, and the main task of the government is to recognize and defend the people's rights. The civil law tradition only recognizes laws and regulations as a source of law. Therefore, the acceptance of the tradition of civil law is quite complicated because it collides with various legal traditions adopted by the indigenous people of Indonesia at that time (traditional law traditions). The method of transferring the tradition of civil law carried out by the Dutch is by using the principle of concordance whereby the codification principles carried out by the Dutch in his country were transferred to the colony, one of which was Indonesia.

These three legal traditions are the embryos of the current Indonesian legal system, where Indonesia takes what is right from these legal traditions and adapts to the values that live in Indonesian society and current conditions. This proves that a country's legal tradition will be in line with the country's history.

Legal System Development

The legal system is dynamic in the sense that it develops continuously. Therefore, the elements or parts of the legal system can be changed and replaced without affecting the continuity or sustainability of the system. These changes are in line with the interests or the nature of human beings who are changing every time. So the system must be able to adjust.

The discoveries in the field of technology are increasingly making countries in the world increasingly borderless. This resulted in the growth of a new pattern of division of labor that no longer saw the world fragmented into large and small countries, each with a different national economic system, but came to understand that the world as a global market and a planet which is inhabited by one species of creature, namely humans (Hartono, 1991, 67). Also, the formation of regionally-based joint markets will further develop the globalization flow; one example is the formation of the ASEAN Economic Community, where the integration program is a reaction to globalization's challenges. In this case, globalization implies market growth and financial transactions[7].

Globalization means a process that tends to create an integrated world economic order, create a single ecological system, and create a communication network that covers the entire world (Twining: 2000, 4). Globalization is a means to compete genuinely, and the law exists to protect the competition so that undesirable things do not occur. The effects of globalization also result in the diminishing meaning of the country's sovereignty. Whereas this country's sovereignty is a sharp differentiator between its national problems and international problems, state sovereignty can be a bastion of the intervention of other countries' intervention on their national problems (Parthiana: 2003, 79). The depletion of state sovereignty is due to the

emergence of problems which also contain two dimensions, namely the national and international dimensions, where these two dimensions are interrelated and inseparable, for example, the problem of violations of human rights by a state against its citizens is no longer a national problem. Regulations on human rights are more universal applications, where the protection of human rights such as physical security, freedom of speech, and freedom of religion, must be the same in any part of the world. In the future, it can be predicted that more and more legal norms based on careful scientific research and then are recognized internationally as a rule of international law or universal values will also be accepted and infused into national law.

Globalization causes the convergence of the legal system. Convergence is an attempt to unify legal systems, conceptions, principles, or norms (Budhijanto: 2014, 96). The implications of globalization will force the legal order to converge so that economic efficiency is achieved. A legal system can look different because they have different doctrines and institutions, but the difference is meant only on the surface because basically, the institution in question is still able to fulfill the same and similar functions. The conception of convergence is based on the understanding that while there may be differences between legal systems at the level of conceptual problems, functional solutions to the problems tend to be similar.

According to some experts from international relations and international law, the critical factor for the convergence of law is a paradigm shift in the world where the state authorities at this time very often carry out various interactions at the international level, wherefrom the frequency of interactions there will be legal convergence[8]. It can be said that no one runs a pure legal system at this time in a country, both common law and civil law. This is seen in the practice in various countries in the world, making loans between the contents of one system to another. For example, some say that in the criminal justice system in Western Europe, there is no longer anyone who entirely runs the common law and civil law systems. In this case, it can be seen that from one system to another, there is no better one, all of which have positive and negative points so that when merging from the positive points of all, it will produce a robust, efficient and fair system[1].

Indonesia Legal System Development

Based on history, the Indonesian legal system can be said to be a mixture of traditional legal traditions which are legal traditions that existed before colonialism by the Dutch; Islamic legal traditions brought by Islamic propagators from the Middle East, and the civil legal traditions brought by the Dutch when they colonized Indonesia. Indonesia as adopting a Mix Legal System because the legal realities in Indonesia impose: Legislation (Civil law characteristic), *Customary Law*, *Islamic law and the existence of the Religious Courts in Indonesia*, *Indonesian judges in practice follow jurisprudence*[9].

Furthermore, when Indonesia became an independent state, there was a legal unification so that only one system was applied, namely the national legal system. Indonesia's national legal system is a legal system that applies throughout Indonesia, which includes all legal elements (such as content, structure, culture, facilities, laws and regulations, and all its sub-elements), which are interdependent and are sourced from the 1945 Constitution.

The reason for the 1945 Constitution as sources of national legal are the first; the 1945 Constitution contains the objectives, grounds, ideals of the law, and basic norms of the Indonesian state, which must be the aims and footing of legal politics in Indonesia. The second is that the 1945 Constitution contains distinctive values derived from the views and culture of the Indonesian nation, which were passed down by ancestors for centuries. In contrast, the

reason for Pancasila as the basis and state ideology is very suitable to be used as a platform of shared life for the nation of Indonesia, which is very diverse in order to remain tightly bound as a united nation. Secondly, Pancasila is contained in the opening of the 1945 Constitution in which there is a statement of independence by the Indonesian people. In its position as an adhesive or unifier, Pancasila has been able to reposition itself as a place to return if the Indonesian nation is threatened with division. Pancasila is the root, culture, and value orientation of the Indonesian nation, and must be the starting point in projecting the political direction of national law[2];[10]

In the future, the Indonesian legal system must accommodate current demands that cannot be separate from global developments, namely the adoption of universal values that transcend traditional boundaries. Indonesia's legal development must be able to meet the needs at the national level simultaneously and international pressure related to various universal standards. Its fulfillment cannot rely solely on ad hoc efforts but must be carried out sustainably and consistently and thoroughly. The more we face the 21st century, the more our national law will show a transnational nature, so that differences with other legal systems will decrease.

Facing the fact that Indonesia is living in the intercourse among ASEAN countries, for example, it is necessary to review the relevance of the legal system of continental Europe, which has naturally been adhered to because of the influence of Dutch colonialism. Indonesia is currently among international interests that are politically and economically dependent a lot on countries that adopt a common law system[11]. Therefore Indonesia no longer needs to fortify itself with the principles that apply to the continental European legal system but also to open itself to apply the principles of the Anglo-Saxon legal system that are relevant to the needs of the Indonesian state. We cannot always rely again on the process of law formation through legislative products, which take time and huge costs. Therefore laws that grow and develop in the international community can be outlined in national legal politics through the formation of laws by governments and legislative bodies and establishment of law by judges. The influence of the Anglo-Saxon legal system to Indonesia can start from the Indonesian state's activities in associating at the international level, namely by entering into international agreements both bilateral and multilateral. The influence can also come from the many legal experts who continue their legal studies to countries that adopt the Anglo-Saxon system to either directly or indirectly return to Indonesia to become academics and practitioners, practices, or understandings about the Anglo Saxon legal system.

As a paradigm of legal development, Pancasila as an ideology of the Indonesian state has at least four guiding principles which must be used as guidelines in the formation and enforcement of the law in Indonesia[12]. First, the law must protect the whole nation and guarantee the nation's integrity; therefore, no laws are allowed to set the roots of disintegration. Second, the law must be able to guarantee universal justice by giving particular potential to the weak so that they are not exploited in free competition against influential groups. Third, the law must build democracy in line with the rule of law. Fourth, the law must not be discriminatory based on any primordial ties and must encourage the creation of diverse tolerance based on humanity and civilization.

4. Conclusion

In the era of globalization, where states become borderless, there is a tendency for convergence of the legal system, because there is no perfect legal system, all of which have positive and negative points. A legal system can look different because they have different doctrines and institutions, but the difference is meant only on the surface because basically, the institution in question is still capable of fulfilling the same and similar functions. The

convergence of the legal system can make the law more effective and efficient. Regard to the development of the legal system in Indonesia, initially, the legal system in Indonesia was a customary law system. The influence of the Islamic legal system and the civil legal system, make the legal system in Indonesia is a mixed legal system. The presence of common law, which has given its color enlightenment to the law in Indonesia. The presence of various legal systems is expected to respond to various needs in Indonesian society in anticipating the globalization. Of course, all the legal system in Indonesia must be based on Pancasila and the 1945 Constitution so that they still have their characteristics.

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Panca Sradha in Forming Human Pancasila

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Abstract. Learn Pancasila as the national ideology, whose values are described in the Pancasila principles. Pancasila is a protecting ideology for the various ideological and religious polarizations in Indonesia. The understanding of the Pancasila philosophy in the life of the community, nation and state is a paradigm. Pancasila is the source of all sources of law in Indonesia in terms of politics, socio-economics, international relations and religion. Hindu religious intention based on the Five Sradha principles are the five basic beliefs or beliefs of Hinduism that are firmly held in everyday life in society and religion. This good intention is carried out by means of devotional service, which has good provisions regarding the form of devotion, procedures for performing, prayers/mantras, the place and time of the service itself. Through devotion that is carried out correctly with understanding and implementation, it is hoped that it can strengthen sradha and bhakti (faith and piety), the quality of religion, and an increase in mental and spiritual life in the life of religion, society, nation and state.dramatically.

Keywords: Pancasila; Panca Sradha; National Ideology

1 Introduction

The era of modernization has brought the social conditions of Indonesian society to undergo a rapid change and foster a competition as a global citizen. This speed, of course, must be able to follow it well and wisely, without leaving what is our goal as a country which is stated in the ideals of Indonesian independence in the fourth paragraph of the preamble to the 1945 NRI Constitution. Keep up with developments without leaving a character or our identity as a great and independent nation [1].

One of the problems facing this nation is the waning spirit of nationalism and patriotism among the younger generation. We all know that the younger generation is the successor to the leadership and relay of the sustainability of the nation and country we love. Many young people are immersed in the progress and ease of globalization, perceiving foreign cultures as more modern than their own, ignoring the noble values of the nation, and the spirit of hedonism as a daily lifestyle. The role of youth is as a driving force and guardian of the much expected national development. These various problems of nationalism and nationality are caused by many young people who experience a disorientation, dislocation, and are involved in their own interests on behalf of the interests of their group or society [2].

Pancasila as the basis and ideology of the State is the result of an agreement by the founders of this nation, from Indonesia it was founded until the current global era. In the era of globalization, the role of Pancasila is of course very important as a reference in the state in facing various global challenges that continue to develop. Pancasila is very important in

maintaining the existence of the personality of the Indonesian nation, being able to overcome the invisible limitations in globalization, so that it becomes a strong national filter. This filtration will have a positive impact on globalization, meaning that it is able to strengthen relations between nations without leaving their national identity. Meanwhile, if it does not work well, of course, it will give negative things, namely it can damage the nation's morals and the existence of Indonesian culture as a national character. Apart from being an ideology, the role of Pancasila is of course inseparable as a view of life that penetrates, inspires, and shapes Pancasila people in the life of personality, society, nation and state. Of course, this must be done by having an introduction, understanding, appreciation, practice, and self-reflection towards Pancasila itself [3]. Most important of all is the possession of a will that emerges as a person of strength and character.

As a country that believes in the Almighty God and gives its citizens the freedom to embrace religions and beliefs, of course the Indonesian people will never be separated from the religious values that are taught and adhered to [4]. It is clearly stated in the Indonesian Constitution, and the principles of Pancasila as a personality of the Indonesian nation. Every religion certainly provides a teaching that requires its people to carry out all His commands and stay away from His prohibitions on the basis of the beliefs that someone has in Indonesia. The balance of faith and piety is what differentiates this nation in seizing and filling its independence. Faith and piety have also been able to distinguish Indonesian people, as a national identity in the midst of globalization or world society. My study in this paper is of course trying to see and explain from the side of Hinduism, which of course in essence and meaning will not be much different from other religions in Indonesia.

Hindu religious intention is based on and based on the Five Sradha. Panca Sradha is a concept of life for Hindus in their life. Panca Sradha means the five basic beliefs or beliefs of Hinduism that must be firmly adhered to in religious and social life in order to realize and achieve their life goals in the world. Panca Sradha consists of Widhi Sradha, Atma Sradha, Karma Phala Sradha, Punarbhawa Sradha, and Moksa Sradha. This intention is carried out in a devotional manner which has good provisions regarding the form and form of devotional service, procedures for performing, prayers, mantras, the place and time of the devotional performance itself. Through devotional service which is carried out with proper and correct understanding and implementation, it is hoped that it can strengthen sradha and bhakti (faith and piety), the quality of religion and increase in mental and spiritual life in religion, society, nation and state.

2 Method

The research design used a basic qualitative. According to this basic qualitative design, it is intended to produce a deep understanding of Pancasila philosophy. This qualitative design is an approach that is generally used to understand and interpret social phenomena. This type of research is also often useful to further enhance understanding and crystallize research problems developed [5].

The data collected in this study are Balinese' perceptions of Pancasila principles. The primary data was collected from the results of filling out the questionnaire. Analytical induction techniques are used to analyze research data. Analytical induction, which is one of the typical data analysis techniques, is carried out with a stringent process in sequence to study the phenomenon under study.

3 Result and Discussion

Conceptions of Five Sradha and Its Relationship with Pancasila

Etymologically, Panca Sradha consists of the word Panca which means five, and Sradha which means faith or belief [6]. It can be concluded that the Five Sradha are the five basic beliefs or beliefs of Hinduism that must be firmly adhered to in the life of religion, society, nation and state in order to achieve the goals of life in the world. The parts of Panca Sradha are as follows:

1. Believe in the existence of Ida Sang Hyang Widhi / God Almighty (Widhi Sradha) in Pancasila associated with the values of Precepts 1 (God Almighty).
2. Believe in the existence of atma (Atma Sradha), as the smallest part of God in the human body who gives life to humans so that they can carry out their life activities in achieving life goals. This concept teaches the need to position humans with one another. This part of the Five Sradha will be related to Sila 2 (Just and Civilized Humanity).
3. Believe in the existence of Karma Phala (Kharma Phala Sradha), a law of cause and effect in life from the perspective of Hinduism. Belief in Karma Phala will teach a concept of the unity of human life from one another in their lives. No one is able to live alone without the interference of others around him. This is related to the 3rd precept (Indonesian Unity) which is based on love, human affection for one another. In Hinduism, the concept of Tat Twam Asi (I am you, you are me) is taught as the basis for tolerance in our life together.
4. Believe in the existence of Punarbhawa or Samsara (Karma Phala / Samsara Sradha). The Punarbhawa Sradha gives an understanding that there is belief in rebirth from a previous life, or for the next life. In this case, a good treatment is needed in every period of life that is lived. Provides an overview of life on the basis of what has been done then, now and in the future. This can be linked to the conception of the 4th Precept (Democracy Guided by Wisdom Wisdom in Deliberation / Representation), as a reference in respecting respect, building a spirit of democracy between the leader and the people. (The Kaula Ngras The King, The King Ngras The Kaula).
5. Believe in the existence of Moksa (Moksa Sradha). Moksa is an achievement of life goals that every human being wants to achieve. In the dimension of Pancasila values, the goal of every human being is to achieve justice. A taste that is able to provide a comfort, even though it is still relative. This can be linked to Precept 5 (Social Justice for All Indonesians). Justice is based on the abilities and needs of every human being in achieving a level of prosperity (Gemah Ripah Toh Jinawi Tentram Kertha Raharja).

The explanations from the Panca Sradha section are as follows:

1. Widhi Sradha

Widhi Sradha is a belief or belief about the truth of the existence of Ida Sang Hyang Widhi/God Almighty. This belief can be done with the teachings of Tri Pramana, namely Religion/Sabda Pramana, Anumana Pramana, and Pratyaksa Pramana. In the Pramana religion, a person believes in the existence of God through his testimony or words conveyed through the Vedic scriptures which are bestowed on Maharsi, Yogis and wise people. In the Anumana Pramana concept, a person believes in the greatness of God through a logical and systematic analysis of what is in the universe, its events, which are God's will and creation. Meanwhile, Pratyaksa Pramana believes in the existence of God because he experiences directly, sees the manifestation of God, in people who have a high level of purity [4].

In the concept of Widhi Sradha, four sides of the omnipotence of God are also taught, called Cadhu Sakti. Cadhu Sakti consists of: Wibhu Sakti (omnipresent nature), Prabhu Sakti (omnipotent nature), Jnana Sakti (who is omniscient), Krya Sakti (who is a masterpiece). In

Hinduism, Brahman is manifested in two attributes, namely Saguna Brahman (as a supreme person) and Nirguna Brahman (unconditioned, without nature, unthinkable and beyond the limits of the human mind's ability).

2. Atma Sradha

A belief about the existence of Atman. Atman is singular "Brahman Atman Aikyam", which means a small spark from Ida Sang Hyang Widhi / God Almighty as the source of life, which is in every living body. As for the characteristics of atma are: utterly perfect, unharmed, unburned, undrinkable, immovable, eternal, omnipresent, immovable, and always in the same state.

3. Karma Phala Sradha

A belief about the truth of the existence of karma phala or results of actions. This is what will bring our spirits after death where they will get. Everyone sees the results of their actions while humans are still alive, whether they will go to heaven or hell. There is a way to get away from the law of karma that applies and binds oneself, namely by changing all actions into yoga, surrendering everything to Ida Sang Hyang Widhi / God Almighty as the origin of everything and on his will.

There are several divisions of Karma Phala, namely: Sancita Karma Phala (past actions that have not yet been enjoyed and are still the seeds that determine our present life), Prarabda Karma Phala (phala of our actions in this life without any remaining), and Kriyamana Karma Phala (the results of actions that cannot be enjoyed at the time of doing things must be accepted in the next life).

4. Punarbhawa Sradha

A belief in the truth of repeated rebirths. Punar which means annihilated or lost, while bhawa which means to grow or be born. So the concept of Punarbhawa is repeated rebirth / reincarnation / rebirth / samsara. Birth is due to past karma. Punarbhawa is a suffering that results from the successive karma wasana (former deeds) of our lives. Punarbhawa makes us able to improve ourselves in order to achieve the goal of life perfection that we want.

5. Moksa Sradha

Moksa is a belief from Hinduism that deals with the truth of being free from worldly bonds, where the soul is free from the cycle of birth and death. This Moksa is the last destination of Hindus. There are four types of Moksa namely: (1) Samipya: a freedom achieved by a person during his lifetime on earth, (2) Sarupya: a freedom that is obtained by a person in this world because of his birth, where the position of Atman is an emanation of the Almighty God, (3) Salokya: a freedom that can be achieved by Atman, where Atman himself has reached the same consciousness with God, and (4) Sayujya: the highest level of freedom, where Atman is truly one with Brahman / God.

Seeing the development of modernity today, of course, people leave their identity, especially in their activities [7]. Global culture caused by modern and global life patterns, modernization in various forms of mastery of science and technology continuously follows the social development of society. Education, primarily religious education, provides an appreciation and practice of religious teachings to generations/students who become dynamic by realizing the lofty ideals of independence. Especially among the millennial generation who tend to use information technology as an existence in the current development. Therefore advances in science and technology have brought changes in people's lives where ethical and moral setbacks are owned by the younger generation. With a variety of positive activities that build awareness, one of them pasraman will be able to increase faith and belief (sradha) through Hindu-based education to minimize the negative impact arising from these changes.

The National State in the Perspective of Hinduism

There are three types of State in relation between religion and State. First, the theocratic State, namely the State which bases its government on one particular religion. The Kingdom of Saudi Arabia, the Islamic Republic of Iran, Pakistan are some examples of countries that make Islam the basic constitutional state. The second type of State is a secular State, a State which assumes that religious affairs are the personal affairs of each citizen. Secularism is applied in Western countries such as the United States and France. The next type is Communists, who consider religion to be opium, for example China and Cuba as countries with such religious views [8].

Indonesia is a country with the largest Muslim population in the world, but it does not make Islam the basis of its country. Indonesia chose Pancasila as the philosophy of life and the basis of the State, of course this has never been separated from the long history of this nation from before independence to the time of the movement when the basic elements of the State were formulated by the founding fathers of this country. There are differences of opinion and views in the process of forming this country, until the establishment of Pancasila as a consensus agreed upon by all components of the nation from various ethnicities, religions and groups/groups.

State life, of course, can never be separated from politics. There are several political views that exist in religious teachings. Hinduism also has its own views on this politics. In Hindu literature, such as Canakya, Niti Sastra, Kekawin Ramayana, Mahabhrata, Kekawin Ramayana, Lontar Janiti, vocabulary is found relating to constitutive elements of a State such as praja, wadya (people), rat (State, people), universe, janapada, loka (state territory), prabu, queen maharaja (head of government), and so on. The aim of the State according to Hinduism is to ensure the attainment of the welfare of the people both physically and spiritually, among others are listed in Yajur Weda V.27, Atharwa Weda XIII.1.34 and Atharwa Weda XII.3.10. The relationship between religion and the State is based on a relationship of mutual respect, as depicted in wiku (religion) and natha (power) or purohito (king), which are the pillars that determine the strength of the State. Wiku gave advice to Natha regarding issues related to values, morals, and spirituality, so that the government would run according to dharma and bring prosperity to the people. This is a form of obligation (dharma) within the framework of the dharma of religion and the dharma of the State in forming smart and good citizenship [9].

The existence of the state in Hindu thought emphasizes the functionalization of the state in its concrete form, which is the government to be able to protect and regulate public order. This means Hinduism recognizes the importance of both entities, the state and society. Hindu thought about this state has relevance to democratic theories which believe in the importance of the existence of the state in relation to society. There is no democracy without a state, this Hindu thought provides a relatively moderate view of the state which prevents us from jumping from a "right" to an extreme "left" perspective. So we are heading for a situation where the state has a relative degree of autonomy. Even though in the reality of state life there is often oppression by strong groups against the weak, the state is always required to create justice and welfare for its citizens.

Pancasila as the Ethical Foundation of Interfaith Studies in Indonesia

History has proven that based on a review of philosophical and historical aspects, the birth of Pancasila is very closely related to the ethics and culture of the original Indonesian Nation. These values have developed long before Indonesia's independence. Based on historical evidence, ethics and culture have the most influence on the Indonesian nation before it developed rapidly during the Majapahit kingdom. The Majapahit Kingdom has given a

religious nuance and a great influence on the development of Hindu culture in Indonesia. Hindu culture has given a lot of color to life and norms of behavior that are well developed in society. This can be seen based on historical evidence about Hindu culture in Indonesia [10].

To appreciate the struggle of the founders of the State who fought with all the sacrifices, body and soul, property for one purpose. Pancasila must always be understood, lived and practiced in the life of the community, nation and state because Pancasila is the nation's philosophy of life, the source of all sources of law, and Pancasila is the foundation of the Republic of Indonesia. Ontologically, the unity of the Pancasila principles as a pyramidal hierarchical form is described as follows: (1) The 1st precept, that in essence the existence of God is because of Himself, God is *causa prima*. This means that everything that exists, including humans, exists because God created it, (2) The second precept, humans as the principal of a country, then a state appears, which is a community of living together with human members, (3) The 3rd precept, the State is the result of human beings who are united, (4) The fourth precept, the result of a united human being, will form people who are the elements of a country besides territory and government. In other words, the people are the totality of the individuals in the united State, and (5) The fifth precept, with the formation of a government, a goal will emerge, namely justice, which is the essence and purpose of the institution of living together called the State.

4 Conclusion

This The belief in the teachings of Hinduism in Pancasila as a unity of precepts which has a complete and unified unity in order to be carried out harmoniously and completely as well. Pancasila has a very noble and noble value in universal human life. Pancasila as the national ideology, whose values are described in the Pancasila principles. Pancasila is a protecting ideology for the various ideological and religious polarizations in Indonesia. The understanding of the Pancasila philosophy in the life of the community, nation and state is a paradigm. Pancasila is the source of all sources of law in Indonesia in terms of politics, socio-economics, international relations and religion. Hindu religious intention based on the Five Sradha principles are the five basic beliefs or beliefs of Hinduism that are firmly held in everyday life in society and religion. This good intention is carried out by means of devotional service, which has good provisions regarding the form/form of devotion, procedures for performing, prayers/mantras, the place and time of the service itself. Through devotion that is carried out correctly with understanding and implementation, it is hoped that it can strengthen sradha and bhakti (faith and piety), the quality of religion, and an increase in mental and spiritual life in the life of religion, society, nation and state.

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Pemelekan and Pengebugan: representation of the strengthening of social species of female and male gender through *gangsing* games

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Abstract. *Gangsing* in Pedawa village has the potential as a vehicle for the formation of social species of female and male genders. The purpose of this research is to find out the symbol and meaning contained in the games that represent the construction of gender social species. This research uses a qualitative approach. Data for this research are obtained from primary sources (interview and observation) and secondary sources (literature review). Descriptive analysis and critical analysis are used to answer the research question. Using Paul Ricoeur's hermeneutic theory in the context of *gangsing* as a social text, this research learns the meaning of life as a man and woman from the perspective of the Pedawa people. This research concerns language and symbols in the *gangsing* game. Gender symbols in *gangsing* are evident in the dimensions of language, shape and color, and game patterns. The meanings found in the game are persistence, strength, and satisfaction. The conclusion of research is that the patriarchal masculine elements are dominant in the game, obscuring feminine element. This research will have implications for strengthening understanding of gender construction sociocultural

Keywords: Traditional Game; *Pemelekan*; *Pengebugan*; *Ngebom*; Gender Species

1. Introduction

Today's traditional games have become something that is beginning to be ignored by the wider community, especially the younger generation. This cannot be separated from the influence of the swift currents of globalization and increasingly advanced technological developments. One of the advances in technology is the creation of various modern games, one of which is a playstation with various types of games in it. As a result, our young generation is too busy playing these modern games[1].

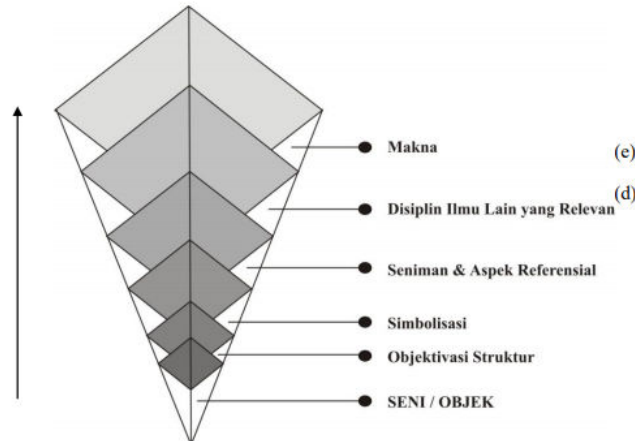
Yet if we look at traditional games besides providing fun and entertainment, it turns out that they contain a lot of value, especially character education. However, traditional games also have a lot of interest, one of them is gender species. This case can be seen in many traditional games in Bali. Games seem to have gender species, namely men's games and women's games. In fact, the game is actually made to meet the entertainment needs of children or adults who are bored with their daily activities[2]. One of the traditional games in Bali that is interesting to examine

is the game of *gangsing* in Pedawa village, which divides the game equipment into two, namely *Pemelekan* and *Pengebungan* as representations of men and women.

This study aims to learn about the symbols and meanings of *gangsing* as a form of social text. In his book, *Hermeneutics and The Human Sciences*, Ricoeur[3] defines hermeneutics as “the theory of the operations of understanding in their relations to the interpretation of text” [1]. The extended meanings of a text influence the interpretation of discourses other than written text. Paul Ricoeur, for example, extends the concept of text to any deliberate action to achieve certain goals. According to Ricoeur, discourse is different from language as a system (*langue*). Discourse stems from the exchange of meanings in speech events. Discourse consists of four elements: the subject that expresses content or proposition, which is the depicted world, the address it is aiming at, and the context (space and time). In discourse, very complex and meaningful traffic occurs.

The institutionalization of traditional games in Bali is not new. There are at least two *sanggar* (studios) in Bali that preserve traditional games: *Sanggar Kukuruyuk*, managed by I Made Taro, and the Pasraman Budi Pekerti Institution “*Sri Tanjung*” in Bunutin Bangi Village under I Nengah Suardana. These *sanggar* popularize traditional games for children so they can learn character values. Many examined *sanggar* and their activities [4], [5], focusing on exploring the values of national character in traditional Balinese children’s games. However, the traditional game of *gangsing* is not included in the object of study even though it is not only for entertainment. In terms of semiotics, *gangsing* represents the strengthening of the social gender species of women and men.

Gangsing, a work of art examined from a hermeneutical perspective, can be used as a guide [6] on using hermetic reading to understand the text through the following hermetic methodology scheme.



Source: [6]

From that all, this study aims to learn about the symbols and meanings of *gangsing* as a form of social text. Especially this research is to find out the symbol and meaning contained in the games that represent the construction of gender social species.

2. Method

This study uses qualitative methods, supported by critical analysis. Data are obtained from

primary sources, collected from informants selected by purposive sampling. The key informant in this research is Pak Wayan Sukrata (65 years old). Meanwhile, Irwan Sutarto, Made Karya, Pak Rusia, Pak Wayan Dolat, and Nyoman Rawi are additional informants. Interviews and observations were conducted within the framework of the triangulation of data sources. Data analysis was done using a hermeneutical scheme, supported by critical analysis.

The data collection process was carried out by conducting in-depth interviews with key informants. After that, the data collected was confirmed to other informants. The entire data is then synchronized with the data from the observation source. The observation activity was carried out by observing the *gangsing* game in the Pedawa village. It also observes the preparation process and other activities related to research. The results of interviews and observations were then analyzed with documentary data from other research studies.

The whole process takes place interactively until the data is declared saturated. In the analysis process, the researcher uses various hermeneutic approaches, with critical theory as the analysis guide. The whole process aims to obtain a holistic and emancipatory research result.

3. Result and Discussion

The Symbols and Meanings of Gender in *Gangsing*

Gender is not just a biological difference (sex and body) between men and women [7]. The differences also concern actions, appearance (gesture, clothes, and styles), and behaviors that become the identity of men and women. They are constructed by the historical course of human social interaction with norms or conventions, accustomed and enforced in the socio-cultural environment [8].

As a gender construction, the findings show that *gangsing*, as an object and a game, contains powerful gender elements. These elements manifest in language, shape or color, and game patterns. They are elaborated in the following.

Table 01. Elements of Language in the *Gangsing* Game

Terms	Definition	Meanings
<i>Pemelekan</i>	Under	The name for female <i>gangsing</i> . It is thrown first to be hit by the <i>pengebugan</i> <i>gangsing</i> . In the 70s, this <i>gangsing</i> is given decoration, as looking beautiful is a requirement for this <i>gangsing</i> . The rotation of the <i>pemelekan</i> <i>gangsing</i> conveys a sense of beauty.
<i>Pengebugan</i>	Hitting from above	The name for male <i>gangsing</i> . It serves to beat the <i>pemelekan</i> <i>gangsing</i> . It is associated with strength, toughness, agility, concentration, and balance.
<i>Seet</i>	Choosing the first player through a round of <i>gangsing</i> to start the game	Conciliator
<i>Ngebom</i>	The ultimate action using prime strength	The decisive strategy for securing the game.



Language play is a cultural practice in *gangsing* games. Following the domination theory, women's and men's languages are different in terms of power. The difference in power between women and men is the primary cause of the variations in the resulting discourse [9]. This context results in the "sexist discourse," which shows the power over women [10]. The terms "under,"

“above,” “hitting,” “*ngebom*” are sexist discourses. Patriarchal society is full of symbol play under the umbrella of patriarchal ideology. The patriarchal ideology places men at the center of the social system, while women are on the periphery. Men are in superordinate positions, while women are in subordinate positions. It implies that not only do men dominate women but also hegemonize them. It is relevant to Antonio Gramsci’s thoughts on how gender inequality originated from cultural hegemony.

Behind a language, there always be power play [8]. It means that language occupies a strategic position for spreading the ideology behind it. Language can also presuppose a particular mode of power in every language practice (choice of words, style of expression, vocabulary, and knowledge), expressed or concealed by the status of the language. Therefore, language becomes so essential for individuals and groups to achieve, preserve, and even fight against domination. According to Bourdieu, language is not just a means of communication that includes a set of meaningful words in the process of understanding. A language can also turn into an instrument of violence, which exploits the symbolic universe in the network of power.

Elements of Shape and Colors

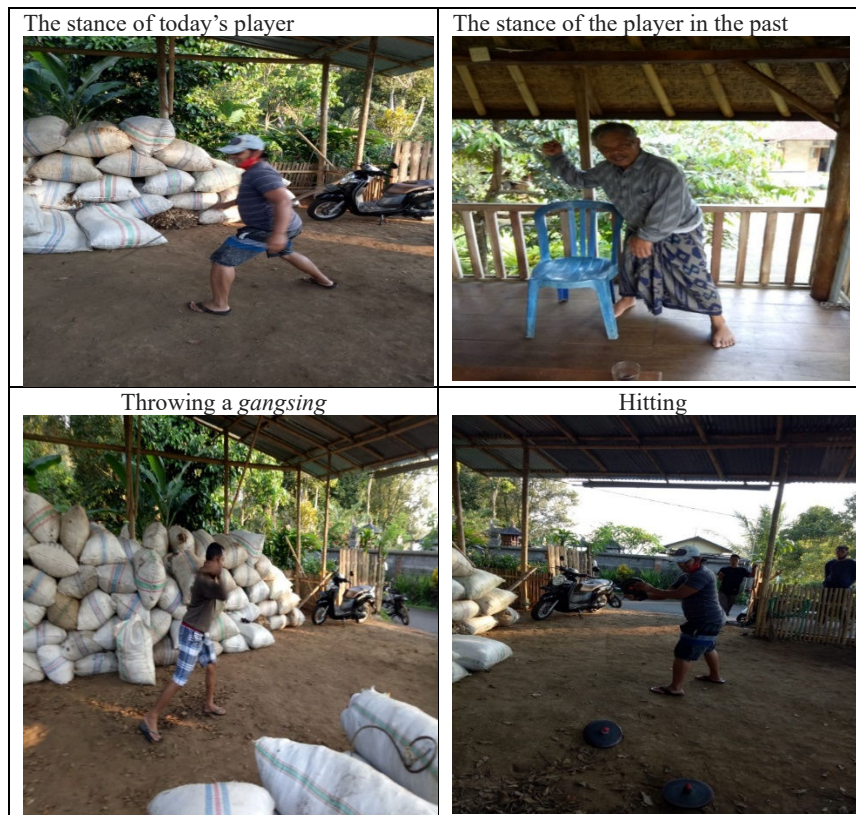
The shape of the *pemelekan gangsing* is more pointed, while the *pengebagan* is oval. The following is the form of *gangsing*.

<p><i>Pemelekan</i></p> 	<p><i>Pengebagan</i></p> 
<p>This <i>gangsing</i> has a pointed tip, which indicates femininity.</p>	<p>The oval shape is related to the hitting function as a symbol of masculine elements in <i>gangsing</i>.</p>

Source: Sendratari’s Documentation, November 2020

Elements of Game Patterns.

Gender is important (if not the most important) factor in the social development of game culture [11]. Therefore, the game design will determine the strength of the gender content in the game pattern. In the *gangsing* game pattern, there are three masculine elements: taking stances, throwing, and hitting. These three are the main elements in the game pattern. The following is a picture of those elements in the game pattern.



Source: Sendratari's Documentation, November 2020

Taking stance, throwing, and hitting are constant design in *gangsing* game. These designs represent the powerful masculine element of the game. It is apparent in the spread legs (male gender) and the throwing action (male gender stereotype). The hitting action also represents the male gender. The design makes the *gangsing* game appear to represent masculine elements. It explains the exclusion of women from the game. The meanings that dominate the *gangsing* game are strength, persistence, and satisfaction. These aspects are viewed as masculine elements, which are associated with the male gender. This perception shapes the understanding of the Pedawa people, who believe that the *gangsing* game is only for boys when the game cycle adopts a female symbol [12].

The *gangsing* game contains binary elements about the characteristics of women and men. However, if interpreted comprehensively, the *gangsing* game conveys masculine and feminine elements as a unity, inseparable from the game. These elements have their contribution to the game. The overemphasis on masculine elements results in a male-biased view. The marginalization of feminine power in this game is a cultural practice that commonly appears in gender construction [13]. It is evident in the informant's interpretation of the meanings of *gangsing*: persistence, strength, and satisfaction. These elements are the dominant elements that shape the understanding of the Pedawa people that *gangsing* is a female game. Gender bias in the game is also evident in the *pemelekan*, in which women are represented as weak people. It is this context that highlights gender bias in games. This result is similar to findings of studies on traditional gender-based games that contain gender bias, such as the market game, the

cooking game [14]. It contrasts with the findings of studies on *dolanan*, which has high equality values [1] [15].

According to essence traditional games have noble values as well as certain moral messages, such as shared values, honesty, responsibility, broad-mindedness, achievement, and obedience to the rules. All will be obtained if the player really enjoys, enjoys, and understands the meaning of the game [11]. In this context, *gangsing* provides more opportunities for man to build moral messages in traditional games.

When compared with literary works have the same function as traditional games as value transformation, through feminist literary criticism there are works of literary in which the placement of women is inversely related to traditional games on *gangsing*. Children's literary works that were born after 2000s show female figure tend to be positive with the spirit of girl power [12]. The game of *gangsing* can be positioned as a work of art that can be transformed like any other work of art. Through the theoretical perspective developed by Maruska Spasek, Judith Butler, and several related writers, it was found that the traditional art of Topeng Ireng underwent a transformation which work marked by changed in objects that had transition in a new location or owner, namely the material or forms of slimming art patterns. The changes that occur show transitions in several aspect, including content represented through art form and gender performative. This means that a work of art is very flexible to change, including *gangsing* games.

4. Conclusion

For the Pedawa people, the *gangsing* game has historical value. The myth about the god Kumara, and the tradition on the making of *pelangkiran kumara*, which includes *gangsing* for baby boys and young coconut for baby girls, are the philosophical basis for the strong construction of male gender in the *gangsing* game. The symbols in *gangsing* that concern gender comprises of three elements: language, shapes, and the game pattern. The meanings in *gangsing* are strength, persistence, and satisfaction. The masculine elements in the *gangsing* game overshadow the feminine elements, which results in the perception that this game is only for boys. However, the obscurity of the feminine elements in the *gangsing* game does not affect the strength of the Pedawa women in religious and *adat* activities. Their strength lies in their ability to make tools for religious ceremonies.

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Potential corruption in handling pandemic covid 19: reviewing the provisions article 27 government regulation in lieu of law no. 1 of 2020 and legal problematics

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Abstract. This study aims to elaborate on the potential for corruption arising from the provisions of Article 27 of the Government Regulation In Lieu of Law Number 1 of 2020. The birth of this provision is a protection for policy makers from being prosecuted civil and criminal as long as it is carried out in good faith and in accordance with statutory regulations. The problem is that this provision opens space for the occurrence of criminal acts of corruption behind the phrase "good faith" which is formulated with multiple interpretations and is subjective in nature. Meanwhile, the Covid 19 pandemic is an emergency condition that threatens the safety of the wider community so that it requires flexibility for the government to take strategic policies. This research is a normative legal research with a secondary database. The data were collected using the document study method on statutory regulations and other literature related to the topic of discussion. The collected data were analyzed and presented descriptively-analytically. Based on the results and discussion, it is clear that corruption has the potential to occur with the provisions of Article 27 of the Government Regulation In Lieu of Law Number 1 of 2020. Government policy in dealing with the Covid 19 pandemic involves a large budget so that each side is prone to abuse of authority. Subsequently, the obscure norm in the phrase "good faith" gave rise to new legal problems. In fact, for a positivistic law, norms must be clearly formulated. The struggle occurs when the interests of the wider community want policies to be taken quickly and effectively in order to save all elements of society. this is the substance of progressive thoughts oriented towards social benefits.

Keywords: Corruption; Good Faith; covid-19

1. Introduction

The covid 19 pandemic has shocked the world. Neither country has experience in dealing with this virus. Including a large country such as the United States, this country has the highest prevalence rate, namely 7,833, 851 confirmed cases with 215, 199 deaths (WHO Last Updated Data, 16 October 2020)[1].

In the last few months all countries have focused on dealing with covid 19. Including Indonesia, which continues to experience an increase, namely 349,160 confirmed cases with 12,268 deaths (WHO Last Updated Data, 16 October 2020). The government has made every effort to be able to suppress the spread of this virus. Starting from tactical steps by implementing physical distancing, providing logistical assistance to the poor to forming special regulations as a basis for handling the Covid 19 pandemic[1].

Government Regulation In Lieu of Law No. 1 of 2020 was born as the legal basis for the government to carry out activities to handle covid-19. This regulation specifically regulates financial policies and financial system stability as a response to the COVID-19 pandemic. More details are regulated in this regulation, namely the government's authority in the field of budgeting in the form of budget revisit restrictions, adjustments, shifts, use of certain budget sources, issuance of letters state debt, determination of sources of budget financing including policies in the field of regional finance, taxation, national economic recovery, financial system stability policies regarding the authority of related institutions such as Bank Indonesia, the Deposit Insurance Corporation, the Financial Services Authority and government policy implementers.

Of the many existing regulations, one of the most interesting is the provision of Article 27 Government Regulation In Lieu of Law No. 1 of 2020 which states that the implementer of the regulation cannot be prosecuted civil or criminal if in carrying out his duties based on good faith and is in accordance with the provisions of laws and regulations. On the one hand, this provision serves as the basis for the legitimacy of government action in dealing with emergency situations in order to act quickly and effectively. On the other hand, the formulation of the phrase "cannot be prosecuted civil or criminal" is very vulnerable to abuse of authority so that it has the potential to lead to criminal acts of corruption. Especially when these provisions depend on the terms of "good faith" which in a legal context are very difficult to prove and are multi-interpretative in nature, so they are called unclear norms[2].

In legal science, the issue of unclear norms is very much avoided. Especially for countries that adhere to civil law systems that make law the main source of law. The provisions stipulated in law must be clearly formulated or known as the *lex certa*. The basis is the principle of legality. For adherents of legal positivism thought, laws should be enforced as they are. Law enforcement officers are strictly bound in acting according to the formulation of law. They see legal certainty above all else. In fact, in his view justice is born out of certainty. Positivists logically question how they can achieve justice if the enforcement does not maintain legal certainty.

On the other hand, there is a health emergency due to the Covid 19 pandemic which requires fast and effective treatment. Speed of handling is not possible if every action is required to meet the formal procedural. Usually formal procedures take a relatively long time and occur at normal times.

2. Method

This paper is a juridical-normative qualitative study that specifically looks at the provisions of Article 27 Government Regulation In Lieu of Law No. 1 of 2020 and its implications for potential criminal acts of corruption. The main issue is about the formulation that is unclear norm, causing multi-interpretation and legal problems derived from it. Secondary data used in this study were collected using the literature study method and document study, especially the legislation and literature related to the study topic. Next, the data set is analyzed using descriptive-analytical techniques so that it is able to provide a comprehensive picture of the topic being studied and its relationship to basic principles and concepts in criminal law.

3. Result and Discussion

Lord Acton once warned that Power tends to be corrupt, absolute power is corrupt absolutely[3]. This statement means that the potential for abuse of power is very large for those in power. Moreover, the power possessed is absolute, so acts of corruption are absolute

as well. According to historical records, Indonesia has experienced a situation where power is so absolute. The New Order government, which was in power for about 32 years, used an authoritarian approach[4]. At the end of his time, President Soeharto was processed based on a criminal court, referring to MPR Decree No. XI / MPR / 1998. However, considering Suharto's health condition, who is permanently ill, the Attorney General issued a Decree on the Termination of Criminal Prosecution[5].

In criminological studies it is known as white collar crime. Sutherland describes the difference between the white collar criminal and crime according to the traditional theory based on poverty, broken homes and disturbed personalities[6]. The perpetrators of white collar crime are committed by people who have high status and respectability[7]. Crime is not committed on the basis of poverty but because of greed. Usually they have enough wealth to live properly.

As a derivative of white collar crime is occupational crime[8]. A person commits a crime by taking advantage of the opportunities that are born from his position legally[9]. This is what is seen as a typology of corruption. Usually crimes are committed by officials of government political institutions[10]. This phenomenon occurs in Indonesia. The following shows the results of research on criminal acts of corruption involving state officials in 2019.

Table 1. Top 10 Number of Corruption Crimes by institution

No	Institution	Amount
1	<i>Pemerintah Kabupaten</i>	95
2	<i>Pemerintah Desa</i>	48
3	<i>Pemerintah Kota</i>	23
4	<i>Kementerian</i>	20
5	<i>BUMN</i>	18
6	<i>Pemerintah Provinsi</i>	16
7	<i>Badan/Lembaga Negara</i>	10
8	<i>DPRD</i>	9
9	<i>BUMD</i>	8
10	<i>Penegak Hukum (Kepolisian, Kejaksaan, dan Pengadilan)</i>	6
Total		253

Source: antikorupsi.org, Tren Penindakan Kasus Korupsi Tahun 2019.

Based on these data, the third highest number of corruption occurred in district governments with 95 cases, Village Governments with 48 cases and City Governments with 23 cases. These data indicate that corruption is rife at the local government scale. Through the principle of decentralization or regional autonomy, local scale governments have full authority to take care of their own households. This means that local governments are the direct executors of the development program. Of course, there is the use of the budget as capital in program implementation.

Furthermore, there is the principle that the potential for corruption is very high where there is a large swirl of money. This was once stated by Bambang Widjoyanto as a former commissioner of the Indonesian Corruption Eradication Commission. Referring to this, the government has allocated a large amount of funds in handling the Covid 19 pandemic, which is more than Rp. 800 Trillion. The distribution consists of an APBN of Rp. 695.2 trillion, APBD of Rp. 78.2 trillion, and village funds of Rp. 28.46 trillion (CNN Indonesia, 29

September 2020). This means that in the handling of the Covid-19 pandemic, a large amount of money has been circulated, managed by the government, from planning to program implementation.

This policy is very rational as an ethical and humanitarian demand to save all Indonesian people. The 1945 Constitution through its preamble has emphasized that the state has an obligation to protect the entire Indonesian.

Based on the criminological approach, which is related to the phenomenon of white collar crimes and the principle where corruption works, namely the circulation of large amounts of money, during the handling of the Covid-19 pandemic, it is very vulnerable to corrupt actions. Abuse of authority from policy makers has the potential to occur in at least two things. First, namely the act of embezzling aid money. Second, namely manipulating the data on aid recipients so that there are multiple recipients on the one hand and not receiving assistance at all on the other.

Corruption can destroy the veins, blood flow of a nation. said Mahfud MD's statement which described how destructive the crime of corruption was for the life of a nation. Corruption is seen as an extraordinary crime. Various attempts have been made by the state to eradicate corruption. One of them is by formulating legal provisions in the form of laws that have been updated several times. Finally, namely Law No. 31 of 1999 in conjunction with Law Number 20 of 2001 concerning Eradication of Corruption Crimes. In general, the provisions in this Law regulate severe sanctions in the form of fines, imprisonment to death. Also included is the payment of compensation for the amount of losses incurred by each person's actions.

The provisions of Article 2 paragraph (2) of the Corruption Eradication Law state that the death penalty can be imposed if the criminal act of corruption which is against the law, enriches itself, harms state finances is committed under certain circumstances. Certain conditions are defined as a state of danger in accordance with applicable laws, occurring during natural disasters, a repeat of corruption or a state in a state of economic and monetary crisis.

Indonesia was declared a public health emergency as a result of the Covid 19 Pandemic. Next, through Presidential Decree No. 12 of 2020 the President determined the Covid 19 Pandemic as a non-natural national disaster. Non-natural disasters are defined as disasters that are caused by non-natural events or series of events such as technological failure, failure to modernize, epidemics and disease outbreaks.

4. Conclusion

Handling the covid 19 pandemic which uses a budget of up to Rp. 800 trillion are very vulnerable to criminal acts of corruption. Especially with the provision of Article 27 Government Regulation In Lieu of Law No. 1 of 2020 which states that policy makers cannot be prosecuted both civil and criminal as long as it is carried out in good faith and by statutory regulations. This provision serves as a legal umbrella for policy makers who have broad authority in dealing with the Covid 19 pandemic. In an emergency situation, fast and effective action is needed which sometimes carries out legal breakthroughs.

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Critical Social Study of the Oral Tradition of Coastal Communities in North Bali

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Abstract. The Balinese people, when viewed from the livelihood they are engaged in, some of them who pursue marine activities. However, their existence is often squeezed and pushed aside. It can be said that this is a denial not only of the social phenomena of maritime affairs but also of the ideology of *nyegara gunung*. This phenomenon not only causes economic poverty but also results in socio-cultural poverty. Is in connection with that this study was carried out. The purpose of this study is to critically describe the forms of oral traditions that develop in coastal communities in north Bali. This study is expected to contribute to strengthening maritime literacy in the younger generation. Such efforts are in line with the government's efforts to develop a maritime axis. This study used a qualitative approach, the research informants were determined purposively, data collection was carried out by observation, interviews, and document study, while the data analysis was carried out in a qualitative descriptive manner. Based on the data obtained, it can be argued that the people of north Bali have various forms of oral traditions about nautical. The forms of oral traditions that are owned include ideas about nautical, marine activities, and marine technology.

Keywords: critical social studies; literacy, maritime, coastal, North Bali

1. Introduction

The Balinese people are experiencing a detachment from traditional culture, namely Balinese language and oral traditions. The erosion of the traditional culture of Balinese society is not only a consequence of the openness of Balinese society in the era of globalization but is also related to the development process with a modernist paradigm that tends to position traditional culture as a barrier to the development process. As expressed by one of the figures who designed the modernist paradigm of McClelland in achievement motivation theory, traditional culture is declared to be fatalist [1];[2];[3];[4]. Such views lead to the erosion of various traditional cultures such as local wisdom, local languages, folk stories, and traditional games. This can be seen from the displacement of oral traditions by modern cultures originating from abroad. In this connection, this study was conducted.

Another phenomenon that also inspired this study was the exclusion of coastal communities. This phenomenon not only causes the marginalization of coastal communities but also destroys the culture and the environment consistently. This concern is getting stronger with the change in the work orientation of the young generation outside the marine sector. This condition is exacerbated by the limited discourse of marine culture in the social studies learning process at elementary schools in coastal areas of Bali. This happened as a consequence of the existence of marine and fisheries development being outside the mainstream for three decades

so that the sea moved away from the imagination of coastal children. This is certainly a "the irony of a maritime state, whereas in a historical perspective it is revealed who controls the oceans, he will rule the world, as expressed by Dahuri (kompas, friday, january 17, 2014). It is in this context that the development of maritime literacy is very important. As one of the steps that need to be taken in protecting and empowering the community and coastal/marine culture as expressed by Arif satria in Kompas Thursday, march 17, 2016. So that maritime literacy, maritime culture has a diversity and meaning in a maritime country.

From various literature studies that have been carried out, it is revealed that there is the strength of marine culture which can be used as a basis in liberating coastal communities from the shackles of underdevelopment, sociocultural poverty, and developing resources and strengthening the competitiveness of the nation [5];[6];[7];[8];[9];[10];[11];[12];[13];[14]. This is in line with the sustainable development paradigm, which emphasizes the importance of the economic, environmental, and socio-cultural sustainability of local communities. Based on the background of the problems mentioned above, this study is focused on critically describing the forms of oral traditions that develop in coastal communities in north bali.

In examining this, theories related to maritime literacy, oral traditions as socio-cultural capital[15], and socio-cultural construction [16] will be used. This study used a qualitative approach, the determination of the informants was done purposively, the data was collected using interviews and literature studies, while the data analysis using a qualitative descriptive.

2. Methods

This study used a qualitative research design. Located in the Coastal Communities in North Bali. Methods of collection using observation techniques, interviews, document study. The data analysis techniques used are data reduction, data presentation and conclusion drawing.

3. Result and Discussion

Based on the data collected by the population of Bali in 2019, it is estimated that there are 4.36 million people, with 27,297 people as marine fishermen, 3,815 fish processors, 786 fish cultivators. The fishing communities in the coastal areas of Bali generally live in poverty. This can be seen from the limited financial capital it has. The picture of poverty in fishing communities can be seen from the condition of the settlements, their household facilities, the level of education, and mastery of maritime technology.

In terms of the settlement, fishing community housing is generally built on state land in coastal areas. The housing building is very simple and semi-permanent, which uses a wooden/bamboo frame and walls of *bedeg* or concrete blocks with a tin roof or coconut leaves. Household facilities are generally very limited. Concerning the very simple condition of the housing of the fishing community, the term for the house they own is called the *Kubu*.

The poverty of the fishing community is also reflected in the low level of education they have. They generally only received a basic education. The limited level of education they have is not only due to low awareness of the importance of education but tends to be due to limited financial capacity. The limited economic capacity of the family causes fishermen's children to be more positioned as part of the production unit to increase family income rather than as a future resource capital. This means that children in fishing families are positioned more as family economic resources than as human resources whose quality must be improved through a formal education process. This condition is also triggered by relatively high funding for formal education. In particular, education funding for higher education, junior high school, high school, and tertiary education

The limitations of financial capital not only affect the level of education of the people but also have implications for the limited ownership of maritime technology, because each component of maritime technology is obtained through market mechanisms in market institutions, both in traditional and modern markets. Limited mastery of technology has implications for the limitations of fishing communities in utilizing various coastal and marine potentials. The poverty condition of fishing communities of this kind by Chamber illustrates that poverty is experienced in the grip of poverty octopus (1993). This condition encourages them to keep trying to free themselves from the clutches of the poverty octopus. Their efforts to free themselves from the clutches of the poverty octopus are, of course, based on their belief in a certain level of value that is rational in nature and morality in developing a substantial economy or market economy to meet basic needs and improve their quality of life. It is in this context that the fishing community tries to play with various capitals such as natural capital, body capital, financial capital, cultural capital, and social capital. In the process of liberating himself from the poverty octopus, the fishing community in Bali has also developed social and economic credit. These institutions are very meaningful for them in overcoming problems in the life of fishing communities both to the problem of strengthening financial capital, and technology as well as in strengthening human resources. These efforts are very meaningful both in developing service businesses and in developing various diversification of businesses.

In discussing the oral traditions of the coastal communities of North Bali, it seems necessary to borrow the sociocultural concept developed by Koentjaraningrat (1982) which suggests that culture universally has three forms, namely a cultural value system, a social system, and a physical culture. The same thing was stated by Sanderson (1999) who stated that the sociocultural system of society was divided into three, namely: superstructure, ideology, structure, and material infrastructure. Based on this, it can be said that the coastal communities in North Bali have quite an adequate system of maritime cultural values, as expressed by North Balinese community leaders, who state that coastal communities have an idea of maritime which can be seen from the expression *nyegara gunung*. The Mudana study (2013-2018), reveals that *nyegara gunung* as the sociocultural capital of Balinese society has a meaning not only as a denotative meaning of sea and mountain but also having a connotative meaning as a living space in scale and abstract. In its existence as a living space that is scalable, *nyegara gunung* is a space that can serve as an arena for the development of various socioeconomic activities. The awareness of *nyegara gunung* as living space can be seen from the expression of the Balinese coastal community which states that *uma abiane di pasihe*.

This awareness is reflected in the existence of various productive activities carried out in coastal areas. In coastal areas, local communities develop productive businesses such as fishing, fish processing, fish marketing, salt production, aquaculture, development of marine technology, and marine tourism activities.

In this area, various facilities and infrastructure have been established to support service activities. This can be seen from the development of fishing settlements, ponds, and ports. Recently, in line with Bali's existence as a tourist destination, it is not uncommon for coastal areas to be developed as tourist areas, especially marine tourism, as happened in North Bali areas such as Pemuteran, Lovina, Les, and Sambirenteng.

The development of marine tourism activities has resulted in changes in land use/land-use change, which has not only resulted in the displacement of fishermen's settlements but has also resulted in the erosion of fishermen in socio-economic activities, which further have an impact on fishermen's life. The construction of tourism facilities and infrastructure like that results in the tightness of the living space of the fishing community. The phenomenon of the development of marine tourism in the coastal area of North Bali has encouraged several members of the

fishing community to participate in developing their business into the tourism sector, for example as an eye shop trader, masseuse, guide for marine activities, introducing guests to water tourism activities at sea. These efforts are an alternative to overcome the constraints of the economic life of coastal communities. The awareness of the sea as living space can also be heard from the folk song *Juru Pencar*. The song's lyrics reveal the sea as a promising living space. The lyrics of the song are as follows: "*Juru Pencar, Juru Pencar, Mai jani jalan ngejuk ebe, ebe gde gde, ebe gde gde di sowane ajaka liu*". The awareness of the sea as a living space increases the intensity of human relations with the sea[2].

Based on this, it is revealed that the sea inspires Balinese people to make the sea not only a living space with an economic dimension but also a socio-cultural dimension. This can be seen from the existence of expressions that have a social control function, such as *ngentungan uyah to pasihe, nasikin segara, bedug jukung, lelipi uyahin, gede angin gede ombak*. By borrowing concepts from semiotic theory figures, the expression has denotative and connotative meaning[17][18]. Denotative meaning expresses the lexical meaning of throwing salt into the sea. Meanwhile, the connotative meaning of this expression implies conveying something to someone who is more well off both economically and sociocultural, so that the gift has no meaning for the person concerned. This expression has a function as social control in the life of the people of North Bali. The expression is often expressed according to the social context or refers to language ethics following the language *sor singgih*. This can be seen from the expression with a statement using the subtle Balinese language *sekadi nasikin segara*.

The expression *bedug jukung* also has a denotative meaning as one that shows the factual conditions of the jukung/boat and also has a connotative meaning that implies a person's personality that is too rigid and does not easily adjust to social life. The expression *gede angin gede ombak* also has denotative meaning as the phenomenon of waves from seawater activity which is influenced by the wind, while eating the connotative expresses the behavior of a person who is highly dependent on the strength of the other party. Cultural capital in the form of a cultural value system can also be observed in the beliefs of coastal communities. In the coastal community belief system, there is a belief in the existence of a supernatural ruler of the sea, namely Batara Baruna or Betara Segara. This supernatural ruler of the sea is believed to be the ruler of everything in the sea. In connection with this, every activity carried out by the coastal community always begins with certain rituals. A ritual held by coastal communities as a request for grace and protection during activities at sea. The existence of supernatural powers as rulers in the sea, causes coastal communities to believe that the sea is a space that has religious magical power.

The belief that the sea is a space that has religious magical powers is framed by the conception of the sea as a space of life that is both *sekala and niskala*. The existence of such a sea is framed in the sociocultural idea of *Rwa Binmeda* in Balinese society. Such belief causes coastal communities to always be careful in treating the sea. This marine phenomenon is what causes coastal communities to position the sea to have religious magical functions, such as a place to pray for water, hugging, cleaning, smelting, and healing. The form of such a socio-cultural value system is strengthened by the presence of various rituals held at seas, such as *Nyepi Uyah, Nyepi Segara, Melasti, Segara Kertih Rituals*, and Piodalan Rituals at Segara Temple.

Another form of socio-cultural capital is the social system. In the context of the social system, the coastal community develops various social groups, such as fishermen groups, fish trader groups, fish processing groups, ornamental fish groups, and *pecalang segara*. These groups not only have a social integration function but also have a socialization/social construction function and social control. These social groups are always dynamic in the process

of their functioning. The function of fishermen groups to catch fish, of course, really depends on the technology they master and develop. The technology developed includes boats, nets, scatter, fishing rods, and traps. Thus it can be said that the various forms of socio-cultural capital of coastal communities in Bali not only have denotative meanings but also have connotative meanings. Such oral traditions will have maximum meaning through a critical construction process through various institutions or arenas, both formal and informal (Berger. 1990).

4. Conclusion

Based on the above description, it can be said that the coastal communities in north Bali have various forms of oral traditions that can contribute to the development of literacy for maritime culture. The development of maritime literacy certainly goes through a critical construction process using various social theory concepts. So that the detachment of maritime culture and the detachment of coastal communities from marine culture and living space in the era of globalization can be avoided.

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Mobility Behavior Analysis of Migrant from Java in South Kuta-Bali

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Abstract. The purpose of this study was to determine the mobility behavior indicated by the mobility intensity of migrants from Java as well as to prove its relationship with the variables of distance, length of stay, economic conditions, and migrant marital status. To achieve this objective, this study used a survey design with the research subjects being migrants from Java in South Kuta who were taken using snowball sampling techniques. Data analysis was carried out separately, each using quantitative descriptive techniques, product moment correlation, and biserial point correlation by considering the scale of the research data used. The results obtained were the mobility behavior indicated by the intensity of the mobility was very varied and categorized as very strong, the lowest was once a year and the highest reached ten times as far as he knew. Mobility intensity is negatively related (-0.259) and significant at the 1% level ($0.009 < 0.01$) with the distance variable, negatively related (-0.268) and significant at the 1% level ($0.007 < 0.01$) with the length of stay variable, positive correlation (0.508) and significant at the level of 1% ($0.000 < 0.01$) with variable economic conditions, and does not have a significant relationship with the marital status variable of migrants with a correlation value of -0.156 (conversion to a t value of -1.560 is more small from the t table value of 1.987) and a significance value of 0.122 This finding contributed to the development of mobility theories and has implications for input in the formulation of population policy planning.

Keywords: Mobility Intensity; Distance; Length of Stay; Economic Conditions; Marital Status

1 Introduction

Assessment of population mobility both regionally and at the micro level is very important. This is because on the one hand there is an uneven population density and distribution, the push and pull factors for people to do mobility, the problems that arise both in the area of origin [1], in the destination area, the existence of decentralization and autonomy regions, and on the other hand, there is communication [2], including transportation, which is getting smoother.

Recently there has been a flow of population movement (migration) from Java to outside Java, one of which is to the island of Bali, where the population density condition is not much different from the conditions in Java. This migration flow is caused by the

availability of transportation facilities and infrastructure, both land, sea and air, which connects the two regions in addition to the relatively close distance between the two regions when compared to other regions. There are also other factors that support the flow of migration, namely the promotion of developments in all fields for the provinces outside Java, such as education, trade and industry. This is able to attract migrants to go to the area which in turn has consequences for the destination area.

The appointment of Bali as the center for tourism development in the central part of Indonesia had an impact on its rapid economic growth. On the other hand, it is automatically always preoccupied with population problems, especially those caused by the relatively high population growth as a contribution to positive net migration. Bali's population growth in 2010-2015 was 1.23%, slightly lower than the national population growth in the same period of 1.38%. However, when broken down by district, the highest population growth in the same period occurred in Badung Regency at 2.43%, far exceeding the national and Bali population growth (BPS, 2016). It is even more imbalanced when the population growth rate in Badung Regency is seen by sub-district, which shows that South Kuta District has an overloaded population growth rate (5%) (Exponential calculations from the data from South Kuta in Figures 2011 and 2019) [3];[4].

Population growth in South Kuta far exceeds the minimum limit ($> 2.5\%$ per year), reflecting that population movement (in-migration) greatly contributes to this population growth rate. That said, because the trend of the number of in-migration has always been greater than that of outgoing migration in the last few periods. Population problems, especially the migrant population in the South Kuta area, are now becoming increasingly prominent. Like the proverb "there is sugar there is ants", the sparkling world of tourism not only attracts tourists to visit, but also stimulates the presence of migrants to earn a fortune in this area. Of the existing migrants, it is believed that there are migrants from Java. It is said that because from the results of initial observations it is very easy to find migrants from Java in every corner of the region in South Kuta, both those working in the formal sector and especially in the informal sector. In addition, it is realized that the migration process of migrants from Java to Bali in general and South Kuta in particular has long historical roots and this process has developed due to the distance between the two regions which are close and the smooth transportation connection. With the arrival of these migrants, the condition of the population in South Kuta is getting more heterogeneous which can be a trigger for the emergence of social problems. If the issue of migrants is not clearly identified, it is feared that it will cause more complex problems and can affect the image of Bali as a whole.

One of the basic steps that can be taken in order to identify these migrants is to study their mobility behavior. Mobility behavior can be shown from the intensity of mobility carried out by migrants to return to their home areas within a certain period of time. This mobility behavior certainly does not stand as a single variable, but has a relationship and can even be predicted using several other variables. Similar research results have been conducted by Sarmita (2017 and 2018) with research subjects with educational motive backgrounds. The results show that the mobility behavior of migrants is influenced by the distance between the origin and the destination areas, but not by the length of stay in the destination area, economic conditions, and their attachment to the origin [5];[6]. Reflecting on this, this research is

interesting to do by applying it to subjects with different migration backgrounds by trying to connect their mobility behavior with a variety of more complex variables including variables of distance, length of stay, economic conditions, and the marital status of migrants. Apart from being interesting in the framework of developing a study of population mobility material, it is also important to do this given the increasingly diverse characteristics of the population in South Kuta. Therefore, the purpose of this study was to determine the mobility behavior indicated by the mobility intensity of migrants from Java as well as to prove its relationship with the variables of distance, length of stay, economic conditions, and migrant marital status.

2 Method

The research design used in this study was a survey, namely a method of collecting information from a number of samples as respondents facilitated by a questionnaire. Sampling of the area / location was determined by purposive sampling and individual sampling was determined by the snowball sampling technique. The number of respondents involved through the snowball technique was 100 people.

Data Analysis used to achieve the research objectives is descriptive techniques, namely providing descriptive explanations / analyzes of the quantitative data obtained related to the intensity of mobility carried out by migrants from Java in South Kuta. In addition, data analysis was also carried out using correlation techniques that are parametric and non-parametric. To see the relationship between the variable distance, length of stay, and economic conditions with the intensity of mobility, the product moment correlation technique is used, and to see the relationship between marital status and the intensity of mobility using the point biserial correlation technique.

3 Result and Discussions

The intensity of mobility by migrants from Java in South Kuta

The mobility intensity implies that in the past year, how many times did the respondent (migrant) return to their home area in Java. From the data obtained, at least migrants have returned to Java at least once in the last 1 year. If migrants return home after one period of staying in another place, the intensity is very strong, if they move again before returning home, they are still included in circular migration but it is a process that is less important. Of the 100 migrants from Java who were respondents, the intensity of their mobility in the past year is varied, which can be seen in Figure 1.

The migrants from Java in South Kuta who had returned to their home areas in Java in the past year were at most 1 time, reaching 38%. A fairly large percentage is also shown in the intensity of returning to their place of origin in the past year is 2 times, 4 times and 3 times, which reached 32%, 12% and 9% respectively. The more often they return to their home areas in Java, the higher the intensity of their mobility. Distance and affordable costs and easy transportation facilities make the intensity of returning to the area of origin high. On average, respondents stated that they returned to their hometowns in Java because of the

reasons for the Eid homecoming, family reasons, or business / work interests that support their work overseas. The reasons for returning migrants to their hometowns are quite heterogeneous, as is the case with Garcia's research [7].

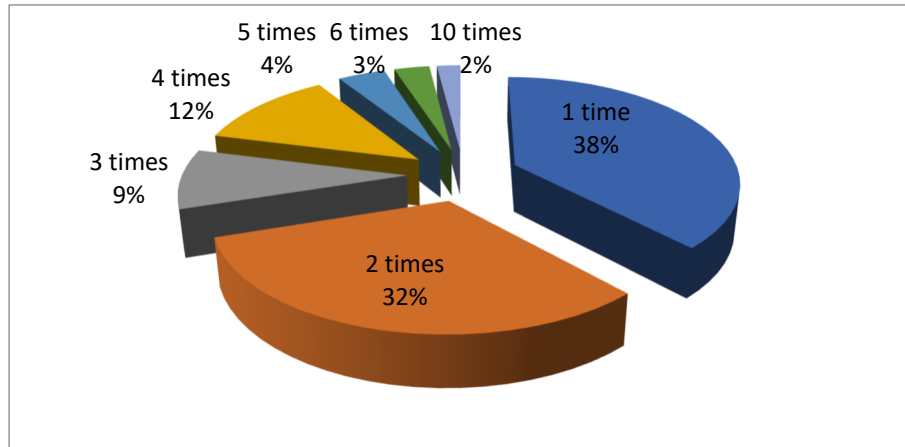


Figure 1 The Mobility Intensity of Migrants from Java in the Last 1 Year

The varying intensity of mobility of migrants cannot be explained by this single variable, but it needs further analysis by relating it to the various factors (variables) that can influence it. This will be explained in the next discussion. The intensity of mobility carried out by migrants from Java further strengthens the findings of previous studies related to the Migration typology of migrant from Java by Sarmita, I. M., & Simamora, A. H. (2018). In the study, it was revealed that the migration typology of migrants from Java was mostly circular potential migrants, that is, they intend not to stay in South Kuta and have currently lived in the migration area for less than 5 years. With no intention of staying and only staying for a while in overseas areas, the intensity of his mobility is high. Those who intend not to stay and have only been living overseas for a while are always imagined by their home area [8]. Norris argues that the factor of origin is an important factor. In the area from which a person is born, and before school that person lives in that area. He knows very well about the environmental conditions of his hometown, is full of "nostalgia" when he lives and lives in his hometown and plays with his peers. That is why one is so attached to one's place of origin. Similar to Beyaz research (2020), in the end migrants will return to their place of origin with varying intensities to meet the need for personal loyalties and nostalgia, and sometimes for keeping the motivation of passing it down to next generation alive [9]. With such a high attachment to the area of origin, the intensity of the mobility that is carried out becomes even stronger.

The Relationship between Distances, Length of Stay, Economic Conditions, and Marital Status of Migrants with the Intensity of Mobility

The intensity of mobility, which indicates the level of frequency of doing mobility to return to the area of origin, is not sufficiently explained by a single variable, but it needs further analysis regarding the variables that are thought to have a relationship with it. In theory, there are several variables that can explain further the intensity of the mobility undertaken, namely the distance between the origin and destination areas, the length of stay in the migration destination, the economic conditions of the migrants, and the marital status of

the migrants themselves. Based on the research results, the relationship between the variables mentioned with the intensity of mobility can be seen in the following table 1.

Table 1. Correlation Between Variables

	Intensity Of Mobility	Distance	Long of Stay	Economic Condition	Marital Status
Pearson Correlation	1	-.259**	-.268**	.508**	-.156
Sig. (2-tailed)		.009	.007	.000	.122
N	100	100	100	100	100

Source: Primary Data Processing

Information of column 6 (Marital Status): r table value = -0,156, converted to t table value = -1,560

The results of statistical tests are presented in table 1, showing that the relationship between mobility intensity and the distance from the origin to destination is negative (-0.259) and significant at the 1% level ($0.009 < 0.01$). From this value, it will further strengthen the existing theory. The closer the distance to the area of origin, the higher the intensity of the mobility taken to return to the area, and vice versa. The relatively close distance between the area of origin and South Kuta as the destination for migration makes it easier for migrants to return to their home areas because it is related to the transportation costs that must be incurred. With a short distance, transportation costs will be cheaper and more affordable. This is in line with the results of research conducted by Sarmita and Treman (2017) with migrants with different motives (education). In the study, it was stated that migrants who in this case are students, the intensity of mobility carried out to return to their respective areas of origin is getting lower as the distance from their home areas is getting further [5]. The results of this study are also in line with the research of Walii, Fiqih, and Sukamdi (2012), which found that there was a change in the mobility pattern of the population of Bangkalan Regency to Surabaya City from permanent to non-permanent after the Suramadu Bridge. With this bridge, it makes the distance and accessibility to the destination easier so that the costs incurred will be more affordable. Thus the intensity of the mobility that is carried out will be higher so that it changes the pattern of mobility that is carried out [10]. Overall, the results of this study are very much in line with what Reivenstein said [11] and Wang et al [12], where the distance factor is the main determinant and conditional of people migrating.

The relationship between length of stay and mobility intensity based on the table above is negative (-0.268) and significant at the 1% level ($0.007 < 0.01$). From this value, it will further strengthen the existing theory. The longer a migrant stays in the destination area, the lower the intensity of the mobility taken to return to the area, and vice versa. Migrants who have worked in the destination area for a long time have been able to forge new kinship relationships with the community / environment in the destination area and intend to stay so that the intensity of returning to the area of origin is low. The longer the migrant has lived in the destination area, the smaller the probability of carrying out circular migration, in other words the migrant will eventually choose to staying, the intensity of returning to the area of origin becomes smaller. In contrast to those who are new or have recently resided in the destination area, it is difficult to adapt to the new environment so that from them a desire to continue to return to their original area has increased the intensity of their mobility. In general, recent migrants when they first set foot in their destination, fond memories of their families

and relatives in their hometowns still remain in the memory of each of the mobility actors. In addition, they don't have many friends yet, are still unfamiliar with the new territory and in the end they can be said to be new in the process of adjusting to themselves [13]. In many cases, such as the results of research by Gherghina (2020), show that migrants often receive discrimination treatment by indigenous people, making migrants, especially recent migrants, always want to return to their home areas [14]. First jobs were often characterized by precarity and poor working conditions. Most recent migrant had little knowledge about their rights at work and were not sure what to do when mistreated or were asked to do something unsafe at work [15]. This makes them always want to return to their home area so that the intensity of their mobility becomes high. The results of this study are different from the results of research by Sarmita and Treman (2017) which examined the relationship between length of stay and the mobility intensity of mobility actors with educational motives. In this study, there was no relationship between the length of stay and the intensity of the mobility undertaken, in the sense that both old and recent migrants living at the destination, the intensity of mobility to return to their respective places of origin was the same, did not show any differences which means [5]. With these results, it can be said that the intensity of mobility will vary and the variable of length of stay will determine which depends on the motives or background of the migrants themselves. Migrants with educational motives stated that there was no relationship, while migrants with economic motives (migrants in this study) found a negative relationship between length of stay and intensity of mobility, in accordance with existing theories.

The economic condition of migrants has a positive (0.508) and significant relationship at the 1% level ($0.000 < 0.01$) with the intensity of mobility. The higher / better the economic condition of the migrants (as indicated by the income they earn), the higher the intensity of mobility to return to their home areas. The high income earned makes it easier for them to access everything, including the convenience for them to return to their respective areas of origin. The cost factor is not an obstacle for this group as a burden on transportation expenses to return to their home areas. On the other hand, for migrants who are in a less favorable financial condition, the transportation cost factor is certainly a separate calculation. The more often they return to their home areas, the higher the costs. For this reason, this group prefers to return to their home areas at certain moments such as the Eid homecoming which occurs once a year, so that transportation costs can be minimized. The results of this study are similar to the findings of Rustariyuni (2013), namely the economic variables, in this case is the wages received, have a positive and significant effect on the decision to make non-permanent migration to Denpasar City [16]. However, the results of this study are different from research by Sarmita (2018) which looks at the effect of economic conditions on the intensity of mobility carried out by migrants with educational backgrounds. In this study, the effect of economic conditions was not found on the intensity of mobility undertaken, in the sense that for both established and non-established migrants, the intensity of the mobility undertaken to return to their home regions was not different [6]. It can be understood that migrants with educational backgrounds are still very dependent on their parents, do not or do not have thoughts as far as migrants with economic backgrounds in applying economic principles like migrants from Java in South Kuta.

For the last variable (married status), the correlation value needs to be converted into a t value because the analysis used is different from the previous variable. The conversion result of the r value of -0.156 to the t value is -1.560. The provisions used are if the value of $t_{count} > t_{table}$, then there is a significant relationship. The t table value (referring to the statistics book attachment) is 1.987. The value of $t_{count} < t_{table}$ (-1,560 < 1,987). This is reinforced by the significance value in table 1 which shows the number 0.122, which is not

significant at the 5% level and let alone 1%. With the results of these calculations, there is no significant relationship between mobility intensity and marital status. Both those who are married and others (single, widowed, widower) do not show significant differences in the intensity of mobility. On the one hand, there are those who are married who have a high intensity of mobility, not a few who have low mobility. Likewise what happened to migrants from Java with other statuses, the intensity of their mobility varied. However, from data processing carried out descriptively, it can be seen that the average mobility intensity of currently married migrants is 2.1 times per year, while the mobility intensity of migrants with other statuses (single, widowed, widower) is 2.7 times. Descriptively what Reveinstein said is little proven [11], but not statistically the case. The results of this study are different from the findings of Yasa and Agustina (2013), who found that the marital status of migrants in Denpasar City greatly determines them to stay or the intensity of mobility to return to their home areas is low [17]. Otherwise the findings from Ham (2007) who found that separation leads to an increase in mobility [18]. The intensity of mobility that occurs also seems to be determined by the presence of the family in the migration destination.

4 Conclusion

The mobility intensity to return to their place of origin by migrants from Java is varies, the lowest is once a year and the highest is 10 times a year. Overall, the intensity of mobility carried out by all categorized migrants is very strong. Mobility intensity is related to several variables. These variables are the distance between the origin-destination area which has a negative relationship (-0.259) and is significant at the 1% level ($0.009 < 0.01$), the length of stay which has a negative relationship (-0.268) and significant at the 1% level ($0.007 < 0.01$), and economic conditions that have a positive relationship (0.508) and significant at the 1% level ($0.000 < 0.01$). Meanwhile, the married status variable does not have a significant relationship with the intensity of mobility with a correlation value of -0.156 ($t = -1.560$, which is smaller than t table of 1.987) and a significance value of $0.122 > 0.05$. This finding will have implications for the development of mobility theories, where a theory does not apply absolutely if it is applied to the conditions of areas and populations that have different characteristics. In addition, these findings also contribute to the practical realm for the government as input in formulating population policies, especially in relation to migrants whose existence is increasingly complex in South Kuta.

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Analysis of Vegetation Density Using Landsat 8 Imagery for Mapping Characteristics of Green Open Space in Denpasar City

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Abstract. The development of an urban area has led to changes in land use which have an impact on the existence of green open spaces as one of the city's ecosystems to be less attention. Observation of green open space conditions by utilizing remote sensing technology is an important thing to do so that optimal development planning strategies can be carried out. This study aims to analyze the relationship between vegetation index values with vegetation density and to analyze the distribution characteristics of green open spaces in Denpasar City. The vegetation index transformation used is the Normalized Difference Vegetation Index (NDVI) and the Soil Adjusted Vegetation Index (SAVI). Linear regression analysis is used to determine the relationship between the vegetation index and vegetation density as a consideration in determining the availability of green open space. The results showed that the NDVI transformation produced a better correlation value (R^2) of 0.842 compared to SAVI of 0.826. The results of the accuracy test of vegetation density mapping showed a level of accuracy of 90% and it was obtained that the green open space area reached 4,872.34 Ha or 38.92% of the area of Denpasar City. If this condition does not find a solution, it is feared that the availability of green open space will continue to decrease, so this research is important to do in order to provide information on existing green open spaces.

Keywords: Vegetation Index; Landsat 8; Green Open Space

1. Introduction

Urban areas are places for the development of social, cultural and economic activities in which there is a concentration of a number of people as actors of activities. The development of an urban area is marked by the development of the human population which is accompanied by physical facilities and infrastructure such as housing, transportation, industry, etc. which functions as a support for the activities of the population in the city which also experience development (Santillan, et al, 2019).

The development of an urban area has led to changes in land use which have an impact on the existence of green open space as one of the city ecosystems to be less attention, although the existence of green open space is expected to overcome environmental problems in urban areas. In the early stages of urban development, most of the land was green open space. However, with the increasing need for space and land to accommodate residents and their activities, these green open spaces tend to undergo land use conversion into built-up areas. The increase in land needs can be viewed from two main phenomena in urban areas, namely the expansion of built-up areas in non-built areas

and the occurrence of building densification in built areas. Many urban dwellers are moving towards the suburbs and directly lead to an increase in the population in the suburbs. The suburban area of Denpasar, Bali Province is one of the suburbs that experience the phenomenon of centrifugal urbanization [2].

Denpasar City as the capital city of Bali Province is experiencing development in terms of urban development and increasing population. The population growth rate of Denpasar City in 2012 was 3.72%, with a population density of 6,534 people per km², making Denpasar City with the highest density in Bali Province. This has led to a change in land use with green vegetation cover into built-up land, and it is feared that it will affect the quality of the environment. Realizing this situation, a sustainable urban environmental arrangement is very important. The presence of vegetation in urban spatial planning is necessary to maintain the balance of high levels of air pollution, so that efforts are needed to develop green open spaces that effectively support human life [3].

Green Open Space, hereinafter abbreviated as green open space, is a longitudinal/lane and/or grouped area, which is used more openly, a place to grow plants, both those that grow naturally and those that are intentionally planted (RI Law No. 26 of 2007 on Spatial Planning). Referring to these regulations, developing green open space is an important thing to do. The proportion of 30% is expressed as a minimum measure to ensure the balance of the ecosystem. This is of course still relative in nature, so it needs to be studied in depth, especially with regard to aspects of the functions and benefits of green open space. Green open space has functions that can support the realization of a good environment, including ecological, social, economic and architectural functions (Dikman, et al 2019). Green open space has a very important role in protecting and enhancing the natural environment, also long term advantages [5]. The green open space is an important element in the development of sustainable development. Green open space is a concept in multidisciplinary sciences as its definition is understandable in various perspectives. The development of green open space requires good planning and management so that the green open space functions can be realized optimally [6]. Fulfilling green open space needs is an important thing to do. Rushayati, et al, 2011 stated that green open space should be built to lower air temperature and to create a comfortable micro climate.

Rapid and accurate monitoring is required to determine the availability of green open space in an area. Information from remote sensing satellite imagery will be faster and more efficient about the location, distribution and area of green open space which is very helpful in development planning. Sutanto, 2012, argues that the main task of remote sensing is to present information on the earth's surface quickly for even a large area. The availability of Landsat 8 satellite imagery which has a spatial resolution of 30 meters has opened up opportunities to obtain information on the characteristics of green open space availability. Landsat 8 imagery has not been widely used by the government at the district / city level to map natural resources in an area, so this is another consideration in conducting this research. Remote sensing data processing is expected to be able to provide information quickly and precisely related to the characteristics of green open space that can be used for urban development planning (Li, et al 2015).

The analysis of remote sensing data that will be developed in this research is the transformation of the vegetation index which will produce a value known as the vegetation index value. The vegetation index value is a value that is generated through algorithms or mathematical equations from several bands (channels) contained in remote sensing data. The vegetation indices used in this study are NDVI (Naturalized Difference

Vegetation Index) and SAVI (Soil Adjusted Vegetation Index), so the bands used are the red (visible) band and the near infrared (near infrared) band. Vegetation index values can provide information on the percentage of vegetation cover, leaf area index, plant biomass, fAPAR (fraction of Absorbed Photosynthetically Active Radiation), photosynthetic capacity and estimated absorption of carbon dioxide (CO₂) (Horning, 2004; Ji and Peters, 2007) in (As-Syakur, 2009). The main purpose of this study was to analyze the relationship between vegetation index values and vegetation density, and this study also tried to analyze the characteristics of green open space based on vegetation density in Denpasar City.

2. Method

This research was conducted in Denpasar City, Bali Province, which is located at coordinates 08° 35 '31"S - 08° 44' 49"S and 115° 10 '23"E - 115° 16' 27 "E. The data used are Landsat 8 OLI imagery for vegetation density extraction, RBI Digital Maps and supported by secondary data and field check results. The research tools used include GPS, meter and supported by ENVI 4.5 and ArcGIS 10.3 software. The research phase begins with correcting satellite images. Radiometric correction is carried out in three stages, namely, at-sensor radiance, at-sensor reflectance and at-surface reflectance. Geometric correction uses the image to map method based on the RBI Digital Map. Pixel relocation uses a polynomial algorithm with interpolation of the nearest neighbor's spectral values. After the satellite image is corrected, the vegetation index transformation is carried out. The transformation of the vegetation index in this study aims to change the pixel value of the Landsat 8 OLI image so as to produce an image with a new pixel value that represents vegetation variation which will then be associated with the availability of green space. This research uses 2 vegetation indices, namely NDVI (Normalized Difference Vegetation Index) and SAVI (Soil Adjusted Vegetation Index). The formulation is as follows.

$$\text{NDVI} = \frac{\rho_2 - \rho_1}{\rho_2 + \rho_1} \quad (1)$$

$$\text{SAVI} = \frac{\rho_2 - \rho_1}{\rho_2 + \rho_1 + L} \times (1 + L) \quad (2)$$

Descriptions:

ρ_1 = Red Band

ρ_2 = NIR Band

L = Soil Calibration Factor 0.5 (Huete and Liu, 1994 in Jensen, 2000).

The regression results that have the best correlation value are used as an equation to produce a vegetation density map and its accuracy is tested. The sample determination refers to the method proposed by Justice and Townshend (1981) in Mc Coy, 2005) that determines the vegetation density sample using the smallest pixel unit, namely:

$$A = P (1+2L). \quad (3)$$

Descriptions:

A = minimum sample size

P = image pixel size

L = location accuracy of 0.5 pixels

The approximate location accuracy in a 30 m medium resolution image is 0.5 pixels so that the sample size in the field with Landsat 8 OLI image data is 60 x 60 m, requiring 4 pixels of vegetation density samples based on the distribution of NDVI and SAVI values classified based on the histogram. The method used in sampling is the stratified random sampling. The availability of green open space was analyzed based on the Vegetation Density Map derived from the results of the regression analysis of the vegetation index with the vegetation density of the field measurements. The higher the range of vegetation index values, the higher the vegetation density, the vegetation density also affects the type of green space.

3. Result and Discussion

The vegetation density value is derived from a model that is built between the vegetation index value and the vegetation density measured in the field, which is called a linear regression analysis. Based on the regression analysis, the NDVI vegetation index produced a correlation value with a slightly better difference, namely 0.842 compared to SAVI of 0.826. This indicates that both the NDVI and SAVI vegetation indices have a strong correlation to the percentage of vegetation density as a result of field measurements. NDVI is the most common formula to calculate value of vegetation index (NDVI) give information related to primary production of vegetation [13]. Vegetation index is one of the most useful and used index to quickly identify vegetated areas with the use of multispectral remote sensing data (Zaitimah, et al, 2018). NDVI has higher sensitivity corresponding with crown density change than other vegetation index Normalized Difference Vegetation Index transformation is one of the most representative vegetation indices in presenting vegetation phenomena and has high variability [15]. Maiti and Acharya, 2018 also used NDVI in mapping rice cropping with Landsat 8 and very effective results. Based on the results of the linear regression model, it can then be decided that the NDVI image is derived into a vegetation density map by calculating the pixel value in the NDVI image using the equation $y = 166.61x - 0.1442$.

Table 1. Green Cover Based on NDVI Transformation

No	NDVI Value	Area (Ha)	Percentage (%)	Vegetation Density (%)	Category
1	$\leq -0,1298$	7.648,01	64,84	-	Non Green Open Space
2	$-0,1298 - 0,0345$	2.279,69	19,33	< 25	Very Low
3	$0,0346 - 0,1989$	724,30	6,14	25 - 50	Low
4	$0,1990 - 0,3633$	974,94	8,26	51 - 75	Moderate
5	$\geq 0,3634$	169,11	1,35	> 75	High

(Source: Data Processing, 2020)

Based on the description above, the availability of green open space in Denpasar City through the analysis of vegetation density obtained an area of 4,872.34 hectares or 38.92% of the area of Denpasar City. Spatially, the distribution of each vegetation density can be seen on the Map of Vegetation Density Denpasar City.

The resulting vegetation density map needs to be tested for accuracy so that the information produced truly represents the actual conditions in the study area. The accuracy test was carried out at 20 sample points that were evenly distributed, but the

samples taken represented the variation in the vegetation density of Denpasar City. The following is Table 2 for testing the accuracy of vegetation density mapping.

Table 2. Accuracy Test of Vegetation Density Mapping

Vegetation Density		Field Check					Number of Sampel	Correct Sample
		A	B	C	D	E		
Vegetation Index Transformation Results	A	3					3	3
	B		3				3	3
	C			3			3	3
	D				1	5	6	5
	E						1	4
Jumlah		3	4	4	6	4	20	18

(Source: Data Processing and Field Checks, 2020)

Keterangan:

- A = Non Green Open Space
 B = Very Low Vegetation Density
 C = Low Vegetation Density
 D = Moderate Vegetation Density
 E = High Vegetation Density

$$\begin{aligned} \text{Accuracy (\%)} &= \frac{\text{Correct Sample}}{\text{Total Sample}} \times 100 \\ &= \frac{18}{20} \times 100 \\ &= 90\% \end{aligned}$$

Green cover based on NDVI value it can be argued that spatially the distribution of vegetation density starts from very low density which is spread in residential or urban center areas, then the low vegetation density starts to spread to the suburban areas, on the contrary the vegetation density is medium to high density distribution has been concentrated in coastal areas and urban periphery areas. This indicates that the area is an area where vegetation still dominates compared to built-up land. Vegetated areas certainly have different densities, starting from the very low vegetation density which dominates the study area with an area of 2,162.75 hectares or 17.27%, then followed by low vegetation density with an area of 1,565.54 hectares or 12.50% and moderate vegetation density with an area of 974.94 ha or 7.79% of the area of Denpasar City. On the other hand, high vegetation density has a much lower percentage than the previous three vegetation densities, namely with an area of 169.11 hectares or 1.35% of the area of Denpasar City. Based on the description above, it can be concluded that Denpasar City has a very low to low scale vegetation density which is higher than that of medium-high scale vegetation density. The availability of green open space in Denpasar City through analysis of vegetation density from the vegetation index resulted in an area of green open space 4,872.34 hectares or 38.92% of the area of Denpasar City. Based on the NDVI transformation and the results of field measurements, a vegetation index value is obtained which can be used as a reference in determining the types of green open space as shown in the following table.

Table 3. The Relationship between NDVI Value and Type of Greenspace

No	NDVI Value	Density	Type of Green Open Space
1	-0,1298 - 0,0345	Very Low	Office/home yard, grass, rice fields before planting,

2	0,0346 – 0,1989	Low	tomb, green roads, rice fields
3	0,1990 – 0,3633	Moderate	Mangrove forests, river borders, rice fields
4	≥ 0,3634	High	City forest, city park, mature rice fields, river border paths

(Source: Data Processing, 2020)

The types of green open space based on the NDVI value and the density of vegetation, if related to the percentage of green open space in Table 3, can be grouped between public green open space and private green open space. Public green open space has a density from low, medium to high, with the type of green open space consisting of cemeteries, green roads, mangroves, river borders, urban forests and city parks. The percentage of area reached 18.45%, this figure was obtained after reducing green open space for rice fields because basically rice fields are still classified as private green open spaces. Private green open space has a very low density level with the type of green open space including office / house gardens, grass, and added with rice field type green open space. The area percentage of private green open space reached 20.47%. If you pay attention to Law of the Republic of Indonesia no. 26 of 2007, which recommends 20% public green open space and 10% private green open space, then the condition of green open space in Denpasar city is still classified as unbalance. After knowing the types of green open space based on NDVI values and vegetation density, it is important to differentiate between green open space and non green open space. The purpose of distinguishing between green open space and non green open space is to create a green open space distribution map which is then used to analyze the green open space distribution pattern in Denpasar City, whether it tends to be clustered, spread out or elongated. Clarifying this statement, a map of the distribution of green open space for the city of Denpasar (Figure 1).

Based on Figure 1. related to the Map of Green Open Space, it can be argued that the existence of green open space in Denpasar City tends to spread to urban areas to the southern coastal areas of Denpasar City. This indicates that the suburban areas have not experienced significant settlement compaction, even though these areas have the potential to experience increasingly rapid settlement development. Especially for suburban areas, the dominating green open space is the type of rice fields such as rice fields, mixed plantations and so on. In contrast to the southern coastal areas, which are mangrove forest areas which also require attention so that their existence is maintained, they can be fugreen open spaceer developed. Settlement compaction tends to be centered in the inner city or occurs in the central part of the city. This condition becomes a consideration in determining the priority of green open space development, so that the green open space that is developed is right in the area that really needs additional green open space. Similar research has also been conducted by [17] which examines the determination of oxygen-based green open space in Denpasar City. Pussella and Li, 2019 stated that urban green parks perform a remarkable role for the physical, social and psychological wellbeing of the urban public by providing space for relaxation and recreation, directly influencing public health through mitigation of the urban heat impact, noise reduction and moderation of air and water pollution. This Concurr with research by Ullah et al., 2019 stated that Green parks are vital public spaces and play a major role in urban living and well-being. Research on the attractiveness of green parks often relies on traditional techniques, such as questionnaires and in-situ surveys, but these methods are typically insignificant in scale, time-consuming, and expensive, with less transferable

results and only site-specific outcomes, so it is important to carry out monitoring using remote sensing data especially Landsat 8 Imagery.

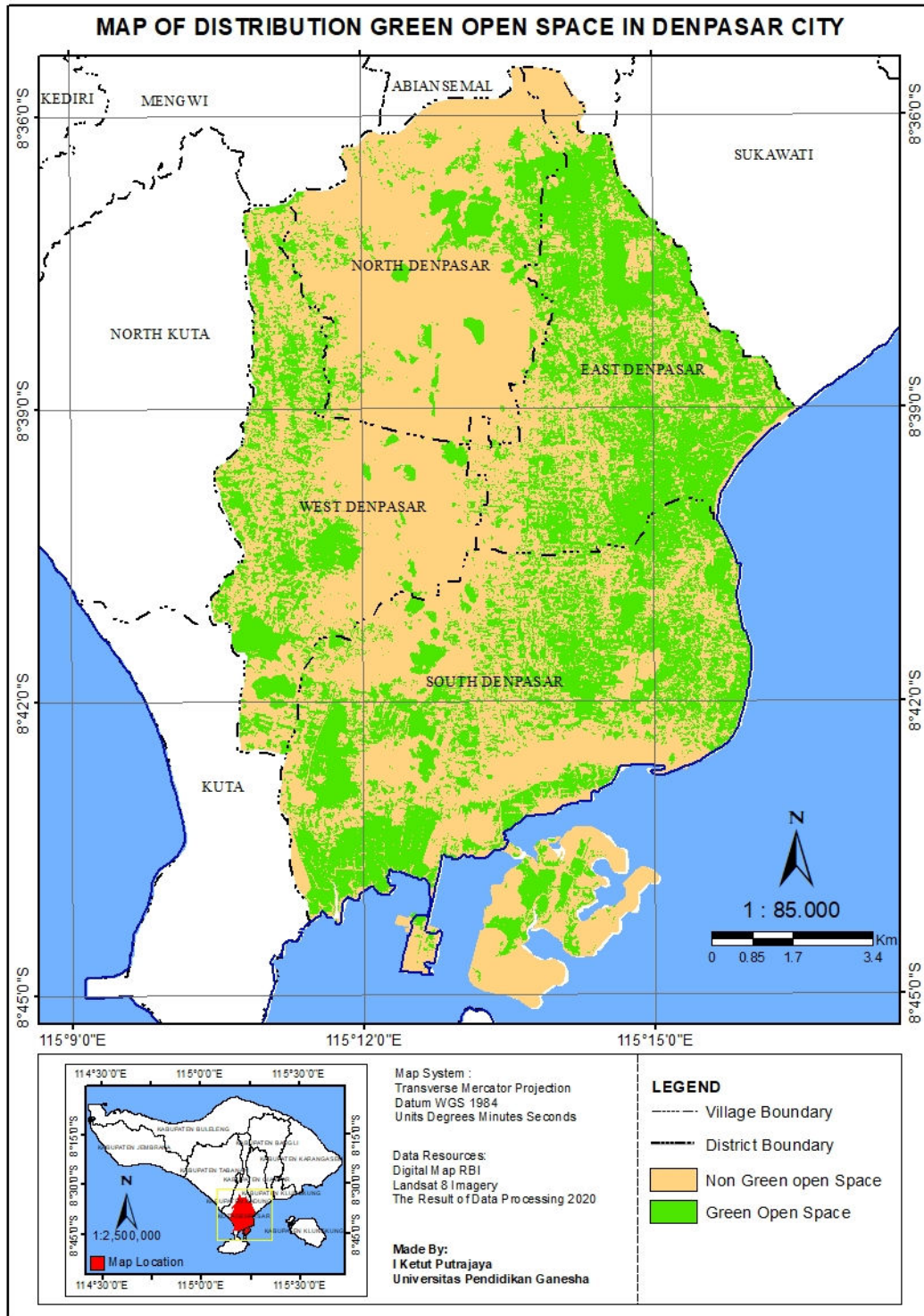


Figure 1. Map of Distribution Green Open Space in Denpasar City

4. Conclusion

Based on the results and discussion that has been described, it can be concluded that the analysis of Landsat 8 OLI Image to determine vegetation density through NDVI transformation produces a correlation value (R^2) which has a slight difference of 0.842 compared to SAVI of 0.826. However, it can be determined that the NDVI transformation results are used in analyzing vegetation density. Variations in the characteristics of vegetation density in Denpasar City can be argued that non-vegetated areas are more dominant, namely with an area of 7,648.01 hectares or 61.08 % of the area of Denpasar City, compared to vegetated areas which have an area of only 4,872.34 hectares or 38.92 % of the area of Denpasar City. A study of green open space using Landsat 8 imagery in order to obtain better results needs to consider the following points. Selection of a better transformation method in order to produce better green open space information with high accuracy. The use of satellite imagery with high spatial resolution allows for detailed land use classification so that the determination of the type of green open space can be done properly in each land use unit.

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The Right Strategy for Coastal Zone Development

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Abstract. The research location was carried out in Pemuteran Village, Buleleng Regency with the aim of (1) analyzing the distribution of potential coastal resources, and (2) formulating a coastal development strategy in Pemuteran Village. This study used a descriptive design. Data were collected using observation techniques related to resource potential, interviews, and documentation to change the information in formulating coastal development strategies. Furthermore, the data were analyzed qualitatively with the SWOT matrix table. The results showed (1) the potential of coastal resources which are grouped into well-known empathy along the coast of Tejakula Village. Biological resources (coral reefs and fish), artificial resources (making pyramid salt), artificial resources (boats, diving equipment rental), and environmental resources (making and installing coral reef / biorock media, diving, and snorkeling activities). (2) The strategy for developing coastal areas in Pemuteran Village which are favored is in the field of fisheries, namely fish farming in the form of ponds/cages because the demand for fish in tourist areas is very high, in the tourism sector that has not yet developed the craft industry for the needs of tourism activities, and in the tourism sector, namely mapping the potential of coral reefs. Coral because it is the main capital in tourism development in Pemuteran Village.

Keywords: strategy, potential, coastal resources

1 Introduction

The coastal area is the meeting point between land and sea. To the land, the coastal area includes parts of the land, both dry and submerged in water, which is still influenced by marine characteristics such as tides, sea breezes, and saltwater infiltration. Meanwhile, towards the sea, the coastal area includes parts of the sea that are still influenced by natural processes that occur on land such as sedimentation and freshwater flows, as well as those caused by human activities on land such as deforestation and pollution. Indonesia is the largest archipelago country in Asia. As much as 2/3 of the area is ocean. This means that the potential for coastal resources is abundant. This potential is reflected in a large amount of biodiversity, the potential for coastal, marine aquaculture, and marine tourism.

The regency in north Bali with the widest regency category with the longest beach in Bali is Buleleng Regency. The position of Buleleng Regency which is *Nyegare-Gunung* is located between the hills and the coastal area. Coastal resource potentials such as coral reefs are being developed by one of the villages in Gerokgak District, namely Pemuteran Village. The potential of coral reefs is a trigger or stepping stone to be able to develop coastal areas in Pemuteran Village as a Tourism Village. The importance of identifying other potentials and

formulating a strategy for their development is an urgent matter to do. This is potential support for coastal communities in Pemuteran Village.

Healthy coral reefs have various positive impacts on coastal ecosystems and benefit coastal communities, especially fishermen. Damage to coral reefs is influenced by upstream areas and poor coastal management. Thus, it is necessary to manage and conserve coral reefs which can affect the abundance of coral fish as well as improve the economy of fishing communities and tourism businesses in coastal areas. Fishermen are the main source of livelihood for the Pemuteran Village community so that strategies are pursued in managing coastal resources that open business opportunities for the wider community. Based on this description, the purpose of this research is to formulate a strategy for developing the coastal area of Pemuteran Village.

2 Methods

The design used in this research is descriptive research concerning the research design proposed by [1]. The data were collected using observation techniques related to the potential of coastal resources, interviews with fishermen groups, village heads, and tourism managers, to gather information in formulating strategies for developing coastal areas. Documentation techniques by taking pictures in the field related to the potential of coastal resources to gather information in formulating strategies for developing coastal areas. Furthermore, the potential distribution data is analyzed qualitatively visualized in the form of a map, while the analysis in formulating a strategy for developing coastal areas uses SWOT analysis techniques, in this study refers to the SWOT matrix by [2].

3 Result and Discussion

Distribution of Coastal Resources Potential

Coastal resources in Pemuteran Village are very diverse. Coastal resources are a source of income and livelihood for the community, especially in coastal areas. The importance of coastal resources so that management must be integrated [3]; [4]. There is potential for coastal resources that have or have not been developed by the village. The potential of coastal resources that have been developed and utilized in Pemuteran Village are as follows.

- 1) Biological resources include coral reefs, catch fish (grouper, snapper, skipjack tuna, anchovies, and other types of reef fish. The average catch is 20 kg per day.
- 2) Non-biological resources include sand used for sculpture crafts, salt ponds that produce pyramid salt products with overseas marketing.
- 3) Artificial Resources include docks for anchoring fishing boats, marine fishery tools such as boats, nets, and fishing rods. An artificial coral reef called biorock is typical coral reef cultivation in Pemuteran Village.
- 4) Environmental Service Resources include tourism activities in the form of diving and snorkeling to enjoy the beauty of natural and artificial coral reefs (biorock).

There are four types of potential coastal resources in Pemuteran Village. The potential of coastal resources that are owned by the coastal village of Pemuteran, is the basic capital for the development of coastal areas, especially people who are fishermen. As expressed by [5] inequality occurs in coastal communities where the potential is great, but the economic conditions of the community are low.

Pemuteran Village has complete coastal resource potential. The potential of coastal resources owned by the coastal area of Pemuteran Village is the basic capital and dominant factor for regional development [6];[7]. The development of the coastal area has implications for the Pemuteran Village community, especially those in the coastal area[8]. Apart from being fishermen, the community can be involved in the tourism service sector. Services in the tourism sector such as tour guides, diving equipment rental, and marine transportation to deliver tourists to enjoy the beauty of the sea. This is a strength and opportunity in developing coastal areas. The next discussion is to formulate a strategy for developing coastal areas.

Coastal Resource Management Strategy in Pemuteran Village

In managing Coastal Resources in Pemuteran Village, the right strategy is needed. Analyzing internal and external factors that are owned by Pemuteran Village, it can be formulated as an alternative strategy in Coastal Resource Management in Pemuteran Village. The alternative strategies in question are as follows.

- 1) Adding fish and shrimp ponds. The cultivation of grouper and shrimp provides added value to community income related to coastal resources in Pemuteran Village. The technical aspects of cultivation are selecting strategic marine cultivation locations, selecting good seeds, selecting a feed, and observing fish growth, and selecting healthy fish. This is in line with the research conducted by [3] related to the selection of fish, seaweed, and pearl oyster farming locations. Determining the right location, the chances of success for fishermen are higher.
- 2) Mapping the distribution of coral reefs (spot diving and snorkeling). Mapping the distribution of coral reefs for tourist attraction, so that tourism promotion will be more effective. This is in line with research [9]. In this case, it is a coral reef that is being conserved, the goal is to protect the coral reef ecosystem or marine from damage caused by natural and human factors. Mapping coral reefs based on mature and new species in the nursery process, making it easier for tourists to determine which coral reef destinations to visit.
- 3) Adding to the salt industry. Addition of salt industry in Pemuteran Village to improve the economy of the community in Pemuteran Village. By using the plot-plot method with greenhouse media in the process of crystallization and evaporation. Good weather is needed in the process of forming the salt. The impact of this industry is expected to increase people's creativity in entrepreneurship and motivate people to innovate.
- 4) Set up a fish auction place. The availability of fish auction facilities will make it easier for fishermen to sell or market their catch. construction of fish auction places is one of the economic empowerment models for coastal communities proposed by [10]. As well as protecting fishermen in terms of price games that can be played by traders. Technically, by making a license through the competent agency and coordinating the auction or sales procedure.
- 5) Community empowerment towards industrial activities for tourism needs. Empowering people to be able to become entrepreneurs, in increasing creativity and economy. The importance of the entrepreneurial culture of local communities was also stated by [11] to be able to produce products that could compete with foreign products. This can improve the industry, especially in the fisheries and tourism sector in Pemuteran Village.

Providing a limitation means processed salt products from outside the region. The making of written regulations by the local government has a big impact on community empowerment.

- 6) Make a cooperation agreement with the tourism business actor (biorock). The existence of cooperation between the community and the private sector or government can increase the product in large quantities/scale. The technique is to make agreements or MoUs with tourism agencies in maintaining coral reefs.
- 7) Community empowerment in pond fish farming. Community empowerment has the opportunity to increase community knowledge and insights in terms of pond fish cultivation. Increasing the income of coastal communities, maintaining coastal ecosystems, and managing coastal areas are strategies for developing coastal areas in a sustainable manner [4]. It is hoped that it will be able to provide motivation and increase community creativity.
- 8) Increase public awareness to protect the coastal environment. The importance of raising public awareness for the creation of a sustainable coastal ecosystem. This is in line with research [12] on the importance of community awareness in responsibly managing the coast. Increasing public awareness in protecting the environment around the coast is very necessary to prevent pollution. The technique is the involvement of the local government in providing socialization about the environment.
- 9) Community empowerment in the salt industry. Community empowerment has the opportunity to increase community knowledge and insight so that they can be self-employed. The technique is to provide training and capital to help people obtain raw materials and produce salt. The technique is to provide capital loans to the community through savings and loan cooperatives.
- 10) Collaborate with hotels and restaurants to use local fish. The existence of cooperation between the community and private or government parties has the potential to maximize community marine products. cooperation between the community and the private sector or the government can increase the product on a large number/scale. The technique is to make an agreement or MoU with the related tourism agency so that business actors in Pemuteran Village use the fish caught by the local community. With this, it is hoped that the community's fish catches can be managed optimally and sustainably so that the welfare of the local community is guaranteed.
- 11) Enforce awig-awig or the law in protecting the environment. To avoid violation of awig-awig in protecting the environment from persons who might exploit coral reefs. This is in line with research [13] which states that the role of awig-awig has a major effect on environmental sustainability. Law enforcement or awig-awig is very important because it protects the community to maintain tourism potential in Pemuteran Village. Technically, by making written regulations and binding sanctions for violators.
- 12) Making the salt industry a souvenir. Due to the difficulty of marketing the salt due to the price that is too high. So innovation and creativity are needed as well as salt producers to market their products in souvenir packaging. Technically, the limitation for the entry of

handicraft products from outside the region so that local production is distributed optimally.

4 Conclusion

Coastal resources in Pemuteran Village can be grouped into four, including biological resources (coral reefs and capture fisheries), non-biological resources (sand and salt), artificial resources (jetty, biorock, and fishing equipment), environmental service resources (diving and snorkeling). The right strategy in developing coastal areas in Pemuteran Village is in the field of fisheries, namely fish farming in the form of ponds/cages because the demand for fish in tourist areas is very high, in the tourism sector, namely the underdevelopment of the craft industry for the needs of tourism activities, and the tourism sector, namely mapping the potential of coral reefs because as the main capital in tourism development in Pemuteran Village.

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Juvenile Delinquency in Accessing Pornography Through Social Media in the City of Singaraja

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Abstract. The purpose of this study was to determine the factors that cause children to be addicted to accessing pornography, as well as the efforts to overcome them by law enforcers. This research is empirical legal research, where the data sources come from primary and secondary data. The data processing and analysis were carried out qualitatively, in which the overall results of the data analysis were presented descriptively and explained in full about the problem. The results showed that, based on the Containment theory put forward by Walter C. Reckless, it appears that the factors that cause children to be addicted to accessing pornography are divided into 2 (two) namely internal factors and external factors. Which later, if these factors cannot be controlled properly, it will become negative behavior. Furthermore, it also explains the countermeasures carried out by related parties, namely in the form of preemptive, preventive, or repressive efforts.

Keywords: Juvenile delinquency; access to pornography; prevention

1. Introduction

The increasingly rapid development of information technology, coupled with the pretext of the community to know each other and communicate with each other, makes the life of these people have a sense of connection and mutually complementary to developments in information technology within the community itself. One result of technological advances that have been created is the internet. The internet (international network) is a very large computer network consisting of small networks that are interconnected and span the entire world [1]. In today's millennial era, there are many breakthroughs in existing technology devices by relying on the internet network as a distribution medium and socializing easily through features in the media called social media and can be easily accessed by the various groups including children and adolescents.

Adolescents belonging to the millennial generation tend to be more adaptive to the development of communication technology. This is because they were born and grew during the very rapid development of communication technology and the increasing level of use of digital technology and the internet. But on the other hand, the development of digital social media cannot be separated from negative impacts [2]. One of them is related to the production, distribution, and consumption of pornographic content. Therefore, it is not surprising that every

day a lot of news pops up about cases about the number of adolescent who very easily access the content. It can be said that Indonesia is in an emergency with the dangers of pornographic content, both through printed media such as magazines and electronic media.

The development of pornography which is increasingly prevalent cannot be separated from the development of communication technology today. Pornographic content, which was originally distributed via the Digital Versatile Disk (DVD) or Versatile Compact Disk (VCD), can now be accessed easily via laptops, tablets, smartphones, and other digital devices supported by an internet connection. Various features and designs are offered by smartphones, which in the end become a special attraction among the community, including among children or adolescents.

Among various age categories or generations, adolescent are vulnerable to negative access to smartphone use. This is due to his immature psychological development. They can intentionally or unintentionally be easily exposed to pornographic content via smartphones. This is because adolescent who are teenagers are the age at which a child is looking for and forming their own identity [3]. Accessing pornography on social media via the internet is a "prohibited act" and the regulation is contained in positive law in effect in Indonesia. This is regulated in Undang-Undang Nomor 19 Tahun 2016 concerning amendments to Undang-undang Nomor 11 Tahun 2008 concerning Electronic Information and Transactions (later called the ITE Law) [4].

We have encountered this kind of delinquency in big cities and have even started to mushroom in small cities in every province. The place where the researchers conducted the research was in Singaraja City, which is part of the Buleleng Police jurisdiction. The reason the researchers researched in Singaraja City is that Singaraja is the capital and administrative area of the Buleleng Regency which is located in the north of Bali Island, which is known as "City of Education and Knowledge". This was marked by the inauguration of new branding, namely "Singaraja, The City of Science". Singaraja City as an Education City should be a city that organizes a comprehensive and equitable aspect of education for all parties, so that the community, especially adolescents, can enjoy the services provided by the Buleleng Regency government. Singaraja City, which is a city of education, is followed by the development of the world of technology as a means of supporting the implementation of education for children and adolescents which is useful to facilitate and assist them in learning or making assignments, but on the contrary is used as a forum to access pornographic matters, especially in cyberspace.

Various cases of juvenile delinquency that have occurred have caused fear and concern in the community. Activities that often occur in Singaraja City related to pornography in cyberspace (the internet) are the number of adolescents who like to access by viewing pornographic sites such as sex images, sex stories, as well as storing activities, providing sex-related data, or exhibiting or uploading vulgar videos and photos on social media such as Facebook, Instagram or YouTube.

One example of case related to juvenile delinquency in accessing pornography on social media is the circulation of naked photos of junior high school students (one of the public schools in Singaraja City) on social media [5]. Besides, because of the frequent activities of accessing pornography on the internet, it can have a negative impact and impact on the development of these children. So that the serious impact that has occurred due to accessing pornographic videos is that some young people (teenagers) have the heart to rape students who are still in junior high school, because of the influence of previously watched porn videos [6].

Based on the conceptual analysis and empirical conditions as described above, it has strategic value to be studied. Given that deviant behavior is breaking the law, it is a serious problem in the development of children towards their future, especially if these children are not provided with sufficient sex education for them. This complex problem cannot be put on the shoulders of the teachers alone, but there is a cooperation between parents, school principals, and law enforcement officials to deal with these problems. Judging from the problems that exist in Singaraja City, countermeasures are needed through penal or non-penal facilities from law enforcement officials to prevent students (teenagers) from deviant behavior.

Based on the above explanation, several problems can be formulated, namely: what factors cause children (adolescents) to access pornography through social media in Singaraja City, as well as what countermeasures can be done by law enforcement officials in reducing the number of child addictions, Adolescents in accessing pornography through social media in Singaraja City.

2. Methods

In this study, the method used is legal research in empirical studies, by looking at law as a reality that includes social, cultural, and other realities (examining law in action) [7]. This research is descriptive which aims to describe something in a certain area and at a certain time [8]. The research location chosen was Singaraja City. So that in this study the data used are primary data and secondary data, which data collection uses interview techniques, document study and observation. The technique of determining the research sample used purposive sampling, and the data analysis technique was carried out qualitatively.

3. Result and Discussion

Factors that cause adolescents to access pornography through social media in Singaraja

The In the current era of globalization, social media is made one of the primary needs by the wider community, where everything can be found only with a cellphone. The advancement of technology is not only felt by the elite but for all people, both old and young, even teenagers who still tend to have shaky emotions and can be influenced by the outside world. The technology devices provided by the current era are made so easy and varied for its users, especially application features related to social media. Even young children are very easy to learn about the use of technological devices that are widely used by adults. And the impact of social media can be positive or negative depending on how it is used.

According to Undang-Undang Sistem Peradilan Pidana Anak Nomor 11 Tahun 2012 [9], it is stated in Article 1 paragraph (3) which reads "Children in conflict with the law, here in after referred to as Children, are children who have reached the age of 12 (twelve) years, but have not reached the age of 18 (eight). fifteen) years who were suspected of committing a criminal offense "Nowadays children are one of the groups that have a big interest in the use of social media so that the use of social media is often used for negative things which later lead them to a bad life. As is the case today, the Covid-19 Pandemic which requires school adolescents to learn from home using electronic media, so the role of parents is very much needed to monitor the child's daily life in using electronic media. However, due to the busyness

experienced by the children's parents, it has resulted in negligence in supervising the child, which causes the child to freely access content that is not old enough for them to watch, one of which is adult content or pornography.

Pornography is one of the issues that is still hot to be discussed by the wider community, ever since the emergence of the Anti-Pornography and Porno-Action Law (later called the Anti-Pornography Law) in early 2006. The Anti-Pornography Law defines pornography as images, sketches, illustrations, sounds, sounds, moving images, animation, cartoons, conversations, gestures, or other forms of messages through various forms of communication media and/or public performances that contain obscenity or exploitation. sex that violates the norms of decency in the society. Until now, many teenagers like to access pornography wherever they were.

The phenomenon of adolescents who like to access pornography on social media is not new to society, one of which is in Singaraja City. For the community, this delinquency is a social problem that has existed for a long time. This is what makes parents or law enforcers nervous about children's behavior today.

Responding to adolescents who like to access pornographic content in Singaraja City, it makes us sad or sad to hear about it. Young people who are supposed to do positive and useful activities to fill their spare time and prepare for learning, tend to be more interested in accessing pornographic content. As a result, without the child realizing/knowing it, accessing pornography can have a very fatal impact, including a) encouraging children to imitate sexual acts, b) forming negative attitudes, values, and behavior, c) causing difficulty concentrating while studying, d) closed, inferior and not confident.

Seeing the serious impact that has occurred, of course, it becomes a big question, what was the reason for them to take this reckless and dangerous action. From the results of research that has been conducted in Singaraja City, in general, there are 6 (six) factors that cause the child to be addicted to accessing pornographic content. These factors include: 1) peer influence, 2) technological sophistication, 3) family factors, 4) environmental influence, 5) curiosity, 6) unable to take advantage of free time.

If viewed from the containment theory, which is one of the theories in analyzing problems related to the factors of adolescents accessing pornography on social media above, containment theory states that individuals already have various social controls (containment) which will help in fighting pressure. - the pressure that draws young children to crime. As emphasized by Walter C. Reckless (1961) with the help of Simon Dinitz, containment theory explains that there are several ways of defense for individuals to act following the values and norms that live and apply in society. Self-defense in this theory, there are 2 (two), namely internal (inter) and external (outer).

The basic elements of containment theory by Reckless, can be seen as follows [10].

- 1) Layers of Social Pressures
 - a. External Pressure, encouraging someone to commit a crime. Variables that influence a person to commit a crime include: poor living conditions, adverse economic conditions, members of minority groups, and lack of reasonable opportunities;
 - b. External pulls, pulling an individual away from social norms and pressed from the absence of bad friends, a distorted subculture, and the influence of the media;

- c. Internal pressure, encourage someone to do evil, they include personal tensions, feelings of inferiority or inadequacy, mental conflicts, organic depravity, and the like.

2) Containments

Inner containments, refers to the internalization of conventional behavioral values, and the development of personality traits that enable a person to resist these pressures; and outer containments, represented by an effective family and support system that is closely involved in helping to uphold conventionality and isolate the individual from attacks by outside pressure. Based on the explanation of the containment theory above, we can see that adolescents can commit delinquency or deviance because it is caused by the extent to which the forces of internal factors (such as needs to be met, anxiety, cruelty) and external (such as poverty, unemployment) can be found. control by one's outer containment and inner containment.

Furthermore, the author will classify the six factors that cause children to access pornography in Singaraja City into internal and external factors, along with a description of the analysis related to containment theory. *First*, The factors that are included in the internal factors that cause adolescents to access pornography are 1) curiosity from within themselves, and 2) unable to take advantage of free time. (1) Self-curiosity; Self-curiosity is one of the factors causing adolescents to become addicted to accessing pornography, which is an internal factor. Why is that? because it begins with excessive curiosity so that it creates an urge to curiosity to try and open pornographic content on social media. The growing interest in accessing pornography grows from within, so we will always seek information from the internet about pornography in the form of videos, pictures, and others. (2) Cannot Take Advantage of Free Time. The results of interviews with respondents as a whole, they said that after school activities ended, they would have free time to do things they like through social media. Especially now that the Covid-19 Pandemic makes adolescents learn from home and live full of activities on the internet network. So that adolescents have a great opportunity to do things that are negative and especially men, they will take advantage of this free time to access pornography. They cannot take advantage of the available free time to create positive activities related to task development from online learning or self-development. *Second, External Factors*, Apart from the internal factors described above, several factors cause children to become addicted to accessing pornography, namely those from outside / externally. These factors include: 1) peer influence, 2) technological sophistication, 3) family factors and 4) environmental influence. The following is an explanation of the factors that cause adolescents to be addicted to accessing pornography that comes from outside of these adolescents.

Looking at the causal factors above, adolescents who access excessive pornographic content eventually take action, because they lack the strength to resist the temptation not to take action that violates the norms of positive law (in this case the ITE Law and the Anti-Pornography Law) in force. In addition to the weak self-control of the individual perpetrator, this delinquency also occurs due to the lack of understanding of the child or adolescent about the consequences or impacts that can be caused by the actions they do. Conditions like this clearly show that the defense and self-control from within the child as a child whose hobby is accessing pornographic content is at a low point. So that it takes a harder effort to make

improvements or countermeasures against this, which in turn can minimize these teenagers from accessing pornographic content.

Overcoming efforts carried out by law enforcement officials in reducing the addiction rate of teenagers in accessing pornography through social media in Singaraja City

At present, pornographic content has become the favorite content of most young people in Indonesia. They do not know about the dangers of pornography which can make them regret in the future because they often access pornography. Lack of knowledge or education about the dangers of pornography and sexual education is one of the reasons children continue to access pornography on social media and it has even become a new habit to fill their spare time. For that, we need several efforts to overcome this.

Efforts to combat crime are continuous and continuous efforts that are always there, in fact, there will never be any final efforts. These efforts were made to ensure the protection and welfare of the community [11]. So is the case with the efforts made in overcoming juvenile delinquency in accessing pornography on social media. The role of the family is very necessary for it because parents are more intensively connected with the adolescents themselves. However, the role of parents is not sufficient to tackle delinquency in adolescents who access the internet, but cooperation with related parties, in this case, is the Police, Social Service and the Office for Population Control, Family Planning, Women's Empowerment and Child Protection, so that these children can break bad habits of accessing pornography on social media. Because as has been discussed in the previous chapter, this delinquency can have a bad impact on the younger generation who are around it in particular.

Based on the results of the author's research, the prevention efforts for adolescents who like to access pornography in Singaraja City are as follows. Providing education, through conventional efforts, namely in the form of socialization as well as providing explanations and understanding to the public, in this case, adolescents, to avoid the spread of pornographic content as regulated in the ITE Law. During the socialization, information was conveyed about the importance of knowing the substance of the ITE Law, one of which is the prohibition of the dissemination of pornographic content because this will be legally processed. This socialization is carried out by the Police in collaboration with other government agencies, and also especially with schools as the environment and facilitators for the Police to convey information.

Provide understanding to the public directly at the police station for adolescents who have violated the ITE Law. For students who have violated by spreading pornographic content, the police will use a persuasive / individual approach to educate them intensively so that they do not repeat the actions related to violations of the ITE Law. After taking an individual approach, then briefing was also given to the parents of the students. Then the police also conducted outreach to the villages regarding the prohibition of accessing pornography. If all of the above cannot be resolved by means of an individual approach, then it can then be processed legally through a court which aims to provide a deterrent effect (*ultimumremedium*).

Supervise or monitor through the Cyber Patrol Web or social media. Besides, the police also provide various campaigns related to ITE content that must be obeyed, one of which is related to the distribution of pornographic content. Implementation is carried out through a social media campaign, namely providing information about the prohibition of the distribution

of content on social media that violates the ITE Law, one of which is pornographic content. This is done by spreading various posters and written information through the cyber patrol web, and also on various official media accounts of the Buleleng Police such as Facebook, Instagram, and other social media.

Apart from the Buleleng Police, there are also related agencies that are making countermeasures, namely the Buleleng Regency Social Service. The efforts that have been made in overcoming an addiction to accessing pornographic content are preventive or preventative measures. To prevent it, the Indonesian Ministry of Social Affairs has a program called the PEKSOS Goes To School program or abbreviated as PGTS. This program is implemented 2 times a year. The PGTS program itself has several themes that are raised from the social problems of adolescents and children in general, one of which is pornography. This program is carried out by collaborating with several schools that have visited and conducted socialization related to pornography, regulations related to pornography such as the Anti-Pornography Law, and the impact that pornography can have both psychologically, especially on children's mental and also physical impacts such as doing activities inappropriate, for example, masturbation and so on.

The Buleleng Regency Social Service, has held several meetings and participated in various socializations with several related parties, both from the Ministry of Communication and Information, Center Police Officer, Psychologists, Psychiatrists, Social Affairs, and Social work. In the results of the last meeting related to the prevention of pornographic content that can damage the mental and psychological damage of adolescents, the Social Service together with related agencies tried to block pornographic sites that were still freely accessible to teenagers. In addition to blocking these pornographic sites, the social service also assists by helping the child consult a child psychologist, who will later try to overcome the addiction. Because as we all know, that one of the causes of addiction is also due to a child's curiosity, which is generally very large, although not fully children can accept the content. The social service collaborates with several child psychologists from other agencies to help reduce children's addiction from this content, and also collaborates with the child's parents to help monitor what the child has access to. Even though the social service has made various efforts, there are still several other efforts that still need to be done, because to reduce the effects of this addiction it takes time and a process that is not short, it takes several meetings and also requires intervention from psychologists in some of these meetings.

Apart from the social service, the Buleleng District Population Control, Family Planning, Women's Empowerment and Child Protection Agency has also made efforts to reduce the number of addictions of children in accessing pornography by implementing the GENAKSA (Gerakan Nasional Anti Kekerasan Seksual Anak) program. This program is implemented by conducting socialization to schools and also in collaboration with the Education Office.

4. Conclusion

Based on the research results that have been described in the previous chapters, it can be concluded that: The factors that cause adolescents to access pornography in Singaraja City

include: (a) Internal Factors. Factors included in the internal factors that cause adolescents to be addicted to accessing pornography are the child's inner curiosity, and not being able to take advantage of free time so that it can cause children to access pornography. (b) External Factors. The factors that are included in the external factors that cause adolescents to be addicted to accessing pornography are: 1) the influence of friends at play (peers), 2) technological sophistication causes adolescents to easily access pornography, 3) family factors, 4) environmental influence is also a factor in these adolescents accessing pornography on social media.

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What is the Most Potential Coastal and Marine Resources in the Buleleng Region?

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Abstract. This study aimed to map the existing conditions of coastal and marine resources owned by the Buleleng Regency. The method used to achieve this goal is to use remote sensing methods to measure coastal resources scattered in the coastal area of the Buleleng Regency, which is then analyzed qualitatively. The results showed that coral reefs were the most potential coastal and marine resources in the Buleleng area based on their square area. The study also found that coastal and marine resources are mostly scattered in Buleleng's western sector. This fact has implications for the orientation towards the development of coastal areas in the Buleleng Regency.

Keywords: Coastal and marine; Resource; Potency; Spatial Distribution; Coastal Areas

1 Introduction

Indonesia is an archipelago with 17,508 islands and a coastline of 81,000 km and a sea area of about 3.1 million km². Indonesia's coastal areas, which have enormous wealth, must be preserved by utilizing regional functions in a planned, harmonious, balanced, and responsible manner by paying attention to environmental sustainability aspects to improve people's welfare [1], [2]. The marine sector always deals with the coastal sector because the coastal and marine sectors are two things that cannot be separated. In simple terms, the coastal area is the meeting point between land and sea, with a land boundary covering parts of the land, both dry and submerged in water, which are still affected by marine characteristics, such as sea breezes, tides, seawater seepage [3]. The role of the coast as a regulator of environmental balance, climate balance, and geothermal balance. Coastal resources are a tremendous and promising asset in the future. The utilization of coastal resources in each region has increased, but coastal resources management is still far from optimal and sustainable. One of the coastal potentials, which is the main potential that must be mapped, is coral reefs. The condition of coral reefs is an indicator of the condition of coastal fisheries. Coral reefs have a significant meaning because of their function and role both ecologically, socially, and economically for other biota and the lives of people living in coastal areas [4]. Managing coastal resources in an integrated manner with the initial step, namely mapping the coast's potential, is the early step to optimizing the resources.

This provision has been explicitly stipulated in the law on coastal resource management that is directed at utilizing the existing potential for the achievement of welfare and improving coastal communities. This should be a vital asset for equitable development. However, what is

happening now is the imbalance of development, especially in the tourism sector, which tends to focus on the South Bali area compared to other areas such as North Bali (Buleleng Regency), East Bali (Bangli Regency and Karangasem Regency), and West Bali (Jembrana Regency). People in South Bali can already feel the benefits of the tourism sector and its associated sectors, but the opposite condition occurs in North Bali, East Bali, and South Bali. The impact of this condition is the occurrence of economic inequality by the people in each region.

The rapid development of the region, especially the tourism sector in southern Bali, such as Kuta Beach and Sanur to the Ubud Gianyar area, does not occur in other districts such as Buleleng Regency. At the same time, Buleleng Regency has the longest beach in Bali, which is 157.05 Km and has the largest area than other Bali. This means that the potential that is owned, especially the potential for coastal resources, is enormous to be developed. Great potential without planning will not get maximum results. Regional planning is the first step in developing potential. Therefore, this research's main objective is to map the potential of coastal and marine resources in the Buleleng region.

2 Method

The research design used to achieve the research objectives is the remote sensing method. The distribution of coastal and marine resources will be easily mapped through remote sensing image data and know their extent. The object of research is the potential of coastal resources in the Buleleng Regency. Based on the research object, the research subject is the coastal area of the Buleleng Regency. Based on the research subject, the research population is the Buleleng Regency coastal area. The coastal area of the Buleleng Regency is all villages that are administratively included in Buleleng Regency. Determining the sample for this research activity using a purposive sampling technique, namely by considering the coastal area, is limited by the village administration area.

Data collection in this study consisted of several stages. The first step is to download the data. The satellite imagery used is medium resolution, namely the Landsat 8 OLI/TIRS image, obtained free of charge on the USGS official website, <http://usgs.gov/>. In addition, the use of vector data is obtained for free on the official website of the Badan Informasi Geospasial (BIG), namely <http://tanahair.indonesia.go.id/>. Furthermore, data on the potential area of coastal areas is obtained by digitizing, which is thought to have potential in coastal areas. Finally, documentation proves the results of remote sensing image data processing in the field and presented in the form of photographs. The data that has been collected is analyzed qualitatively by limiting the potential of the coastal area based on the smallest unit, whether it is a hamlet or the potential location boundary itself, based on physiographic conditions through Landsat 8 OLI/TIRS imagery. The location of the spatial distribution of coastal resources owned by the Buleleng region will be obtained through this.

3 Result and Discussion

Coastal and marine resources can also be classified into renewable resources and non-renewable resources. Coastal resources that include renewable sources include mangrove forests, coral reefs, seagrass beds and seaweeds, marine fisheries resources, and bioactive

materials. Meanwhile, resources that cannot be recovered consist of all minerals and geology, one of which is sand. The distribution of potential coastal resources in the Buleleng area is shown in Table 1.

Table 1. Spatial Distribution of Coastal and Marine Resources Potentials in Buleleng Area

Buleleng Region	Resource Area (Hectares)								Total	
	Coral Reefs		Mangrove		Sands		Ponds		N	%
	N	%	N	%	N	%	N	%		
West Sector	719,4	79,5	244,1	100	0	0,0	199,1	86,2	1162,7	81,5
Middle Sector	185,3	20,5	0	0,0	30,1	64,0	20,3	8,8	235,6	16,5
East Sector	0	0,0	0	0,0	16,9	36,0	11,7	5,1	28,6	2,0
	904,7	100	244,1	100	47	100	231,1	100	1426,9	100

Table 1 shows the area of the four most considerable coastal and marine resources in the Buleleng region, as measured by their square area. Overall, the Buleleng area, with the most coastal and marine resources, is the west sector with 1162.7 ha or 81.5% of the resource's total area. Meanwhile, the most extensive coastal resources owned by the Buleleng area are biological resources in coral reefs covering an area of 904.7 ha.

Coral reef ecosystems are typical ecosystems of tropical coastal waters, which are formed from massive deposits of Calcium Carbonate (CaCO_3) produced by hermatypic coral organisms (Phylum Cnidaria) such as *Acropora*, *Fungia*, and *Porites*, which are symbiotic with *Zooxanthellae* [5]. Research by Andronicus et al. [6] proves that coral reefs are a very significant barrier to natural waves, especially fringing corals and atoll corals. Besides that, coral reefs are also a habitat for fish, both ornamental and fish for public consumption [7], and coral reefs can also function as beautiful marine tourism objects [8]. The most coral reefs are spread in the West sector with 719.4 ha or 61.9% and followed by the middle sector with an area of 185.3 ha (20.5%). Despite being the most extensive biological resource, not all areas of Buleleng have coral reefs. The East sector is a Buleleng area that has no coral reef resources. Thus, coral reefs can become a major icon for developing coastal areas in Buleleng Regency, especially in the west sector.

Mangroves are coastal resources that have various functions, including socio-economic functions, ecological functions, and physical functions. Mangrove forests are a source of life and food for various living things, such as shrimp, crabs, birds, fish, and mollusks [9]. The mangrove forest is a general term used to describe a tropical coastal community dominated by several unique tree species or shrubs that can grow in salty waters [10]. Many studies have proven the benefits of mangroves in coastal areas. Research by Fatimatuzzahroh et al. (2018) shows the dual benefits of mangroves: mangroves are used to overcome abrasion problems and can then be used as development in tourism areas. In the use of ecosystems, Mukhlisi & Purnaweni [12] explained that the mangrove area plays a role in living for *Rhizophora* species, even though the area is not too large. Mangroves occupy the second position of the most massive coastal resources in the Buleleng area, with an area of 244.1 ha. Mangrove resources are endemic resources that are only scattered in the west sector. Thus, the western part of Buleleng has a vast potential to become a center for mangrove forest development.

Ponds are the third largest coastal resource, with a total area of 231.1 ha. Ponds is a coastal resource that is scattered throughout the Buleleng area. Ponds are mostly spread in the

west sector with a percentage of 86.2%, followed by the middle sector (8.8%) and the east sector (5.1%). The difference in ponds between the western and other sectors is due to differences in land potential, including differences in soil types and topographic conditions. Research Setianingrum et al. (2014) explains that ecological changes in the pond environment affect pond production. Utojo & Ratnawati (2013) identified the requirements for ponds' locations in coastal areas, including having a tidal height of 1.1-2.1 m. The beach topography is relatively sloping with a rather deep seabed, and rainfall is less than 2,000 mm/year, free from flooding, protected from the influence of strong currents, big waves, strong winds, and free of contamination.

Finally, the coastal resource with the smallest area is sand, with 47 ha. Sand resources are only found in the middle and east sectors. The distribution of sand resources is more in the middle sector (64%) than in the east sector (36%). Sand is a mining material that has economic value. Currently, the exploitation of sand in coastal areas occurs in quite a large number. The immense potential for sand is to meet the demand for backfilled sand and meet the demand for sand to open new land to the coastal area [15].

Tourism is one of the potential coastal areas that can contribute to coastal areas in the Buleleng Regency. Apart from having an economic impact, tourism also has a significant ecological impact on the improvement and sanitation of the surrounding environment [16], [17]. Through coastal tourism development programs for the beach's beauty, panorama or the development of mangrove forests is one of the tourism potentials that are synergized with the development of conservation of coastal and marine resources.

4 Conclusion

Coral reefs, mangroves, ponds, and sand are the four primary coastal and marine resources in the Buleleng area. Based on land cover, coral reefs are the most potential coastal and marine resources to be developed, especially in the western part of Buleleng. Coral reefs have great potential to become habitat and source of food for various types of marine life so that this area will become the natural guardian of biodiversity, and at the same time, become the most massive marine tourism owned by Buleleng Region. Another interesting finding is that, although it does not have biological resources, the eastern Buleleng region has great potential in developing ponds, especially salt ponds. The application of a coastal area management strategy based on the specificity of the resource's potential becomes a strong foundation for sustainable coastal development.

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Monitoring of Coastline Changes in Gerokgak Sub-District In 1995-2020 Using Grid Method

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Abstract. Coastal areas have conditions that are under a lot of pressure from various phenomena and activities that occur both on land and sea. One of the consequences of the many phenomena that occur in coastal areas is changes in coastlines. Of the several factors that cause coastlines changes, abrasion is one of the most detrimental factors and can be categorized as a disaster because it has destructive characteristic, such as threatening ecosystems or buildings behind the coastlines. This study aimed to monitor changes in coastlines every five years within a period of 25 years as a basis for disaster mitigation analysis. The extraction of the coastlines is carried out by the on-screen digitization method from the image processed using the composite band RGB method to separate land and ocean areas. After the results of the coastlines extraction were monitored, it was then generally concluded the amount of abrasion that occurs at each observation point that was made using the grid method with a distance of 500m along the coastlines in Gerokgak Sub-district. Coastline changes that occur at each point of observation are in the form of varying and not linear values, for example abrasion occurs in the first 5 years and it is possible that accretion occurs in the second 5 years. This research produces information about the point with the largest shoreline change in the form of abrasion at observation point 23 with the abrasion as far as 151.98m and the point with the change in the shoreline in the form of the largest accretion at the observation point 61 with an accretion as far as 107.07m.

Keywords: Abrasion; Grid Method; Disaster Mitigation; Gerokgak Sub-District.

1. Introduction

Gerokgak sub-district is a sub-district located in the western part of the Buleleng Regency area. Gerokgak sub-district consists of 14 villages with 12 villages bordering the sea to the north [1]. Of the total 157.05 km coastlines length of Buleleng Regency, 48.95% of the coastlines are in Gerokgak Sub-district thus causing development carried out in Gerokgak Sub-district to focus on coastal areas. This is also influenced by the topography of the Gerokgak sub-district which tends to be hilly in the south so that it tends to be difficult to carry out development in the area [2], [3]. Coastal areas have conditions under a lot of pressure from various phenomena and activities that occur on land or sea since these areas are transitional areas between land and sea [4]. One of the consequences of these phenomena is coastline changes. Coastline change is basically continuous process due to natural activities in the form of abrasion and accretion caused by longshore current and sediment movements, wave activity, and land use [5]. Gerokgak Sub-District has experienced a significant coastline changes in a period of 20 years from 1997 to 2017. The largest change is around 620.6 meters [3].

From several factors causing coastline changes, abrasion is one of the most detrimental factors. Coastline changes caused by abrasion can be categorized as a disaster since it is destructive and detrimental, such as threatening ecosystems and buildings behind the coastline area [6]. Referring to the development trend towards the coastal area in Gerokgak Sub-District, abrasion is a disaster that is quite threatening for most of the people living there. Celukan Bawang Steam Power Plant (PLTU), hotels and temples on the beach, fish ponds owned by the government and private communities will certainly be affected [7].

Analysis of coastline changes would later be generated from coastline extraction every five years over a period of 25 years. The extraction of the coastlines would be carried out by the on-screen digitization method from the image processed using the composite band RGB method to separate land and sea areas. There would be 6 coastlines resulting from coastline extraction in 1995, 2000, 2005, 2010, 2015, and 2020. Of the six samples of coastline data produced would be monitored to conclude in general, the amount of abrasion that occurs at each observation point made that was made using a grid with a distance of 500m along the coastlines at Gerokgak Sub-istrict. The results of this study are the magnitude of the value of changes in the coastlines, both abrasion and accretion, at each observation point along the coastlines every 5 years in a period of 25 years which aimed to determine the pattern of abrasion and accretion values that occur along the Gerokgak coastal areas so that predictions of coastline movements could be made – in which it can later be used as a basis for disaster mitigation analysis in Gerokgak Sub-district.

2. Methods

This study utilized Landsat satellite imagery recordings to obtain general overview data on coastline changes. Those recordings were then used as references to get the abrasion value occurred in the coastal area of Gerokgak Sub-District. Stages conducted in this study can be seen in Figure 1.

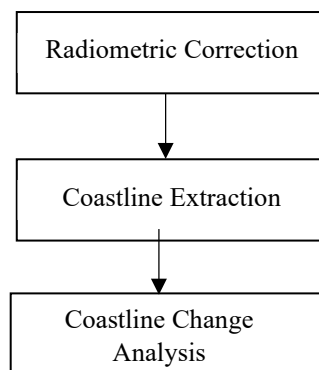


Figure 1. Research Stages

Satellite image correction

At this stage, the radiometric correction process was carried out using the band composite method. This method is a digital image processing method to get a new image by accentuating certain advantages by combining several bands at one observation time [8]. The band composite method used in this study was band composite RGB method, which combined Red, Green and

Blue bands in Landsat image to emphasize the difference between land and sea, so that the coastline can be seen more clearly [9]. Landsat 5 and 7 used 457 band combination, while Landsat 8 used 568 band combination [10]. Sample of composite RGB results can be seen in Figure 2.

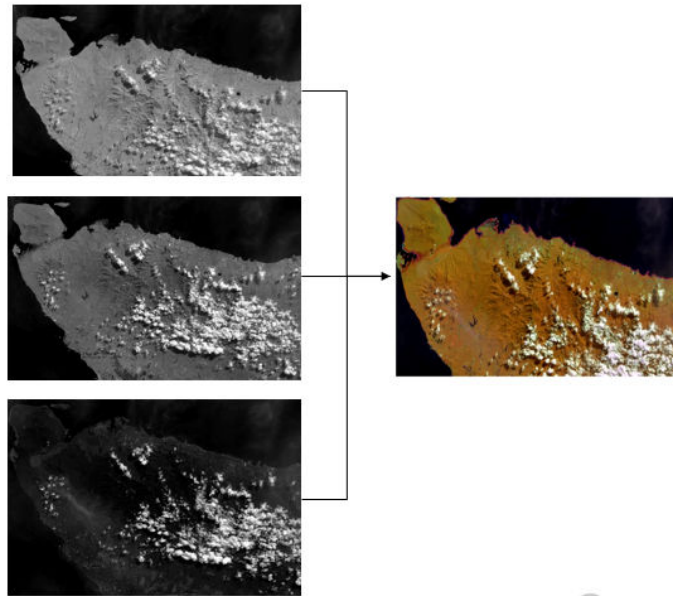


Figure 2. Results of composite RGB on Landsat 8 imagery in 2020

Coastline extraction

Coastline extraction was performed using a visual interpretation method (digitizing on screen) on the resulting image of band composite RGB in 1995, 2000, 2005, 2010, 2015, and 2020. The digitization results were in the form of 6 coastlines where the changes were observed. Observation points were made every 0.5 km using the grid method. The abrasion and accretion values from the observations of the six coastlines were analyzed and calculated. The results of coastline extraction can be seen in Figure 3.

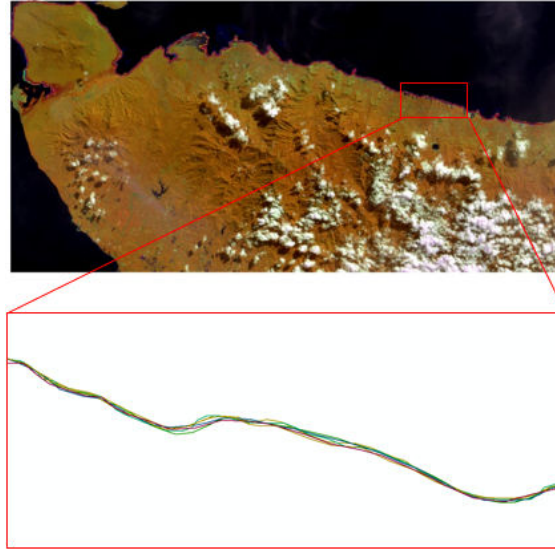


Figure 3. Coastline in 1995-2020

Coastline changes analysis

The analysis of coastline changes is carried out by calculating the value of changes in the coordinates of the observation points of the six coastlines which have been extracted previously. If the coastline changes protrude toward the sea, it is defined as accretion. On the other hand, if the coastline changes juts inland, it is defined as abrasion. From ± 85 km of coastline along Gerokgak Sub-District, 133 observation points with a distance of 0.5 km were made using the grid method. The change in the observation point was calculated using the calculation of the distance between 2 coordinate points with the following formula:

$$D^2 = (x_2 - x_1)^2 + (y_2 - y_1)^2 \quad (1)$$

Based on these calculations, a value will be obtained which will later be defined as the abrasion or accretion value. The following will provide a sample of the observation points that have been carried out.

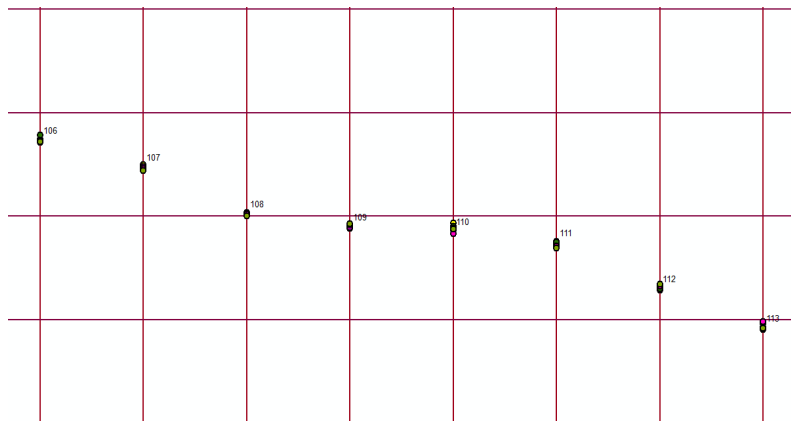


Figure 4. Samples of observation points to obtain abrasion values

2. Results and Discussion

The results of the coastline analysis carried out using the grid method are in the form of abrasion or accretion values observed at 133 observation points. Based on the results of analysis, observation points have changed which vary each year. The distribution of points along the coastline to be monitored for changes can be seen in Figure 5.

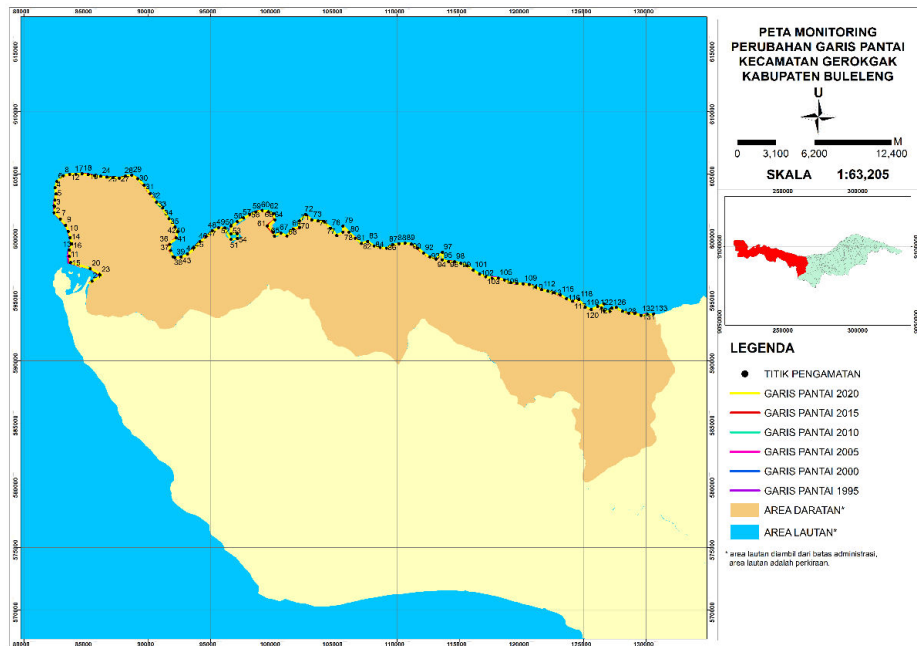


Figure 5. Distribution of points to be monitored

The changes in the observation point that juts out towards the land describe abrasion, while the changes in the observation point that juts out towards the ocean describe accretion. For example, at the 11th observation point, it can be seen that there was accretion in the first five years, while that point experienced abrasion in the observation span of the second five years. Thus, the changes in the coastline were not linear. The results of monitoring of coastline changes are presented in

Based on the results of observations using the grid method, 133 abrasion and accretion values were obtained which were then added linearly. It then obtained the final value; if the accretion is more dominant, the point of observation in general experiences a change in the form of accretion and if the abrasion is more dominant, the point of observation in general experiences changes in the form of abrasion.

Some points that experienced changes in the form of quite extreme abrasion were point 20 with an abrasion of 108.38 m, point 23 with an abrasion of 151.98 m, and point 34 with an abrasion of 102.66 m. Furthermore, points that experienced changes in the form of quite extreme accretion were point 61 with accretion of 107.07 m, point 65 with accretion of 66.97 m, and point 69 with accretion of 76.57 m. Based on these values, some spots that have been damaged due to abrasion can be identified. Therefore, the competent authority can make decisions about what mitigation steps can be taken as an attempt to minimize the damage that occurs in the future.

3. Conclusion and Suggestion

Based on the results, this study concludes that: 1) Coastline changes that occur at each point of observation are in the form of varying and not linear values, for example abrasion occurs in the first 5 years and it is possible that accretion occurs in the second 5 years. 2) The point with the coastline changes in the form of the largest abrasion can be found at observation point 23 with the abrasion of 151.98m and the point with the coastline changes in the form of the largest accretion can be found at the observation point 61 with an accretion of 107.07m. This research is considered to have shortcomings. Thus, further research is expected to make development and improvement such as using tide data in determining abrasion and accretion so that the results can be more accurate.

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Effect of Emission Value for Land Surface Temperature on Landsat Image 7 ETM+

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Abstract. This research aims to know the impact of land surface temperature value with the use of emissions or not. Emission is essential because emissions become decisive as a result of land surface temperatures. The method used is processing Landsat 7 ETM+ imagery with radiometric and atmospheric correction and combining it with the maximum likelihood of getting land cover. The classification of land cover is essential because that reflects the emission value. The results showed that land surface temperature with emission has more near with conditions in the field than land surface temperature without emission. The most significant difference in land surface temperature in land cover is seven degrees Kelvin (7°K), and the lowest is one degree Kelvin (1°K). The analysis concluded that the use of emissions in Landsat 7 ETM+ imagery is necessary and must be done to get the land surface temperature value.

Keywords: Landsat 7 ETM+; LST; Emission

1 Introduction

The Land Surface Temperature (LST) has been used several variables in specific analyses such as; drought, urban heat island, and forest fires [1]–[4]. The acquisition of information related to surface temperature is made manually with temperature measurement, and it has a deficiency when the area to be monitored is extensive. Therefore, the utilization of remote sensing imagery in obtaining information related to surface temperature continues to increase for other research. Landsat image is one of the images that can provide information related to land surface temperature with its thermal bands [5]–[7].

Landsat development now on Landsat 8 OLI/TIRS and Landsat 7 ETM+, which are still used for land surface temperature information. Landsat 8 OLI/TIR developed split windows algorithm method that combines two thermal bands, band 10, and band 11 [8]–[12]. Different on Landsat 7 ETM+ has two similar thermal bands, but land surface temperature information uses band 6 high gain. The selection of the band 6 high gain was influenced by the use of emissions, which is the conversion value to determine the object's land surface temperature. The value of emissions has a difference to land cover so that it is based on the value of certain types of land cover that do not have a specific emission value and follow similar emission values [6], [13], [14]. Landsat 7 ETM+ requires identification related to emissions because the formulas and algorithms used based on the Handbook Landsat 7 ETM+ [7] differ from the algorithms that have been done by several studies [15]. In contrast, Landsat 8 OLI/TIRS has a more stable

method of obtaining surface temperature information because it uses two thermal bands [16]–[20].

This research is fundamental because the land surface temperature has many applied for other analyses. Therefore, this research's objective is to know how much influence of emissions on land surface temperature processing in Landsat 7 ETM+ imagery. Besides, this research is expected to provide a role as a consideration for the acquisition of land surface temperature information.

2 Methodology

Study Area

Purworejo regency is one of the districts in Central Java Province, located between 109° 47'28" to 110° 8'20" East Longitude and between 7° 32" to 7° 54" South Latitude. The north of Purworejo regency borders Wonosobo and Magelang Regency, and the south borders the Indonesian Ocean. The west is bordered by Kebumen Regency, and the east borders the area of the Special Region of Yogyakarta, precisely Kulonprogo Regency. Purworejo regency is still much-having farmland that varies from plantations and rice fields with quite varied topographic conditions in the form of coastal areas, lowlands, to mountains so that it can have different levels of soil moisture – different as in areas of land where there are various kinds of land cover will provide different surface soil moisture [21], [22].

Remote Sensing Data

Landsat 7 ETM+ imagery can be obtained for free on the official website by USGS <http://usgs.gov/>. Landsat 7 ETM+ was processing with pre-processing such as; Correction Radiometric and Atmospheric, then cropping data for all band except band 8. The radiometric correction process is carried out by changing the pixel value to the radian and reflectance values. Meanwhile, the atmospheric correction process uses the Dark Pixel Subtraction (DOS) method developed by Chaves [23].

This research uses primary data, which is the leading data that is Landsat 7 ETM+ imagery. The research stage is shown in Figure 1.

Brightness Temperature

Landsat 7 ETM+ image processing using a band 6 high gain. The radiometric correction process used is radian correction developed by USGS [7] as in Equation (1).

$$L\lambda = \frac{L_{Max} - L_{Min}}{(QCAL_{Max} - QCAL_{Min})} \times (QCAL - QCAL_{Min}) + L_{Min} \dots\dots\dots (1)$$

Where Lmax and Lmin can be obtained from Table 1; QcalMax is spectral value Landsat 7 ETM+; QcalMin is Zero (0). Brightness temperature band 6 data processing using Equation (2) developed by USGS (2010). The K1 and K2 values are calibration constants obtained from the Landsat 7 ETM+ image handbook; Lλ is the radiance value of Landsat 7 ETM+.

$$Trad = K_2 / \ln [(K_1/L\lambda)+1] \dots\dots\dots (2)$$

Brightness temperature has a land surface temperature value, but it is not a temperature object because that value is not radiance temperature, just kinetic temperature [13]. Some research uses this algorithm to get land surface temperature value and uses it for its final temperature.

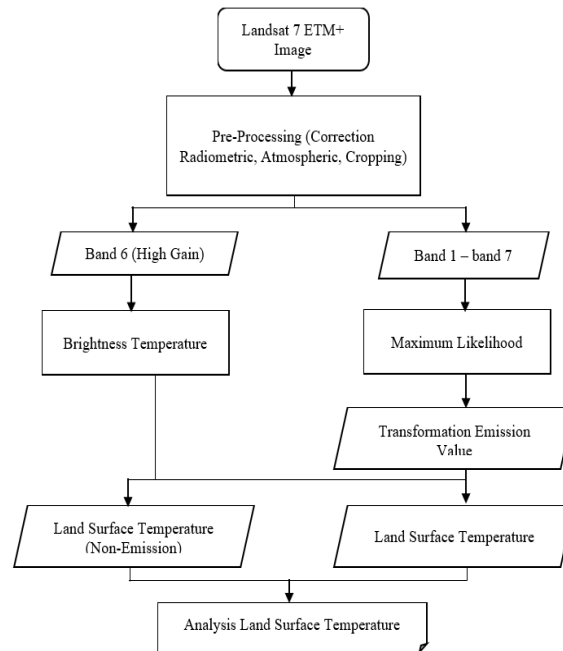


Fig. 1. Research Flowchart

Table 1. Spectrum Radiance ETM+

Number Band	LOW GAIN		HIGH GAIN	
	L MIN	L MAX	L MIN	L MAX
1	-6,2	293,7	-6,2	191,6
2	-6,4	300,9	-6,4	196,5
3	-5,0	234,4	-5,0	152,9
4	-5,1	241,1	-5,1	157,4
5	-1,0	47,57	-1,0	31,06
6	0,0	17,04	3,2	12,65
7	0,4	16,54	0,4	10,80
8	-4,7	243,1	-4,7	158,3

Source: [7]

Maximum Likelihood

Landsat 7 ETM+ image processing for image classification using the maximum likelihood method is a supervised category. This method has excellent accuracy to get the land cover classification [24]. Land-use is used for determining the emission value shown in Table 2. Meanwhile, the change land-use to emission value using ENVI application to have an emission image.

Table 2. Type of Land-Use with Emission

No	LandUse	Emission
1	Built-up	0.97
2	Built-up with Vegetation	0.96
3	High Vegetation	0.99
4	Moderate Vegetation	0.96
5	Low Vegetation	0.96
6	No Vegetation	0.92
7	Wet Soil	0.95
8	Dry Soil	0.92
9	Body of Water	0.98

Source: Processing Data (2011)

Land Surface Temperature (LST)

The processing surface temperature method uses the emission value developed by Curran [13] as in Equation (3). The value of ϵ is the emission value, and T_{kin} is the value of the brightness temperature Landsat 7 ETM+ band 6. The difference in the value of land surface temperature between kinetic temperature and radiance temperature is one degree (1°) [25].

$$T_{rad} = \epsilon^{1/4} \cdot T_{kin} \dots \dots \dots (3)$$

4 Result and Discussion

Analysis of land surface temperature between brightness temperature and the land surface temperature has a significant difference value (Table 3). The difference value for land surface temperature is very high on seven degrees and very low on one degree. The brightness temperature always increases the value of temperature from land surface temperature and proves the theory about radiance temperature and kinetic temperature [13]. Cause the difference value of temperature from the processing of Landsat 7 ETM+ uses pixel as object analysis and uses the measurement of object reality such as; vegetation, soil, rooftop, and water. Also, the survey for measurement temperature must be the same time as the Landsat 7 ETM+ image take a record. This condition is essential because of the temperature changes with the sun's condition, especially weather and its application for all land surface temperature [12]. Land cover is not

affected by emission values because the high emission value and low emission value get the same difference temperature value is seven degrees (7°). Meanwhile, one class in land cover always has a different temperature that causes the field's condition.

Table 3. The difference in Surface Temperature to Emission Value

Class of Landcover	No	Land Cover	Emission Value	Land Surface Temperature (Kelvin)/ Emission	Brightness Temperature (Kelvin)Non-Emission	Difference
	Sort					
1	1	Built-up	0.97	295	301	6
	2	Built-up	0.97	303	306	3
	3	Built-up	0.97	301	307	6
	4	Built-up	0.97	295	302	7
2	5	Built-up with Vegetation	0.96	299	301	2
	6	Built-up with Vegetation	0.96	296	300	4
	7	Built-up with Vegetation	0.96	298	301	3
	8	Built-up with Vegetation	0.96	298	300	2
	9	Built-up with Vegetation	0.96	299	302	3
3	10	Moderate Vegetation	0.96	297	299	2
	11	Moderate Vegetation	0.96	295	301	6
	12	Moderate Vegetation	0.96	297	300	3
4	13	Low Vegetation	0.96	302	305	3
	14	Low Vegetation	0.96	298	301	3
	15	Low Vegetation	0.96	298	301	3
5	16	No Vegetation	0.92	302	304	2
	17	No Vegetation	0.92	298	302	4
	18	No Vegetation	0.92	299	302	3
	19	No Vegetation	0.92	295	302	7
6	20	Wet Soil	0.95	295	301	6
	21	Wet Soil	0.95	296	300	4
	22	Wet Soil	0.95	299	300	1
7	23	Dry Soil	0.92	306	308	2
	24	Dry Soil	0.92	305	306	1
	25	Dry Soil	0.92	307	308	1

8	26	High Vegetation	0.99	298	301	3
	27	High Vegetation	0.99	297	300	3
	28	High Vegetation	0.99	293	299	6
9	29	Body of Water	0.98	298	300	2
	30	Body of Water	0.98	298	300	2

Source: Processing Data, 2015.

The result of land surface temperature is proving; one land cover has a different value of temperature. Built-up and no vegetation has a high temperature than another land cover. The built-up has a high temperature because density of settlement made land surface temperature increase, which could make urban heat island in the future [2]. While other land covers such as; vegetation make temperature decrease because the healthy vegetation with their density always reflects the sun's energy. This condition different from water. It absorbs the energy of the sun and cannot reflect directly. This condition can know the spread of land surface temperature on the field (Fig.2) influence of emission.

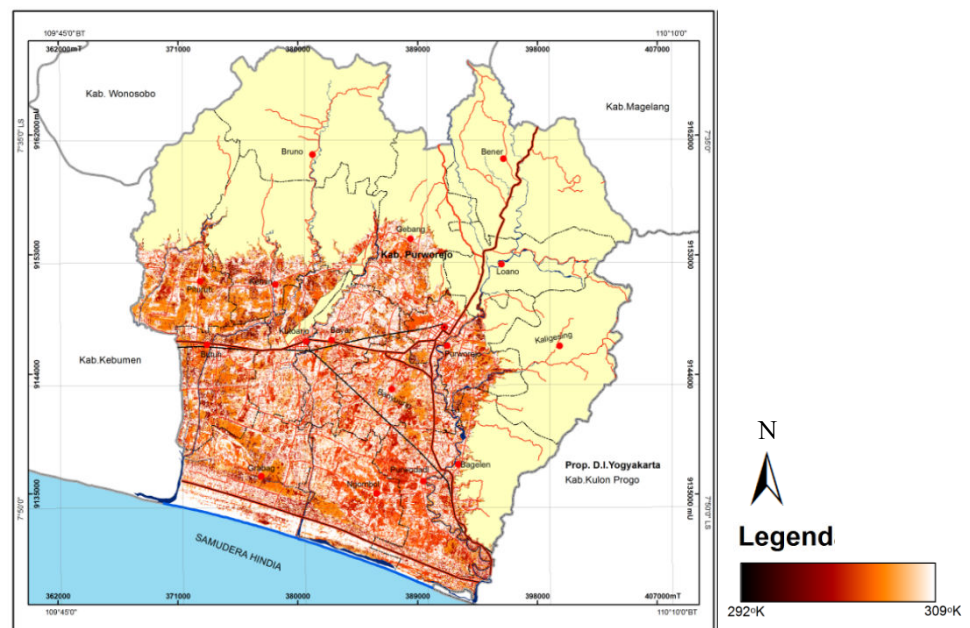


Fig. 2. The Result of Land Surface Temperature with Emission Value

Emission proof is essential to extraction information for land surface temperature, especially for Landsat image or other thermal band images. The calculated emission has several methods. Tursilowati et al. [15] using emission from vegetation index and give the result approaching the condition of the field for extraction land surface temperature. The method for calculating emission need more research to know the impact of land surface temperature. Therefore, land surface temperature without emission is not the real temperature object and cannot be used for anything analysis because increasing the temperature and anomaly.

5 Conclusion

Land Surface Temperature (LST) with emission and LST without emission has a high difference for one class in land cover. This class indicates that land surface temperature processing must use the emission value because it is near the field's land surface temperature. Emission proves LST needs this value to extraction temperature, although it can be obtained from land cover or another method. The difference of temperature values affected by comparing analysis where Landsat using pixel and measurement using a real object. Further study, especially on emissions extraction, to be compared with other methods for calculating emission. These impact value emissions are significant because studies on land surface temperatures always focus, and many applied to use.

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Legal Consequences Marriage Agreement Post the Constitutional Court Decision Number 69/PUU-XIII/2015

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Abstract. Philosophically PMK (Constitutional Court Decision) Nr. 69/PUU-XIII/2015 based on way of life, awareness, and legal ideals such as the mystical atmosphere and Indonesian Nation according Pancasila and The Constitutional of The Republic of Indonesia Article 28E Paragraph (2). Sociologically, based on legal needs society regarding the leniency when the marriage agreement was made that is the phenomenon of a husband and wife for some reason feels they needed to make a marriage agreement after the wedding day was held. Juridically, the issuance of PMK Nr. 69/PUU-XIII/2015 is not solely on the basis of unconstitutionality, but also on a conflict of norms between Article 29 Paragraph (1) of Act Nr. Year 1974 with general provisions of the ageement in Book III Code of Civil Law. Referring to PMK No.69/PUU-XIII/2015 which was strengthened by Act Nr. 2 Year 2014, Notary has the right to ratified the marriage agreement into an authentic deed so that there is no justifiable reason for the Department of Population and Civil Registration and Office of Religious Affairs rejects the authentic nature of the deed which is validated bay notary.

Keywords: Consequence; Legal, Constitutional Court Decision; Marriage Agreement

1 Introduction

The existence of the Constitutional Court (hereinafter abbreviated to the Constitutional Court) as the guardian of the constitution since the amendment of the 1945 Constitution of the Republic of Indonesia (hereinafter abbreviated to the 1945 Constitution of the Republic of Indonesia) has resulted in many decision that attracted of the public attention. The Constitutional Court was born intended for the implementation of a stable state government and repairing all happened in the state administration in the past due to the dual interpretation of the Constitution of the Indonesian Republic at that time [1] .

The Constitutional Court is a branch of the state in the field of judicial power as a stated in the 1945 Constitutional of the Republic of Indonesia Article 24C Paragraph (1) stated that “The Constitutional Court has the authority to judge at the first and last levels whose decisions are final and binding to examine the act against the Constitution of Indonesian Republic 1945, to decide the dispute of branches state authority whose granted by the Constitution of Indonesian Republic 1945, to decide on the dissolution of political parties and decide on disputes over the results of general elections. The mandate of the Constitution of The Indonesian Republic once again emphasizes that the Constitutional Court is present as a

concrete step to be able to mutually correct performance between state institutions and support the implementation of the check and balances system in Indonesia [2].

If we see the authority attached to the Constitutional Court, it is a tough task for the Court because that is to align requirements of the applicant with the existing constitution in Indonesia. Beyond that, Constitutional Court's decisions have the pros and cons polemics in society. However, there are also decisions that have support of the community because they are deemed in accordance with rights of citizens as stated in the Constitution of The Indonesian Republic 1945. One of the Constitutional Court decisions which is quite famous is that of the Constitutional Court Decision Number 69/PUU-XIII/2015 (hereinafter abbreviated as PMK Nr. 69/PUU-XIII/2015) for a petition for judicial review of Act Number 5 of 1960 concerning Basic Agrarian Regulations (hereinafter abbreviated as Act Nr. 5 of 1960) and The Act Number 1 of 1974 concerning Marriage (hereinafter abbreviated as Act No. 1 of 1974) which has made new arrangements regarding marriage agreements in Article 29 of Act Nr. 1 year 1974. The Constitutional Court decision states that Article 29 Paragraph (1) of Act No. 1 of 1974 is unconstitutional conditional as long as it is not interpreted, "At the time, before taking place or while in the marriage bond, both parties with mutual consent can submit a written agreement that is legalized by a marriage register or notary, after which the contents also apply to third parties as long as the third party is involved [3].

The marriage agreement before the Constitutional Court decision is regulated in Article 29 of Act Nr. 1 Year 1974 which states that a husband and wife cannot enter into a marriage agreement after being in marital status, because the agreement must be made before the marriage or when the marriage takes place and is valid from the time the marriage takes place therefore the agreement cannot be changed during the marriage. According to the Code of Civil Law joint property which is comprehensive is a normal result of a marriage. Meanwhile, the limitation or closure of any comprehensive of joint property can only be carried out with a marriage agreement [3]. The existence of the provisions in Article 29 of Act Nr. 1 Year 1974 regarding the time of making a marriage agreement that must be made before or when the marriage takes place makes a husband and wife feel that their constitutional rights are limited as regulated in the Constitution of Indonesian Republic 1945. The married couple feels their constitutional rights are limited in terms of the freedom of 2 (two) individuals to do or when to make an agreement, which is contrary to Article 28E paragraph (2) of the Constitution Indonesian Republic 1945 which states that, "Everyone has the right to freedom of belief, to express thoughts and attitudes, in accordance with one's conscience [4].

Article 29 Paragraph (1), paragraph (3) and paragraph (4) Act Nr. 1 Year 1974 is considered contrary to Article 28E paragraph (2) of the Constitutional Indonesian Republic 1945 which was the subject of judicial review [4]. The results of the judicial review have an impact on the permission to make a marriage agreement as long as the marital ties. The Constitutional Court in this case added a new norm in the provisions of Article 29 of Act Nr. 1 Year 1974 in which a marriage agreement can be made before the marriage takes place, when the marriage takes place, and during the marriage bond. The inclusion of new norms contained in the Constitutional Court decisions in the future may lead to various responses including the following of Constitutional Court decision in the society [3].

2 Method

This research uses normative legal study with rationality will examine the juridical, sociological, and philosophical based on issue of PMK nr. 69/PUU-XIII/2015, and also internalization of the implementation the marriage agreement post PMK Nr. 69/PUU-XIII/2015. The approach of this legal research is with the Statute Approach, Legal Analytic and Conceptual Approach. Collecting data is taking by an inventory, studying, and exploring legal materials related to problems in research through literature and document studies. Data analysis wear descriptive analysis techniques systematically and interpretatively to identify and uncover existing problems [5].

In this study, primary data and secondary data were used. Primary data were collected through observation and interviews. Secondary data is collected through literature / document studies, namely on legal materials that are relevant to the research problem. This research method is carried out in the form of previous studies, textbooks, related news in print media, as well as online data search on the internet. And this method is very useful because it does not interfere with the object of research or the atmosphere of research [6].

This research is descriptive in nature, so the sampling technique used is non-probability sampling, meaning that in this study there is no definite rule on how many samples must be taken in order to represent the population. Data processing and analysis techniques in this study will be carried out qualitatively. All data from the research results were collected both from primary data and secondary data, processed and analyzed by systematically compiling the data. The data that has been compiled are linked between one data and another, then interpreted to understand the meaning of the whole data. The analysis process continues since the search for data in the field and continues until the analysis stage [7].

3 Result and Discussion

Juridical, Sociological, and Philosophical Basis The Constitutional Court Decision Number 69/PUU-XIII/2015

The development of marriage law in Indonesia are not only reflected in the amendment of Act Nr. 1 Year 1974 became Act Nr. 16 Year 2019, but can also be reflected in the existence of the Constitutional Court decisions regarding marriage which can be used as a reference for dealing with a case that is not regulated in law and/or used as guide for other judges to resolves a similar case (jurisprudence). One of the Constitutional Court decisions that have influenced the development of marriage law in Indonesia is PMK Nr. 69/PUU-XIII/2015, which is broadly oriented regarding the timing of the marriage agreement.

If studied more further, the provisions of Article 29 Act Nr. 1 Year 1974 concerning the time when the marriage agreement must be made before and / or when the wedding day takes place has actually limited the constitutional rights of the parties as stipulated in the Constitution of Indonesian Republic 1945. In this case the parties have limitation of their constitutional rights in terms by freedom that is 2 (two) individuals to do or when to make an agreement, this is specifically contrary to Article 28E paragraph (2) of the Constitution of Indonesian Republic 1945 which states, "Everyone has the right to freedom of belief, to express thoughts and attitudes, according to conscience".

Referring to the theory of legal protection by Philipus M. Hadjon, the existence of PMK Nr. 69 / PUU-XIII / 2015 which strengthens with provisions of Article 29 Act Nr. 1 Year 1974

actually reflects the existence of legal protection for dignity, as well as recognition of the human rights as legal subjects based on legal provisions. As for the human rights protected in PMK Nr. 69 / PUU-XIII / 2015 are the rights of Indonesian citizens who are married to foreigners.

After the issuance of PMK Nr. 69 / PUU-XIII / 2015 there is a leniency in the regulation of the marriage agreement where that it can be made after the wedding day and / or during the marriage bond period, this is of course very beneficial for Indonesian citizens who have already married foreigners, especially those who previously did not enter into an agreement marriage. The issuance of PMK No. 69 / PUU-XIII / 2015 are of course based on various foundations, while these are as follows:

Philosophical Basic; in line with the view of life as a nation and state, awareness and ideals of Indonesian law based on Pancasila, marriage is a noble and sacred act oriented towards human rights in terms of forming a family through a legal marriage as guaranteed under the provisions of Article 28B paragraph (1) Constitution of Indonesian Republic 1945. Observing the phrase "at the time or before the marriage took place" in Article 29 paragraph (1), the phrase "since the marriage took place" in Article 29 paragraph (3), and the phrase "while the marriage took place" in Article 29 paragraph (4) Act Nr. 1 Year 1974 then it can be understood that the provisions of Article 29 paragraph (1), paragraph (3), and paragraph (4) Act Nr. 1 Year 1974 contradicts with Constitution of Indonesian Republic 1945 conditionally as long as not interpreted, including during the marriage bond. The contradiction meaning as the limitation of a person's constitutional rights (in this case the husband and / or wife as parties to the marriage bond) as regulated in the Constitution of Indonesian Republic 1945 [8].

Referring to three forms of state obligations and / or responsibilities in the framework of a human rights-basis approach as we described above which are related to the judicial review of Article 29 paragraph (1), paragraph (3), and paragraph (4) of Act Nr. 1 Year 1974 therefore the issuance of PMK Nr. 69 / PUU-XIII / 2015 after the case review for Act Nr. 5 Year 1960 and Act Nr. 1 Year 1974 against the Constitution of Indonesian Republic 1945 proposed by Ike Farida, it can be said that the state through the Constitutional Court has fulfilled its obligations to respect, protect and fulfill the human rights of its citizens. The three forms of obligations and / or responsibilities that have been carried out by the state as referred to above each contain an element of obligation to act, in which the state has taken certain steps to fulfill the fulfillment of rights and obligations in the context of human rights in Indonesia [9].

Sociological Basic; Sociologically, as consideration of the issuance of PMK No. 69 / PUU-XIII / 2015 is from the existence of a legal need in society that is oriented towards the aspects of the marriage agreement. Based on these sociological considerations, it would be appropriate if the adage "ubi societas ibi ius" is interpreted that society cannot be separated from the law. In this case it is also right to say that law have dynamic characteristic that a rule of law will always evolve according to the times and / or changes that occur in society such as in Indonesia. The development of law in Indonesia itself can be observed with the emergence of various new legal provisions such as PMK Nr. 69 / PUU-XIII / 2015 which is oriented towards the implementation of the marriage agreement [4].

Article 29 paragraph (1) Act Nr. 1 Year 1974 stipulates that the marriage agreement is carried out before the wedding day or at the time of the wedding day, although in reality there is a phenomenon of husband and wife who for some reason only feels the need to make a marriage agreement after the wedding day (during the marriage bond period). The reasons that are generally used as the basis for the making of the agreement after the wedding day (during the period of the marriage bond) is the negligence and ignorance that in Act Nr. 1 Year 1974 there are provisions that regulate the marriage agreement made before the wedding day and /

or when the wedding day takes place. Another reason is that there is a risk that may arise from joint property in marriage because the husband and / or wife's work has consequences and responsibilities on personal assets, so that each property acquired can remain as private property [10].

It will become a serious problem when the law for community as stated in a statutory regulation turns out to be contradicting to human rights, where in such conditions it can be said that the law what society needs are not fully accommodated and ignore the human rights that have been regulated in the Constitution of Indonesian Republic 1945.

Juridical Basic; The marriage agreement has been regulated in Article 29 of Act Nr. 1 Year 1974. However, with the existence of sociological symptoms that arise in society regarding the timing of the implementation of the marriage agreement, after a material review is towards Act Nr. 5 Year 1960 and Act Nr. 1 Year 1974 against the Constitution of Indonesian Republic 1945 produced PMK Nr. 69 / PUU-XIII / 2015. If learned more into juridical aspects, the issuance of PMK Nr. 69 / PUU-XIII / 2015 is not solely based on unconstitutionality, but is also based on a conflict of norms, peculiarly between the provisions of Article 29 paragraph (1) of Act Nr. 1 Year 1974 with the general provisions of the agreement in Book III Code of Civil Law.

A marriage agreement wasn't based on the provisions of Article 29 paragraph (1) of Act Nr. 1 Year 1974 is considered invalid. Although the marriage agreement is specifically stipulated in Article 29 of Act Nr. 1 Year 1974, however, regarding the mechanism for implementing the marriage agreement is not clearly regulated in it. Such conditions have a consequence that the mechanism for implementing the marriage agreement still refers to the general provisions of the agreement as specified in Book III Code of Civil Law, especially regarding the validity of the agreement in the provisions of Article 1320 Code of Civil Law , regarding a prohibited cause in Article 1337, as well as the principle of legal certainty (pacta sunt servanda) in Article 1338 paragraph (1) Code of Civil Law[11].

Article 29 paragraph (1) Act Nr. 1 Year 1974 actually has been injured the principle of consensuality in Article 1320 paragraph (1) Code of Civil Law which bases the mutual agreement between the parties. In entering into an agreement the parties must be in a state of freedom to express their will. This is reaffirmed based on the principle of freedom of contract as stipulated in Article 1338 paragraph (1) Code of Civil Law. The principle of freedom of contract also means that everyone is free to make and / or not make agreements. If the provisions of the principle of freedom of contract are linked to the marriage agreement in Article 29 paragraph (1) Act Nr.1 Year 1974 this means that there is no obligation for the parties who are going to marriage to enter into and / or not enter into a marriage agreement, either before marriage, on the day of marriage, or after the day of marriage (within the period of the marriage bond). In this case it is clear that the marriage agreement in Article 29 paragraph (1) Act Nr.1 Year 1974 has overridden the principle freedom of contract as stated in Article 1338 paragraph (1) Code of Civil Law because there are restrictions on free will to determine the timing of the agreement.

Internalization of Marriage Agreement Post-Constitutional Court Decision Number 69 / PUU-XIII / 2015

PMK Nr. 69 / PUU-XIII / 2015 states that Article 29 paragraph (1), paragraph (3) and paragraph (4) Act Nr. 1 Year 1974 is conditional unconstitutional so that the Constitutional Court provides a constitutional interpretation of the paragraphs in Article 29 as intended. At PMK Nr. 69 / PUU-XIII / 2015, the Constitutional Court stated that Article 29 paragraph (1) of Act Nr.1 / 1974 is conditional as long as it is not interpreted, legalized by a marriage

registrar or notary public, after which the contents also apply to third parties as long as the third party is involved ". This means that now a husband and wife can make a marriage agreement regarding the separation their assets during marriage attached without having to go through a court order. If in the marriage agreement the parties have determined that the property that was previously joint property becomes the personal property of each party, then the property acquired by the husband and wife during the marriage either before or after the marriage agreement was made will become the property of each of them. This can minimize the risk of joint assets in marriage because the husband and / or wife's work has consequences and responsibilities on personal assets. So if after the marriage agreement was made while in the marriage bond, something happens that causes one of the parties to bear compensation up to his personal property, then the other party will not include of losing [10].

In line with the unconstitutionality of Article 29 paragraph (1) Act Nr. 1 Year 1974 based on PMK Nr. 69 / PUU-XIII / 2015, Article 29 paragraph (3) of Act Nr. 1 Year 1974 is also declared conditionally unconstitutional as long as it is not interpreted as "The agreement enter into force since the marriage takes place, unless otherwise stipulated in the Marriage Agreement". This means that for a marriage agreement made before the marriage takes place and / or is made at the time of the marriage, as well as those made during the marriage bond, the parties can determine the time it takes effect. In the event that the parties do not determine a time to take effect, then for the sake of law the marriage agreement shall come into effect from the time the marriage took place.

Article 29 paragraph (4) Act Nr.1 Year 1974 also include from a conditional unconstitutional statement as long as it is not interpreted. approval to change or revoke, and the change or revocation is not detrimental to the third party ". By declaring the conditional unconstitutional to Article 29 paragraph (1), (3), and (4) Act Nr. 1 Year 1974, it can be understood that there is an extended meaning the content of the marriage agreement where the marriage agreement not only regulates marital assets but also regarding other agreements outside of marital property. In addition, the current marriage agreement can not only be changed, but can also be revoked based on the agreement of both parties and does not make any loss of the third party [11].

The consequence of the parties in making a marriage agreement is that both parties will be bound by each other to carry out their rights and obligations in accordance with every single terms which determined in the agreement. In the parties make a marriage agreement based on an agreement, this means they are concerned do not want the rules that have been provided by the government so they arrange them according to their wishes. Even though the Constitutional Court provides an opportunity for an agreement to be made during the marriage bond, the content of the marriage agreement is limited in relation to ownership of land and buildings in Indonesia so that husbands or wives who have foreign nationals still cannot have property rights or HGB or HGU for any reason (Brata 2018: 10). On the other hand, Indonesian citizens who are married to foreigners are given protection by allowing a marriage agreement to be made during the marriage bond for a partner who has not made a previous agreement, so that Indonesian citizens can still get their constitutional rights over ownership of land and buildings in Indonesia [1].

Referring to Act Number 2 Year 2014 concerning Amendments to Act Number 30 Year 2004 concerning the Position of Notary (hereinafter abbreviated to Act Nr. 30 Year 2004), notaries are authorized to make authentic deeds regarding all actions, agreements and stipulations required by a general regulations or by interested parties want it to be stated in an authentic deed, guarantee the certainty of the date, keep the deed and provide the grosse, copy and excerpt, all as long as the deed is made by a general regulation it is not assigned or

excluded to other officials or persons (Adji 2008 : 20). Against the resistance faced by notaries as previously described, with due regard to Act Nr. 30 Year 2004 and refers to PMK Nr. 69 / PUU-XIII / 2015, the notary legally has the right to ratify the marriage agreement into an authentic deed so that there is no reason from the population and Civil Registration Service and KUA that can be justified in rejecting the authentic character of the marriage agreement deed which is legalized by a notary..

4 Conclusion

The philosophy of PMK Nr. 69/PUU-XIII/2015 based on a view of life, awareness, and legal ideals which include the mystical atmosphere and the philosophy of the Indonesian Nation grounded by Pancasila and the Constitution of the Indonesian Republic 1945, peculiarly Article 28E paragraph (2) which is unfully integrated to provisions of Article 29 paragraph (1) Act Nr. 1 Year 1974. Juridically, the issuance of PMK Nr. 69/PUU-XIII/2015 neither solely the basis of unconstitutionality, but also based on the existence of conflict norms between Article 29 paragraph (1) Act Nr. 1 Year 1974 with the general provisions of the agreement in Book III of Code Civil Law. Article 29 paragraph (1) Act Nr. 1 Year 1974 has been limits the free will of parties to enter into agreement so that there is a deviation from the principle of freedom of contract and the principle of consensualism which states that the agreement applies immediately at the time agreement was made of. With reference to PMK Nr. 69/PUU-XIII/2015 which was strengthened by Act Nr. 30 Year 2004 in fact that notaries legally have the right to ratify the marriage agreement into an authentic deed so that is no justifiable reason for the Population and Civil Registration Service and Religious Affairs Office to rejecting the authentic deed of the marriage agreement which already ratified by the notary.

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Transformation of baliseering into *ajeg bali*: Comodification of bali in exotic tourism industry

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Abstract. This study aims to: (1) understand the commodity of the tourism industry on Baliseering and *Ajeg Bali* Program; (2) analyze the transformation that occurred in the commodification of Bali. The current research referred to Historical Method with the following steps: heuristics (data collection), source criticism (validity of data sources), interpretation (interpreting data into facts), and historiography (in a critical perspective). The results showed that there is a relationship between The Baliseering Program and *Ajeg Bali* Movement, namely there is a transformation of the *zeitgeist* to commercialize the exotic Balinese culture. The exotic culture of Bali was preserved as a cultural tourism commodity by the Dutch government, while in the post-colonial times Bali was totally commodified, not only its exotic culture but also land, customs, and religious system. The ideological conflicts among the Balinese people are continuously used as the background of this commodification of Bali. Continuous capitalism (mimicry) occupied a special position in these two movements. The discourse Baliseering and *Ajeg Bali* are seen as counterproductive discourse taking the account of *zeitgeist* and *cultuurgebudenheit* (the spirit of the times and the cultural ties of the times). However, as the investors and authorities have an interest on it, the tourism industry can be implemented and justified.

Keyword: *Baliseering; Ajeg Bali*; Cultural transformation.

1. Introduction

The promising potential of the Bali tourism industry prompted the Dutch colonial government to issue a Baliseering Policy. The policy aimed to preserve Bali, making it a living museum. To protect Bali from outside influences, the Dutch even canceled the plantation project on West Bali [1] and blocked the progress of the Balinese society, led by Balinese educated groups. The reformists were labeled as "red movement" with a communist ideology, which was a "ghost for western capitalism" at that time.

The idea of Baliseering was initiated by H. Te Flierhaar, a school supervisor in Klungkung. His article entitled "*De Aan passing het Inlandsche Onderwijs op Bali Aan de Eigen Sfeer*" published in 1931 in Batavia became the basis for the Baliseering Policy of the Dutch colonial government to promote Bali in order to attract tourists [2].

The history of Baliseering policy repeated itself marked by the emergence of the *Ajeg Bali* Movement in 2002[3]. This program is aimed at preserving Balinese culture. *Ajeg Bali* was

originally a form of resistance against terrorists who boomed Bali. It is interesting to note the transformation that occurred on the reemergence of Baliseering Policy on *Ajeg Bali* Program [4].

The writings about Bali are needed in this study, such as 'Bali' [5], 'Island of Bali' [6], 'Spell of Power: A History of Balinese Politics, 1650-1940' b'Bali: Culture Tourism and Tourism Culture' [8]. A Literary Mirror: Balinese Reflection on Modernity and Identity in The Twentieth Century and a collection of essays edited by Nyoman Darma Putra and I Gde Pitana Bali, in the National Character Building Process [9], Bali Tempo Doeloe [10], The Dark Side of the Island of the Gods: A History of Political Violence [11] [12]. Discussed the importance of the Baliseering Policy in providing the pondation for the development of Balinese cultural tourism. [12] examined "Baliseering Genealogy: Unraveling the Ideology of Colonial Education in North Bali and Its Implications in the Era of Globalization", Dissertation, Udayana University Denpasar. The writing explains materialistic, secular, and hegemonic ideologies included in Balinese structure and culture, found on the production of wall reliefs, placement of clocks in *Catus Pata* (center of the four junction road), existence vehicle reliefs at *Dalem Jagaraga* Temple, and naked Balinase female used as promotion tools.

Ajeg Bali according to [14] is a utopian power construction, non ideological and paradoxical. Unmistakably, *Ajeg Bali* has trigered conflicts caused by arrogance presented by the local security grup and *Pacelang* in Bali. *Ajeg Bali* is a responsive ideological construction that serves as a security wall against terrorist and foreign capital. Eventhough, the authorities continues to construct and promote touristic culture, not cultural tourism ([8], foreign investors still commits ideological violations that make Balinese people become foreigners in their own land.

Geria [15] explains cultural transformation as a cultural concept that opposes linear concept by looking at the continuity and discontinuity of culture that occurs. Structurally functional cultural dynamics occur in three cultural forms, namely: (1) ideas, thoughts, ideals, and norms; (2) Socio-cultural system; (3) Artifacts, in the form of existing objects. Transformation sees culture changes in form/structure, function and meaning, along with the times. The authorities and investors have an interest in preserving or revitalizing the old cultural system for thier own interests to maintain their existence.

Based on the above background, the purpose of this research is (1) understanding the idea of Baliseering Policy and the ideology of the *Ajeg Bali* Movement; (2) understanding the ideology transformation of the Baliseering Policy on the *Ajeg Bali* Movement.

2. Method

The study used a historical writing procedure, with the following steps: (a) Heuristics, the study begins with the search for sources, both contemporary and non-contemporary, such as documents, newspapers, bulletin, monthly magazines, artifacts, books, and photos in the time of the implementation of Baliseering Policy (1919-1942) [13]. (b) Source Criticism, the sources that were collected then read, criticized, legally tested, and compared, so that the source could be trusted. (c) Interpretation, interpreting the data into a discourse (cultural history facts). (d) Writing an article. The social science perspective applied is economics by examining the basic factors of the tourism industry during the Baliseering and *Ajeg Bali* era. As the event expnded from pre-independence to post-independence, the concept of mimicry, hybridization and oppression are included. Political economy theory and postcolonial criticism discussed by theorists, such as Gramsci, Edward Said, Gayatri Cakravorty Spivak, Frans Fanon, and Homi K. Bhabha were used in the analysis process.

Critical history methodology employed critical theory in building facts to produce critical postcolonial historical stories. It can be found on the work of Edward Said with his theory of Orientalism (1978). It can also be found on the view of Lubis (2006) that states the essence of sublimated culture and politics in the west-east dichotomy and the subordination of west to east, a plurality views is needed. Sipivak highlighted the oppressed subaltern women. Historical and social writings only place men and authorities as dominant voices. It requires counter cultur and bigger attention to gender in the globalization era [16]. Fanon highlighted the identity, race, and ethnicity, especially looking at the black race that psychologically was under tremendous pressure, as a result of being the object of suffering of the western domination [16]. Homi K. Bhabha with the concept of mimicry and hybridization explains the mix of post-colonial culture, especially in the analysis of cultural forms in the form of ideas, thoughts, cultural behavior, and remaining artifacts.

3. Result and Discussion

Caste Conflict a Gateway to Baliseering

Baliseering Policy introduced the ideology of Balinization through education, by adapting the Balinese culture to the education system. HIS School in Kelungkung changed its curriculum in 1930. The change was in drawing subject by recruiting "traditional teachers", graduated from teacher courses (MULO). The main policies of Baliseering were stated by Flierhaar (1931 on [13]): School building in Bali must be built according to Balinase style; Changing the form of drawing subject; Changing the form of singing subject; Collecting reading material for making books; Incorporate elements of Balinese dance into sports education [13].

The Baliseering Policy was also followed by blocking cristian missionaries, Lekkerkerker wrote about the opposition between the Zending and Western orientalisists in the *Tijdschrift Colonial*, related to the prohibition of Zending and Christian Missionaries [13], and oppresing modernist group by accusing them of being the "Red Movement, having a comonist ideology". The modernist group was said to threaten the great Balinase civilization on the justification that Bali was a remnant of 15th century Hindu civilization. This letter became the root of caste conflict in Bali, between *Triwangsa* (noble) group and the modern educated *Jaba* (lay people)

The conflict was marked by the publication of *Surya Kanta* and *Bali Adnyana* magazine. The *Bali Adnyana* magazine, first published on January 1st, 1924 [17] represented the idea of artodochism. I Gusti Tjakaratanaya, *triwangsa* key figure, argued that caste and the *Tirta* religion was originating from Java. The article prompted *Wangsa Jaba* to react because they were said damaging Balinese tradition. *Wangsa Jaba* responded by establishing the *Surya Kanta* Association publishing *Surya Kanta* Magazine. The key figures of the *Surya Kanta* were Ketut Sandi (official of Singaraja), Nengah Merta (teacher), Ketut Nasa (teacher). *Surya Kanta* Association and the *Surya Kanta* Magazine were established on November 1, 1925, [18].

The *Jaba* group aimed at empowering poor farmers because of market economy brought by western modernism, the rapid development of the population, and the spread of influenza virus. Some ideas of the educated elite that failed to spread were (1) fostering community economic awareness through cooperation and (2) spreading ideas of efficient *Pengabenan* ceremonies, especially the *Ngaben* tradition, [18].

The Dutch thought that the ideas of modernity unfavorable for their political interests. Caste conflict used to silence the *Jaba* wangsa group, the educated elite, and the idea of a national revival (Bhudi Utomo). Theoretically, both the conservative and the progressive groups have a

plausible basic argument. However, *Tri Wangsa Grup* prevailed because of the power behind the reproduction of truth [19].

Bali as the Tourism Industry: Commodification of Bali

The Dutch power orientation was to manipulate Bali into a "dollar machine" or "smokeless factory" for cultural tourism, while the effect was that Bali became a consumptive tourism culture (cf. [8]). To protect Bali from outside influences, the Dutch government issued a protective policy to block the influence of capitalism, nationalism, communism, and modernism, so that Bali remains untouched and it become living museum of traditional cultural with its primitive image. Politically, the Dutch government was isolating Bali from the nationalist movement from Java, developing anti-Javanese Islamic sentiment and Javanese influence to Bali which happened since the time great Kingdom of Mojopahit.

Preparations were also made by renovating the ancient temple, adding hegemonic reliefs in the most sacred temple such as reliefs of raping, airplanes, drinking beer, bicycles, etc. The Buddhist teachings that encourages self-controlled are omitted by showing exotic scenes at Dalem Sangsit Temple, Balingkan Bungkulan Temple, Beji Sangsit Temple, Maduwe Karang Temple Kubutambahan, and Segara Madu Jagaraga Temple [20]. Modern painting class was administered by the Pitamaha foundation under the guidance of Wolter Spisce and Arie Smith in Ubud. Its main objective was to prepare balinese artist to produce art works that can be sold to tourist. Classical painters were directed to modify their style to follow western style. Krause [5] printed hundreds of exotic picture about Bali (1920-1930s). Through KPM, Balinese culture such as Balinese dance, Balinese women with exposed breasts, traditional markets, cremation rituals, etc was introduces to western word.

Tourism industry factors greatly support the success of a tourism product, including: Bali with the concept of "*nyegara-gunung*" makes it rich in natural attraction and temples. The concept of "*nyegara-gunung*" is the basis of Balinese philosophy called the *rwabhineda* concept. It affects the land use in Bali. Land is divided into three areas, *hulu* or upper areas (mountains), *teben*/lower areas (sea), and middle (plains) area specifically build for housing (called *pawongan*). This concept is called *Trihita Karana*, which is three harmonious relationships to create happiness consisting of human relations with God, humans with humans, and humans with the natural environment[20].

The distribution of temples in Bali is also based on this concept. Major temples were in mountainous areas and on beaches (Public Temples). Meanwhile, large temples in the middle area (*Pawongan*) are for worshiping ancestral spirits, such as Dadia, Kawitan, Merajan Agung and Swagina temples[21]. *Subak* as a production unit in a subsistence economy also contributed in creating the beauty of Bali [22]. The speciality of Subak is creating beautiful, stunning rice terraces that demonstrate craftsmanship in constructing water dams, tunnel and waterways that stretch tens of kilometers. Foreigners see this rice terrace as a hanging garden, like a natural painting, with varying colors depending on what season the rice fields are seen. The beautiful scenery is supported by sophisticated culture, plowing the land using buffalo-pulled plow and traditional hoe, *nambah / numbeg*, *nengala*, *ngelampit*, *melasah*, *ngabut bulih*, backwards planting rice technique, catching the baby dragonflies (*nyeser*), *mekukung*, harvest rice with *ani-ani*, mutual cooperation of *mebleseng*, ritual of storing rice to the ricebarn.

Subak is a technician and manager in regulating water distribution and performing rituals related to the *subak* temple, *Ulun Swi*. The temple is related to the *buka* (dam) of the main water source. The subak organization existed in the 11th century, recorded in the Klungkung inscription, the Manukaya inscription, the Tengkulak inscription and the Bangli inscription. Subak is a Balinese supporting organization. Bali has three supporting pillars, namely Subak,

Traditional Village, and Kingdom (feudalism). Subak with its rice fields, water, and rituals, Traditional Village as the implementer of Balinese tradition and customs, and the kingdom as the center of civilization, are important for Balinese life as a whole[22].

The male Balinese are portrayed as lazy, heavy gambler, and dependent, especially to their spouse. In the spare time after planting rice, male Balinese would entertain themselves by *mebombong* (training fighting cock). Street cockfighting is called a *branangan* with a modest bet. Whereas cockfighting in the *Tajen* arena is carried out with clear norms, betting rules, the presence of *Tajen* official (*Saya*), *pakembar*, and *bebotoh*[23]. That is the image of male Balinese. Lazy, gambler, and dependent image was consciously constructed by Dutch government to create the ancient impression (living museum). Several photos of Balinese were used as a promotion tool to Europe. To Europeans, Balinese people look innocent and their eyes are exotic. Balinese also well know for their uniqueness, especially their dancing skills [24].

The Balinese artists produced amazing art works, dominated by classical arts such as *wayang* (puppet), masks, *barong* and other art works. Old Balinese did not commercialize their art work. They presented their work as an offering to their gods. Art works at old time were mainly used as temple or holy places accessories, holy water containers decoration, *pratima* (god idols) and other temple related items. The cultural factor is a capital asset of the cultural tourism. Balinese cultural tourism products are valuable items in the world tourism market. Exotic culture is the most interesting show because it is endemic in Bali. Baliseering introduced exotic cultural tourism, such as shrine, temple wall reliefs, as well as exotic Balinese nature and people.

Ajeg Bali: Post-Colonial Commodification of Bali

Balinese interpret *Ajeg Bali* as a return to the origin, pure and peaceful Bali. *Ajeg Bali* offers Balinese an answer to an empty modernization [25]. The construction of *Ajeg Bali* coincided with the inauguration of Media Bali TV. At that time, Governor Beratha conveyed the vision and mission of Bali TV, namely "Developing and Promoting Balinese Customs and Culture". Bali Boombing turned the job market hard for Balinese. Thus, Balinese had to fight in another sector, namely the informal sector business. Unfortunately, non-Balinese ethnic groups dominated the informal business sector. It created the image of insecure Bali. So, Bali needed protection in the context of Balinese history, customs and culture. It emerges in the form of *Pecalang* and self-formed security[26].

Viewed from the socio-cultural transformation, the core conflict is actually a conflict of economic interests, represented on the *Dangin Tukad* and *Dauh Tukad* discourse. The conflict transformation that has been constructed since the Baliseering policy is based on the construction of Java as a Balinese colonizer from Mojopahitization to Islamization re-emerged in the discourse of *Ajeg Bali*. *Pecalang* is Balinese traditional guard [26]. Other self-formed security also exist, such as: *Lakar Bali*, *Baladika*, *Pemuda Bali Bersatu (PBB)*, and newly formed is *Semeton Keris* a split from *Laskar Bali*. They often engaged in brawl over security service [27].

The weak character of the Balinese people is due to the influence of tourism culture, capitalism, and hedonistic materialism resulted in the idea of guarding Balinese ethnic identity, through education and Balinese culture. Nordholt [7] stated that the *Desa Pakraman* (traditional village) identified themselves as the last defender of the island of Bali. Thus, *Ajeg Bali* is synonymous to the *Desa Pakraman*. The *Ajeg Bali* movement transformatively brought *Desa Pakraman* to be dominative and hegemonic, which implies the emergence of disharmony in Balinese society psychologically, because the concept of *penyambrayaan* (family unit) is now marginalized [28].

Transformation of Baliseering to Ajeg Bali

Ajeg Bali raises ethnocentrism which produces stereotivism against other ethnicities. This indication arises in connection with the migrants and their further impact. Referring to Sukarma (2009: 10), further impacts occur due to instability of spatial supporting capacity, decreasing ecological quality, uncontrolled population, tighter competition, denser social spaces, pseudo-social interaction and integration, wide social autonomy and cultural differentiation. Degung Santikarma said that migrants were often positioned as trouble makers who threaten both Balinese and their cultural identity. The migrant are said to destroy "identity" because they come from different customs background, cultures and beliefs, while the Balinese are the guardians of tradition and the purity of Hinduistic cultural identity [29]. When criminal cases reported, the perpetrators were quickly labeled as *dauh tukad* or *dangin tukad* people (non-Balinese), a sign of "war-ready culture" (armament culture). This indication is a marker of dissociative social processes that are not accordance with the concept of multiculturalism. The competition that occurs is fight over economic resources between Balinese and foreign ethnic groups in Bali [30][31]. This strategy is not only intended to differentiate itself from the opposing parties, but also to foster social solidarity among Balinese. In order to reach associative interactions (preventing dissociative interactions), the idea of accommodation must be developed (called hybridization and mimicry by K.Bhabha, in [16]), so that no one loses personality.

There is a transformation of the spirit and culture of Baliseering Policy into *Ajeg Bali*, it is excessive ethnocentrism and ethnic stereotypes. The results of the study are summarized in the following table.

Table 4.1 Transformasion of *Baliseering* on *Ajeg Bali* Movement

No.	<i>Baliseering</i>	<i>Ajeg Bali</i>
1	Caste conflict was constructed to stop the educated modernity group.	Ethnicity is constructed to builds resilience and a sense of oppresed from other Ethnic " <i>Dauh Tukad</i> and <i>Dangin Tukad</i> ".
2	Capitalism turned exotic cultural as object of tourism industry and disguised as Baliseering (Conservation)	Capitalism is protected from terrorist threat, the protection of tourism objects as a product of the tourism industry.
3	Caused by the criticism of Dutch violence in Puputan-war in Bali (1906 Badung; 1908 Klungkng).	Triggered by Bali Bombings I and II (2002, 2005).
4.	Schools were used as a tool of Balinization (Picard 2006).	<i>Pecelang</i> and self-formed secutiry (Laskar Bali and Baladika) are a mean of protecting the safety of Bali.
5.	The actor was Dutch Colonial with Tourism bussines interests	The actors were Balinese, initiated by the Bali Post Media Group.

The Contra Productive Indication of the *Ajeg Bali*

Ajeg Bali raises two warning signs. First, the position of the *Desa Pakraman* based on Balinese culture and Hinduism is strengthening. *Desa Pakraman* has extensive authority, not only for custom and religious matter, but also security, people, and creating local regulation. Second, *Pacelang* has the right to make policies for migrants (minorities). Immigrants are accepting of all *Desa Pakraman* policies [29].

Hybridization and multicultural thinking are needed in developing the future of Balinese Cultural Tourism. Historically, Bali does not only have a Hindu background, but also Malay Austronesian, Islamic and Christian civilizations. By developing ideas of hybridization and multiculturalism, ethnic arrogance can be reduced in a country that based on The 1945 Constitution and *Pancasila* ideology as well as the agreement of the state founder. Historical

accident is common in the history of mankind, by learning from history, Indonesia will become great country [32].

4. Conclusion

The conclusions of this paper are as follow: Baliseering and *Ajeng Bali* hide the motive of commodification of Balinese culture; the ideology of Balinese culture preservation program is spread massively through political and educational policies, so that exotic cultural tourism can be accepted by Balinese; and both of the movements are constructing inter-regional, local and national conflicts. The suggestions that can be given are the factors of Balinese cultural tourism industry, such as Balinese nature, Balinese people and Balinese civilization (customs, *subak*, and Hinduism / Hinduism) must be preserved. The lost of these factors will lead to the death of Balinese cultural tourism, various parties related to the factors in tourism industry must understand that Balinese cultural tourism has been strengthened during the Baliseering era, so that they can learn from the Baliseering of the Dutch colonial era, and *Pacelang* should not construct inter-ethnic enmity but build inter-ethnic fraternity with the concept of *penyamabrayaan* (*Nyama Bali-Nyama Selam*).

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Legal Basis Analysis of Imposition of Land and Building Tax with Tax Object Selling Value

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Abstract. This study aims to determine the basics of tax imposition or calculation of the tax value on Land and Building Tax, with the Sales Value of Tax Objects in Buleleng Regency, and to determine the amount of land and building tax revenue in rural and urban areas (PBB-P2). This research is a type of legal research with empirical juridical studies, because this research deals with data. This research took place in Singaraja City, especially in the Regional Government Financial Management Agency Buleleng Regency. Data were collected using observation and interview methods. The data analysis was conducted in a descriptive qualitative manner. Based on the results of the analysis, the Buleleng Regency government has adjusted the tax object sale value on the land and building tax for rural and urban areas (PBB-P2). The adjustment of the tax object sale value rate is based on the amendment to Regional Regulation Number 5 of 2013, which was passed in 2018.

Keywords: Legal basis, Land, Building Tax

1 Introduction

Land and Building Tax are a mandatory levy taken by the government on a building used as a residence, company, and small and medium business actors. This land and building tax arises because of the economic benefits obtained by building owners, either as a residence or as a business. Land and Building Tax have an important role and great benefits for people's lives. The role of tax in a region is one of the revenues that can become a regional asset [1]. Taxes have two characteristics, namely taxes as income (budgeter) and regulation (non-budgetary) [2]. Budgeter or what can be said as income, where taxes as regional income will later go into the regional treasury who will be managed by the regions for the development and welfare of rural and urban communities so that a just and prosperous society can be realized based on Pancasila and the 1945 Constitution.

The main philosophy that underlies taxes is the participation of the community in development and increasing the welfare and prosperity of the people through increasing state revenue by imposing taxes [3][4]. Land and Building Tax are a levy on land and buildings that arises because of the profit and / or socio-economic position of a person or entity that has a right on it, or obtains benefits from it[5]. When viewed from its nature, Land and Building Tax are a tax that is material in nature. That is, the amount of taxes payable are determined from

the condition of the object, namely the land and / or buildings. Meanwhile, the condition of the subject does not determine the size of the goods.

In other words, Land and Building Tax are a state tax imposed on land and buildings, which has been regulated according to Law Number 12 of 1985 concerning Land and Building Tax (PBB) as amended to Law Number 12 of 1984. PBB Tax is a tax imposed on land and buildings, while the amount of land and building tax is determined by the condition of the object, namely land and building [6]. Land and building tax also has a material nature and the amount of taxes payable is determined by the condition of the land and building tax object. The earth is the surface of the earth and the body of the earth and what is under it[7].

As for the objects of the earth that must be paid PBB tax are rice fields, fields, gardens, land, yards, and mines. Whereas building objects according to the Buleleng Regency Regional Regulation Number 5 of 2013 Articles 3 number (2), namely environmental roads located in a building complex, residential houses, business buildings, multi-storey buildings, shopping centers, luxurious fences, swimming pools, toll roads, sports venues, shipyards, luxury parks, oil, water and gas reservoirs, and towers. The PBB tax base is a tax which is a source of state revenue, which is very significant in increasing and advancing development in a country, as well as for increasing the prosperity and welfare of its people. Therefore, the role of society is very important in terms of supporting governance.

The collection on PBB tax is based on Law Number 12 of 1994 concerning amendments to Law Number 12 of 1985 concerning Land and Building Tax. Then since the Enactment Of Law Number 28 of 2009 concerning Regional Taxes and Levies, the authority to collect land and building tax in the rural and urban sector (PBB-P2) has been transferred to the district / city government. With the issuance of the Buleleng Regency Regional Regulation Number 5 of 2013 concerning Rural and Urban Land and Building Taxes in Buleleng Regency, PBB tax is paid to the regions through the BPKPD of Buleleng Regency.

The regulations issued are specifically intended to provide direction for land or building appraisal to assist local governments in determining the Tax Object Selling Value (NJOP). This is important to do because if the tax calculation is incorrect, it will be detrimental to the Regional Government itself as the party that collects the tax. The rules set forth in the Guidelines for Earth and / or Building Assessments are included in the Regulation of the Minister of Finance (PMK) Number. 208 / PMK.07 / 2018. This rule is given so that local governments can accurately estimate NJOPs that are relevant and in accordance with field conditions and ideal market values.

Basically, each region has a different NJOP value, and this is often used as the basis for PBB tax. NJOP is the average price of a sale and purchase transaction which is determined based on a comparison of the prices of other similar objects. NJOP value can be determined through the following three aspects: Comparison of object price, new acquisition value, selling value of substitute tax objects, and calculation of NJOP value per / meter. The adjustment to the NJOP value in Buleleng Regency has an impact on the increase in the value of rural and urban PBB taxes (PBB-P2), and the increase is very fantastic.

So that the purpose of this study is to be able to provide an understanding of the increase in the value of PBB tax in Buleleng Regency so that it can be in accordance with the Land Value Zone (ZNT), and the public will increasingly know and understand the increase in accordance with Regional Regulation Number 5 of 2013. Then to describe what efforts can be

made is made against the submission of objections by the public regarding the increase in the calculation of PBB and NJOP tax value.

2 Method

This research is about the analysis of the legal basis for the imposition of land and building tax on the tax object sale value (NJOP) in the Buleleng regency. The method used in this research consists of several parts, namely. This research is a type of legal research with feasible juridical studies, because this research is related to data, so this research is a practical lawful research [8]. Empirical legal research is the law adhered to by society. In this case, it is evident that the law is actually lived and used as a foundation by the community.

In research using the practical lawful method, lawful research is carried out to see the law in a real sense or the researcher can see how the law works in society. Empirical legal studies are studies that view law as a reality that includes social realities, cultural realities and others, not only examining law in books but also examining law in action [9]. This research aims to examine the lawful basis used in determining the increase in tax values in the Buleleng Regency area. How to calculate the Selling Value of the Tax Object so that it gets a value for calculating the value of the Land and Building Tax in Buleleng Regency.

This research took place in Singaraja City, Buleleng Regency, especially in the Regional Government Financial Management Agency of Buleleng Regency, which is located at Jalan Ngurah Rai No. 2 Singaraja. This research is based on preliminary considerations and observations that the researcher sees the number of complaints and objections made by the community in Buleleng Regency, so that the researcher feels new problems arise that can be minimized by referring to the rules apply permanently.

The data collection method used in this research study is by observation and interviews with the relevant local governments, in these case employees, officials and taxpayers in the Buleleng District Government Financial Management Agency. Literature / document studies are also related to the collection of primary legal materials consisting of several laws, government regulations, regional regulations that regulate rural and urban land and building taxes. The data processing and analysis techniques used in this study will be conducted qualitatively. The data that has been collected from the results of this study, both primary and secondary data, are processed and analyzed by methodically compiling these data. The data that has been arranged systematically are then linked to one another. After the data is linked, interpretation will be made to understand the meaning of the overall data collected. After going through a qualitative data analysis process, the data will then be presented in a descriptive qualitative and systematic manner [10].

3 Results dan Discussion

Buleleng Regency is one of the regencies in the province of Bali, which consists of 9 (nine) sub-districts, 19 (nineteen) wards, and 129 (one hundred twenty nine) villages. Based on the Regional Regulation of Buleleng Regency Number 14 of 2018 concerning Amendments to Regional Regulation 5 of 2013 concerning Rural and Urban Land and

Building Taxes, the basis for the imposition of PBB-P2 is the Sales Value of Tax Objects hereinafter referred to as NJOP, which will be from the NJOP base value.

NJOP will be renewed every three years by the Minister of Finance and applied by the respective Regional Heads, however certain tax objects can be determined annually according to the development of each region. The determination of the NJOP of land and / or buildings is carried out through a process known as the appraisal process. This assessment is carried out solely to estimate the value of land and / or buildings as PBB objects. The value generated in the appraisal process will later be converted back into the classification of land and / or buildings. The result after the conversion takes place will become the classification of land and / or buildings and then determine the NJOP per square meter.

Referring to Law Number 28 of 2009 concerning Regional Taxes and Levies [11], the government provides the highest PBB-P2 tariff limit which is set at a maximum rate of 0.3%. If seen from the figures, it can be interpreted that the effective tax rate is not high, and in the process of calculating the payable tax, it still receives a reduction in the form of Non-Taxable Selling Value (NJTKP). In the tax collection administration process, taxpayers / the public can submit complaints and objections if the tax determination is still high, and the accumulated nominal tax to be paid is too high. The NJOP, which is used as the basis for taxation of PBB-P2, continues to adjust linearly from time to time and can be updated once every three years, by following several factors of development, growth and investment as well as buying and selling transactions in an area.

Since 2020, the PBB rate in Buleleng Regency which has been imposed has decreased, previously the rate imposed was 0.1% for tax objects with a Tax Object Selling Value (NJOP) below an IDR 1 billion. Meanwhile, for the NJOP of an IDR 1 billion and above reaches 0.2%. Starting this year, tax imposition is divided into three groups, each 0.03% for NJOPs below IDR 1 billion, 0.08% for NJOP starting from IDR 1-5 billion and 0.05% for NJOP above the IDR 5 billion. The local government has adjusted the NJOP to the current conditions. The NJOP adjustment affects the nominal tax to be paid. A number of people who before the increase paid taxes of IDR 300,000, (three hundred thousand rupiah), but with this increase, it becomes IDR 1,800,000, (one million eight hundred thousand rupiah). This high increase can also be burdensome to the community, especially with the pandemic conditions that occur globally.

BPKPD (Regional Tax Financial Management Agency) collaborates with the Ministry of Finance's Directorate General of State Assets in determining NJOP that is in accordance with the prevailing market price. The elements of consideration that are used as a benchmark in tax imposition are electricity, water bills and also the location of the tax object itself. Taxpayers can submit objections during the filing period determined by BPKPD Buleleng Regency. There are two types of objections submitted by taxpayers, the first objection can be submitted directly to the BPKPD of Buleleng Regency. The second objection can be submitted collectively through the village apparatus. The government, in this case the Buleleng Regency Regional Tax Financial Management Agency, continues to consider the objections raised by the public / taxpayers. As it is known, in 2019 the Buleleng Regency Government distributed 202.188 SPPT sheets, with a tax assessment value of an IDR 40,4 billions. For this year, BKD Buleleng has set a PBB realization target of an IDR 24.13 billions. Until now, the realization of the potential for PBB-P2 has reached an IDR 3.21 billion.

As for some of the Legal Basis for Land and Building Tax (PBB), among others

- 1) Law No. 12 of 1985 as last amended by Law No. 12 Year 1994 on Land and Building Tax.
- 2) KMK No. 201 / KMK.04 / 2000 concerning Adjustment of the Sales Value of Non-Taxable Tax Objects as the Base for Calculating Land and Building Tax.
- 3) KMK No. 523 / KMK.04 / 1998 concerning Determination of Classification and Amount of Selling Value of Tax Objects as the Basis for Imposing Land and Building Tax.
- 4) KMK No. 1004 / KMK.04 / 1985 concerning the determination of bodies or representatives of international organizations that use objects of land and building tax that are not subject to land and building tax.
- 5) Decree of the Director General of Taxes Number: KEP-251 / PJ. / 2000 concerning Procedures for Determining the Amount of Sale Value of Non-Taxable Tax Objects as the Base for Calculating Land and Building Tax.
- 6) Decree of the Director General of Tax's numbers: KEP-16 / PJ.6 / 1998 concerning Imposition of Land and Building Taxes Circular of the Director General of Taxes Number: SE-43 / PJ.6 / 2003 concerning Adjustments of the Amount of the Sale Value of Non-Taxable Tax Objects (NJOPTKP PBB and Changes in the Value of the Acquisition of Non-Taxable Tax Objects (NPOPTKP) BPHTB for the 2004 fiscal year.
- 7) Circular of the Director General of Taxes Number: SE-57 / PJ.6 / 1994 concerning Confirmation and Explanation of PBB Exemption for Public Facilities and Social Facilities for Industrial Estates and Real Estate.

Regulation of the Minister of Finance of the Republic of Indonesia Number 208 / PMK.07 / 2018 concerning Guidelines for Assessing Rural and Urban Land and Building Taxes. In the imposition of the value of Land and Building Tax based on the value of the object, every taxpayer / community that has fulfilled subjective and objective requirements in accordance with the taxation legislation is obliged to register, record the place and position of taxpayers, individuals and entities. The subjective requirements of PBB P-2 are individuals / bodies that in actual / real terms have rights over the land and / or receive benefits over the land, and / or own, control and / or benefit from buildings. In addition to subjective requirements, the assessment of taxation can also be carried out by fulfilling objective requirements in the form of an assessment based on the place and position of the taxpayer listed in their ownership, except for areas used for plantation, forestry and mining business activities.

Based on the prevailing regulations, the basis for imposition of PBB P-2 tax is to refer to the NJOP value which can be renewed every three years by referring to the Regulation of the Minister of Finance, thus the Sales Value of Tax Objects is in accordance with developments in market prices in the community. The government, through the tax authorities, is functioning in determining, issuing and preparing PBB P-2 Tax Return (SPPT) for taxpayers. However, the community as taxpayers can always play a functioning role by reporting their tax objects that have not been registered / registered or have undergone a change / transfer of function, so that the government and society can be in harmony with carrying out their obligations for the common good. According to data from BPKPD Buleleng, Regional Revenue in 2020 was previously targeted at IDR 2,320,776,327,656. At the same time, after the pandemic and loss occurred in a number of income sectors, the target was corrected and decreased by 16.61 percent of the 2020 Buleleng APBD to become IDR 1,935,359,380,373.

The determination of the Tax Object Selling Value (NJOP) as the basis for the imposition of Rural and Urban Land and Building Tax (PBB P-2) is carried out by an assessment. Sales Value of Tax Objects (NJOP) is the average price obtained from sale and purchase transactions that occur fairly, and if there is no sale and purchase transaction, the Sales Value of Tax Objects can be determined by comparing prices with other similar objects new acquisition or replacement NJOP. The Selling Value of Tax Objects includes the selling value of the earth's surface (land, waters, interior, and sea of the regency / municipal territory) and / or the building attached thereon.

The basis for the imposition of land and building tax, namely, (Article 6 of Law No. 12 of 1985. Law No. 12 of 1994 in conjunction with Article 2 (3) KMK-523 / KMK.04 / 1998) which is the basis for imposition PBB is the Sales Value of Tax Objects (NJOP). The amount of the Sales Value of Tax Objects is determined every three years by the Minister of Finance, except for certain regions, which is determined annually in accordance with regional developments. Determining the NJOP value as the basis for imposition of Land and Building Tax in accordance with the Decree of the Minister of Finance No. 523 / KMK.04 / 1998, are grouped into group A and group B. Tax objects whose selling value per M2 is greater than the provisions for the Sales Value of Tax Objects occurring in that field are used as the basis for imposition of Land and Building Tax. In general, the amount of taxes payable are calculated by multiplying the tax rate by the taxable sale value (NJKP) in accordance with Article 7 of Law No. 12 of 1985. Law No. 12 of 1994, the amount or percentage of the Taxable Sales Value (NJKP) has been stipulated by a Government Regulation by taking into account the condition of the national economy.

The NJOP tariff adjustment is a follow-up to the amendment to Perda No. 5/2013 concerning PBB-P2. In this adjustment, the Buleleng Regency Government through the Regional Financial Agency (BKD), has hired an appraisal team to calculate the change in the NJOP PBB-P2 rate. Now, these tariff adjustments are starting to take effect for PBB P2 in 2019. Determination of the Sales Value of Tax Objects is not far from the mapping of land zone values. Land value zones are determined by the results of surveys conducted by the National Land Agency (BPN) as well as consideration of market prices and field location's land factually. The purpose of making a Land Value Zone is to provide information on land used in land services. The Land Value Zone (ZNT) is an area that describes the land value that is relatively the same from a set of land parcels in it. The boundaries are imaginary or nata according to land use and have differences value between one another based on comparative analysis of market prices and costs. Meanwhile, a land value zone map is a map depicting a geographical zone consisting of a group of land parcel rights objects which have one average value (NIR) which is limited by the limits of control / ownership in a village and sub-district administrative area.

4 Conclusion

The Buleleng Regency Government has adjusted the tax object sale value (NJOP) on the land and building tax for rural and urban areas (PBB-P2). As a result, the PBB-P2 bill in the taxpayer notification letter (SPPT) for the 2019 period will increase. The adjustment of the tax object sale values rate (NJOP) is based on the amendment to Regional Regulation (Perda) Number 5 of 2013, which regulates Rural and Urban Land and Building Tax (PBB-P2) which

was passed in 2018. “PBB-P2 tariff will increase. The increase in NJOP for land owners in an area of less than 1 hectare will not be too significant. On the other hand, for owners of hectares, the increase will be felt. If you only have 2 hectares of land, the increase will just be IDR 5,000.” Sales Value of Tax Objects (NJOP) is the average price obtained from sale and purchase transactions that occur fairly, if there is no sale and purchase transaction, the sale value of the tax object (NJOP) is determined through a price comparison with other similar objects, the new acquisition value or a substitute. Each Regional Head determines the Tax Object Sales Value (NJOP) every 3 (three) years in accordance with the Minister of Finance Regulation. The process of determining the value of the NJOP amount on land and / building is through the appraisal process by the appointed appraisal. The value generated in the appraisal process will then be converted into the classification of land and / or buildings. These results are used as the basis for classifying land and / or buildings so that the amount of the Tax Object Selling Value per square meter can be determined. Land and Building Tax (PBB P-2).

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Inclusive democracy in coastal communities (political sociology study on the election of *Perbekel* 2019 in patas village, Buleleng district, bali)

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Abstract. Inclusive development only can be manifested by the village head (called *Perbekel* in Balinese) who has inclusive vision on his political policy which implemented in all communities including coastal community. In recent years coastal community in Patas Village (Buleleng, Bali) need an inclusive development to bring welfare and prosperity for their own community by participating politically in Village head Election (abbreviated as *Pilkel*) 2019. This coastal community only choose a candidate who promotes environmental quality improvement and women empowerment as their indicator to make a social economic improvement. Coastal community itself is a community who has bargaining power on this election caused 40% economic activities of Patas Village is supported by this community. Therefore, the election process carried out by all of the candidates was not only targeted at those who were politically literate or sensitive, but also mothers and young people from this community who were unfamiliar with politics. This is certainly interesting considering that so far coastal communities are often apathetic to politics and also to politicians. In the context of research that uses a qualitative approach by conducting observations and interviews, it is known that: 1) The village head election 2019 in Patas Village brings inclusive democracy habituation among the people in coastal community 2) Political awareness of coastal communities in Patas Village is formed and built through a number of participatory empowerment and community-based programs where the results of these activities have a very positive impact on improving socio-economic life for coastal communities.

Keywords: Inclusive democracy; Coastal Society; *Perbekel* Election.

1 Introduction

The different characteristics of the ecosystem from the community also influence the political conditions of the coastal community itself. Populist approaches to mainland communities often do not work considering the contrasting environment and limited access forces politicians to find ways to increase the political participation of coastal communities themselves. However, it is very rare for this alternative approach to be realized and eventually changes that are not as expected are felt again by the coastal community itself.

The coastal community in Patas Village tries to fix this. In the context of coastal development in North Bali, the coastal community in Patas Village often gets a share. The developments that are present are not only structural in nature which are often top down, but are

included in philanthropic and community activities from the surrounding areas which are increasingly seen as getting better literacy and insight into coastal communities.

The selection of these two issues was motivated by the increasing political awareness of the coastal community towards their socio-economic conditions which was developed through the many empowerment programs from the government, universities and local communities that have the same target focus. The activities of planting coral reefs, cleaning the beach and sea, cultivating seaweed, and the participation of fishermen's wives in processing their catch have made significant changes to coastal communities. Environmental awareness, which is crucial for the sustainability of their economic life, has led the coastal communities of Patas Village, who mostly work as fishermen, to filter the vision and mission and programs of *perbekel* when they campaign.

In principle, the *perbekel* candidates also understand how they approach them. The community is now smarter in line with the more open and widespread information and education that can be obtained in a very easy, cheap and accessible way at any time. They also understand that the same approach to the different characters of society is a big mistake. However, *perbekel* candidates have understood that pre-campaign social capital and investment will greatly influence the outcome of the election itself. Now the coastal communities are more sensitive to politics and they are really making the village head election as a basis for changing their socio-economic conditions. Inclusiveness must also really target the right category / issue considering that coastal communities are increasingly dynamic.

As predicted, not all village head candidates have a vision and mission that focuses on these three issues. The campaign only dwells on what the candidates develop basically because they believe that brotherhood is above all else. In fact, one of the candidates, I Kadek Sara Adnyana, S.Pd, in its flagship program, carried routine *simakrama* (friendship) with the community of each banjar as the main program. If we look at the use of the term friendship juxtaposed with *simakrama*, this certainly makes it even more clear that semiotically the candidate is campaigning for inclusiveness in his political program. Not only that, programs for mothers and protecting the environment (including waste management) were also important issues discussed during their campaign.

Historically, considering its location which is right in the coastal area, the majority of the community (including the coastal community) in Patas Village is relatively open and very easy to visit, especially by migrants. The identity mentality that is awakened is a cosmopolitan spirit that opens up to new things. Migration or population movement is not just physical movement but also involves the transfer of ideas and social attributes such as religion. Different religious identities do not make any distance. Family religion is proof of Kaimana as an encounter. There is no problem with embracing Islam, Christianity, or anything else. Family identity or kinship remains the unifier.

Without the migrants, Patas Village would never exist. Newcomers not only come to trade but also socialize, adapt and show various roles. This is where the diversity occurs, where each member of society who has acculturated and hybridized the area has become rich in cultural treasures. The coastal community, including those in Patas Village, as an area that is often untouched[1] by development, this area becomes the butt of political promises that lead to minimal implementation [1]. There are several reasons why coastal communities are often discriminated against politically. First, the locus of developmentalism in coastal villages is far from the city and its development often cannot be used as something monumental. Second, village developmentalism is politically insufficient to gain votes from politicians given the way of life of the people that is very different from those in mainland areas. Third, the developmentalism of coastal communities often has rather complicated requirements, especially those related to the environment. Fourth, coastal communities have strong traditions so that

sometimes politicians have difficulty convincing potential voters. Fifth, as is often the case, coastal communities have been critical of political promises, so they are very selective in determining the candidates they will choose.

2 Method

This study used a descriptive qualitative research method located in the village of Patas. Methods of collection using observation techniques, interviews, document study. The data analysis techniques used are data reduction, data presentation and conclusion drawing. Checking the validity of the data is by means of triangulation of techniques and triangulation of sources.

3 Results and Discussion

General description of Patas Village

Patas Village is one of the villages in Gerokgak District, Buleleng Regency. As for the distance from Patas Village to the capital of the District, Regency and Provention. Patas Village has several hamlets consisting of Tegal Sari Hamlet, Tegal Asri Hamlet, Merta Sari Hamlet, Mekar Sari Hamlet, Yehpanes Hamlet, Yehbiyu Kaje Hamlet, and Yehbiyu Kelod Hamlet. Of the very large population of 11,009 people, in Patas Village there is also a population from the educational level.

It is no different from other coastal communities which geographically, the coastal community of Patas Village grows and develops in a coastal area, which is a transitional area between land and sea areas, and sociologically has different social characteristics from other communities, due to differences in the characteristics of the resources they have. Economically, the welfare of coastal communities is very dependent on marine products in the form of fisheries and aquaculture [1], which up to now is still open access, so that the environmental conditions of the coastal and marine areas determine the sustainability of their socio-economic conditions [2].

Talking about coastal communities, it is almost certain that the issue that always arises is that people are marginalized, poor and become targets of exploitation by the rulers both economically and politically [2]. Poverty which has always been a trade mark for fishermen in several ways can be justified by several facts such as slum settlement conditions, low levels of income and education, their vulnerability to social, political and economic changes that hit, and their powerlessness against investor intervention. , and the ruler who came. Besides that, their poverty is also caused by the problem of damage to the coastal-marine ecosystem which has a serious impact on the depletion of fishery resources.

Another problem that is no less important in fishermen's economic activities, especially related to coastal operations is the problem of business capital to provide all the needs for coastal activities, such as fuel for boats, coastal gear and so on. For coastal communities, especially small fishermen or traditional fishermen, the need for business capital, which can be accessed or used at any time [3].

This condition is a response to the large investment costs in the capture fisheries sector, while the income is uncertain and the level of income varies. With household consumption needs that must be met every day, fishermen do not have sufficient savings in funds if one day they have to deal with the fact that the coastal infrastructure they use is damaged and requires considerable repair costs. This limitation of ownership of cash funds then encourages fishermen

to become trapped in a complex network of debt and receivables, especially to loan sharks or informal credit providers.

Apart from socio-economic problems, the environmental conditions of the coastal areas and the eye system fishermen's livelihoods also have an impact on educational and socio-religious issues, especially the religious education of the community. The livelihood system of coastal communities, which requires them to be in the middle of the sea for a long period of time, forces them to leave other activities besides 'coastal', including educational and socio-religious activities.

Fishermen usually take their children to go to sea, even though their children are school-age children. As a result, of course, their education rights were not fulfilled to their full potential. Even only to meet the target of compulsory education for nine years, the government program. This is one of the arguments that underlie the low education of the coastal community. Likewise, in carrying out religious activities, they have very limited opportunities. As a result, their religious experience and religious education have become inadequate.

The population who only graduated from elementary school (SD) is quite a large number, namely 1,040 males and 1,107 females, the factors that cause this occur due to a lack of will to continue and inadequate economic factors so that they do not continue to the education level next. Of the population who graduated from Junior High School (SMP) with 662 males and 595 females, the population who graduated at the junior high school (SMP) level did not continue to the next level, this is because there is no will to continue. In addition, residents of the educational level who have not completed education,

There are people aged 18-56 who have attended elementary school (SD) but did not finish with 568 males and 475 females, there are also residents who did not continue their education or did not attend school from 18-56 years old with the number of males 315 people and 378 women, this happens because of economic factors that prevent them from completing elementary school (SD). The level of education in Patas Village varies widely with different numbers of men and women, which can be seen from the largest to the lowest. Education in general is very important for a better future.

Tabel 1. Patas Village Education Level (Source: Profil Desa Patas Tahun 2018)

Education Level	Man	Woman
3-6 years old who have not entered kindergarten	321	317
3-6 years old who are in kindergarten / play group	127	128
Age 7-18 years who never went to school	207	238
Age 7-18 years who are currently in school	1.270	1.188
Ages 18-56 never go to school	315	378
Ages 18-56 years old have never graduated from elementary school	568	475
Graduated from elementary school / equivalent	1.040	1.107
The number of ages 18 - 56 years did not complete junior high school	183	129
Number of ages 18 - 56 years did not complete high school	146	125
Completed junior high school / equivalent	662	595
Graduated from high school / equivalent	617	472
Completed D-1 / equivalent		

Completed D-1 / equivalent	17	10
Completed D-2 / equivalent	19	11
Completed D-3 / equivalent	33	19
Completed undergraduate degree / equivalent	84	154
Completed S-2 / equivalent	19	13
Completed S-3 / equivalent	7	4
Graduated from SLB (Special School) A	1	1
Completed SLB (Special School) B	5	3
Graduated from SLB (Special School) C	0	1
Total	5.641	5.368

The total population reached 11,009 people divided by the type of work performed. As with the livelihoods of the population in Patas Village, with the largest number of people working as farmers with 1,251 male and 694 female farmers. In addition, there are also people who work as fishermen, with 125 men. As for the population in Patas Village, who from their livelihoods do not have a permanent job, with 341 men and 192 women. The livelihoods of the people in Patas Village are very diverse and have various types of work, from the largest to the smallest jobs as seen from the number of male and female residents.

Inclusive Democracy in the Coastal Community of Patas Village

In a democratic process, people have the space to be involved in various political processes or policy making. The process of community involvement in various political processes is called political participation. According to Samuel P. Huntington and Joan M. Nelson, political participation is to limit political participation as the activities of citizens acting as individuals, which are intended to influence decision-making by the government. Ordinary participation is individual or collective, organized or spontaneous, steady or sporadic, peaceful or violent, legal or illegal, effective or ineffective [4].

According to Almond [5], there are two kinds of political participation, namely conventional political participation and non-conventional political participation. Conventional political participation, which is a normal form of political participation in modern democracies, while conventional forms of political participation include; voting, political discussions, campaign activities, forming and joining interest groups, individual communication with political and administrative officials. Non-conventional political participation is a form of political participation that is not practiced in normal conditions, it can even take the form of illegal, violent and revolutionary activities. As for the forms of non-conventional participation, namely petitions, democracy, confrontation, strikes, acts of political violence against objects (destruction, bombings, arson), acts of political violence against humans (kidnapping, murder), guerrilla warfare and revolution.

Based on the results of observations and interviews with a number of informants, it can be concluded that the political awareness of the inclusion of coastal communities in Patas Village is motivated by a number of factors including:

1. The history of integration and solidity of the Hindu and Muslim communities in the village has been woven since hundreds of years ago, long before modern political structures entered the area. In other words, the relatively very strong integration and the relatively small escalation of conflict resulted in them being able to implement inclusiveness in any matter,

including in political matters. Even so, many regions have experienced the opposite, namely politics and all forms of events that have split the community in a village, even this has continued after the election.

2. The merging of the concept of majority and minority. This happened because both parties made an equal and significant contribution to the progress of the village. This is also due to the fact that the socio-economic status of the people, both Hindu and Muslim, are in an equal state (equal), or in other words, neither of them is overly politically or economically to dominate one another.

3. The saturation of the client's patron political system. In this context those who tend to experience losses as a result of political events do not necessarily make them apathetic towards politics, on the contrary they become actors who oversee the conduct of the Perbekel elections. Coastal communities understand that basically politics is related to interests. However, the existing interests must be based on a rational program. After often experiencing misperceptions with political promises during the election period, now the coastal community has grown into a critical community and is very active in various political events [6].

The economic situation is so bad that labor fishermen are often forced to borrow money and goods for daily living needs from the skipper or businessman with the consequence that these labor fishermen become tied to the skipper or trader [7]. Patron-client relationships are not only limited to business relationships, but relationships are established that touch the personal problems of fishermen's households, such as: giving loans for child marriages, helping to pay off previous debts, paying school needs, and so on [7].

4. The desire to increase the role of women. This condition is crucial considering that in the context of coastal communities, women are economic supporters. In fact, not infrequently in certain conditions women (mothers) are the most dominant. The dual role and burden of women as caregivers actually causes low political participation [8]. The gender system in which the people of Patas Village implements a gender system through the division of tasks and workloads between men and women or in coastal coastal households, different tasks are assigned to husbands and wives. As for the results of the research, the task of male fishermen or husbands is in the "sea domain" while women or wives are in the "land domain".

Jobs at sea, such as carrying out coastal activities, are the domain of men because the characteristics of this job require strong physical abilities, speed of action, and high risk. With different physical abilities, women handle jobs on land, such as taking care of domestic responsibilities, as well as socio-cultural and economic activities. The involvement of fisherwomen in earning a living is not matched by the abilities and skills they possess so that empowerment is needed for coastal communities, especially fisherwomen so that they can improve their quality of life [9].

At least the involvement of fisherwomen in development in Patas Village has started to grow. In the 2019 village head elections nearly 80 percent of women were involved in the elections. This spirit arose because a number of Kandidaat gave them a special approach and campaigned for their programs which were also specifically for the empowerment of women. However, most female voters do not openly support candidates and focus on programs that are considered realistic to be implemented in their communities. Even the women were accustomed to having empowerment activities, but some of the activities had no continuation of evaluation and assistance. So that in the end some of them felt that the activity was just a formality. However, the active enthusiasm of women in this village ultimately has a significant impact on the survival of the coastal community and this has further opened their horizons that they not only affect economic problems but also problems in the political field [10]. Therefore, *perbekel* candidates who has a vision of empowerment for women (mothers) will be considered as something that has the potential to be fully supported.

5. Ecology has never been the target of the program. Many fishermen have actually complained about various damage to the sea which has resulted in a decrease in their catch [11]. In fact, a sustainable and well-preserved marine ecosystem can be an alternative for fishermen who also want to take a side job in the marine tourism sector [12]. Exploitation of Natural Resources In the context of exploitation of fishery resources, our coastal communities act out four behaviors as follows: (1) exploit fishery resources continuously without understanding the boundaries; (2) exploiting fishery resources, accompanied by destroying coastal and marine ecosystems, such as cutting down mangrove forests and taking coral reefs and sea sand; (3) exploiting fishery resources in destructive ways, such as coastal groups bombing fish, dissolving potassium cyanide, and operating nets that damage the environment, such as trawling or minitrawl; and (4) exploiting fishery resources combined with conservation measures, such as fishermen carrying out catches accompanied by policies to conserve coral reefs, mangrove forests, and operate environmentally friendly nets. The exploitative behavior above has broad implications for the scarcity of fishery resources and the poverty of fishermen. In addition, competition between labor fishermen for fisheries resources continues to increase, which has the potential to cause conflict, especially in water areas that are facing overcoastal conditions.

One of the experiences that became a lesson for the coastal community of Patas Village was when the Banjar Fishermen of the Yeh Bui Service, Patas Village, Gerokgak District together with Pelindo III Celukan Bawang and Kodim 1609 Buleleng carried out coral reef restoration efforts by sowing coral reef seeds in the coastal area of the village. in September 2019 a few months before the election.

The main assumption in ecology-politics leads to the stance that environmental change is not neutral in nature [12], but is a form of a politized environment that involves many interested actors at the local, regional, and global levels. The dominant actors are generally the state and the big private sector. This domination causes what is called a tragedy of enclosure, which is a tragedy due to state and private domination which causes public access to utilization and management to be increasingly restricted. This weakening of access makes society even more marginalized. The purpose of ecology-politics is not only an explanation of the phenomenon of environmental change, but also an important foothold in the formulation of environmental management policies.

Basically, the coastal communities are aware and they try not to be taken for granted for their social economic improvement. They do not want unsustainable political transactions. Therefore, the last three years they have been very selective about aid programs. The programs they receive seriously are assistance programs that will later make them more independent in building their socio-economic life. In other words, they prefer assistance in the form of education and everything related to development and environmental preservation rather than basic food assistance which they actually get automatically through internal village programs [13].

4. Conclusion

Based on the existing demographic data, it appears that the coastal community in Patas Village has quite an impact on the electability of all candidates. It also appears that the number of students seems to be a significant political segment that the five prospective workers should look at. Of the three variables of Inclusive Democracy, the environmental variable (political ecology) is the one most raised to be the issue of village head election. With this conceptual spirit, political ecology takes a position, first: as its attention to 'scale', which allows prospective dealers to identify and analyze the chains that connect environmental dynamics with social, political, cultural and economic forces at various conceptual and physical sites, and second: its consequent focus on 'power' in its multiple manifestations as a central key to understanding how

the notion of sustainability is created and disseminated. In realizing this, the coastal community realizes that the actor with the most capacity is the village head (Perbekel) they choose based on three major issues namely environment, plurality and women's empowerment. They realize that the weakening of these three areas makes society even more marginalized. The goal of an inclusive democracy that is envisioned by coastal communities is not only an explanation for the phenomenon of change in these three fields, but also an important foothold in the formulation of a welfare management policy that is integrated with the environmental ecosystem in which they live.

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Moodle-Based LMS in The Learning Environment During The COVID-19 Pandemic

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Abstract. The education sector was affected by COVID-19 pandemic. Activities can be maximized using e-learning or distance learning so academic activities are not hampered. Almost all learning activities are carried out remotely in an effort to reduce direct social interaction to reduce the wider spread of COVID-19. System integration in the form of utilizing technology such as computers, mobile, and media that can manage to learn electronically can be optimized by using Moodle-based LMS. In this study, the use of Moodle-based LMS aims to maximize a learning system and provide convenience in the use of technology in an effort to deal with the COVID-19 pandemic. The results of this study are to facilitate the use of Moodle-based LMS so that the use of LMS can be maximized. As a material consideration in the use of Moodle-based LMS that can be used in every school in Indonesia.

Keywords: Learning Management System; Learning Media; Moodle; E-Learning; COVID-19.

1 Introduction

Learning relates to the place and learning process of students and teachers, in the COVID-19 pandemic learning activities cannot be done face-to-face or directly, this hinders academic activities in the form of delivery of teaching materials to students. Academic activities in schools can lead to wider dissemination, large-scale social restrictions require that learning activities be carried out independently in each home. Changes to new normal cannot be avoided by anyone, so it requires a readiness to adjust to the COVID-19 or new normal pandemic. The ease of learning at home can be maximized by the use of LMS in its delivery, especially for teachers who have an obligation to provide learning in the difficult times of the COVID-19 pandemic. Utilizing technology as a support for learning activities makes it easy for learning activities at home. E-learning has grown rapidly with various technologies and devices to access learning resources, such as laptops, computers, smartphones, and tablets. Technology has greatly influenced education, learning, and teaching methods [1]. The learning and communication process is more efficient using e-learning which can be used as a source of learning activities, as a means of delivering teaching materials, evaluations, and assessments by teachers for the students concerned.

Information and communication technology (ICT) provides technological solutions to these practical difficulties [2]. With the development of technology and the availability of the internet, this electronic learning system can be implemented well as a better potential in learning

activities during the COVID-19 pandemic. LMS which we increasingly rely on as a learning tool has considerable potential in the development of knowledge and competency development [3]. LMS provides features that can be used in learning activities that are already available to teachers and students. Students can access and interactively use the various sources of information available to them. E-learning content providers must attract learners with appropriate e-learning content and they must adequately include e-learning services and technology in the e-learning process [4]. Several kinds of factors that make the learning system said to be ineffective are learning models, so there is a need for learning media. Learning media is a tool or method used for the delivery of teaching materials, various learning media can use various methods or methods so that the learning process can take place effectively. With the LMS software can increase student interest in learning activities, especially at home.

Learning activities can be done using Moodle-based e-learning, from the use of the LMS can facilitate learning activities that can optimize the process of understanding and delivery of material even though it is done remotely. This learning method is an effective way to deliver learning material with learning concepts that prioritize ease of access to place and time. Moodle can do activities and other activities such as planning, implementation, and evaluation as a medium for the management of learning activities. Moodle forms the concept of virtual learning, where the distance learning process is a new learning framework for solving educational problems in the COVID-19 pandemic.

2 Method

Research conducted based on a qualitative descriptive approach, which examines the status of an object, conditions, systems of thought, function, and perception. Because it does not use calculations in this research study. Literacy studies are also a method in gathering various sources of books, articles and journals, and documents relating to research. The method is a method that requires a lot of activity reading data, analysis, and information that has been collected.

The writing method used in the form of collecting material in the form of theory taken from the analysis results obtained in the application of distance learning or e-learning that is applied by high school teachers in Java-Bali, the object of this study is the teacher and students.

3 Result and Discussion

LMS in the Pandemic Period COVID-19

During the COVID-19 pandemic, learning activities could not be carried out face-to-face or directly, this impeded academic activities in the form of delivery of teaching materials to students. Academic activities in schools can lead to wider dissemination, large-scale social restrictions require that learning activities be carried out independently in each home. Advances in information and communication technology offer new opportunities[5]this analysis begins with the most powerful and commonly used tool for synchronous distance e-learning[6]. In this discussion, the very important role of e-learning tools is the Learning Management System. Distance learning can be accomplished with the presence of an LMS (Learning Management System), an e-learning platform is a software that includes a variety of services that help teachers

manage their courses[3] applications used in making the learning media process directly as software for the delivery of learning activities programs, facilities provided by the LMS also take the form of learning course management, learning material management, activity management, value management, displaying transcript values, and managing display for e-learning. More importantly, this opens up new possibilities for applying pedagogical innovation in an environment where students are expected to function as active, independent, independent and collaborative participants[7]. In LMS, mediation involves the acquisition of competencies and communication skills of all teachers and students, and greater concern for the creation of moments of interaction and possible practical applications of collaborative work, that with the learning process happening participative [8]. This application has been given by several schools including Bogor city 4 schools, Bali 2 schools, Surabaya 4 schools, Yogyakarta 6 schools, Semarang 4 schools, Bandung 4 schools. The activities are done in Java bali with excellent results and enthusiasm from the school. The provision of software with compac disk chips is done in the school.

Moodle based LMS

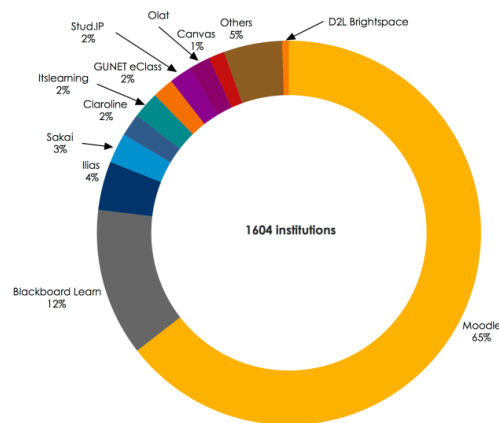


Fig. 1. Percentage of LMS as the Main System.

E-learning is a learning process that focuses on students and teachers interacting directly with each other, both must be connected to the internet and access e-learning to each other together. An e-learning system is a system that provides the services needed to handle all aspects of the course through a single and mobile web interface. These services, for example: (1) course content management, (2) synchronous and asynchronous communication, (3) uploading content, (4) returning student work, (5) peer assessment, (6) administrative students, (7) collection and setting student grades, (8) online questionnaires, (9) online quizzes, (10) tracking devices, etc. [4]. Moodle, an open-source Learning Management System (LMS), collects large amounts of data about student interactions in it, including content, assessment, and communication. Some of this data can be used as a proxy indicator of student involvement, as well as predictors for performance[9].

In Moodle, students and teachers can connect to exchange their ideas, information, questions, and answers. This helps them better understand and study learning material via mobile or the web that can be accessed easily through their respective smartphones or computers. There is an increase in education regarding online learning, by emphasizing high concern on the growth of information technology and the use of e-learning this can be an alternative problem-solving in the difficult situation of the COVID-19 pandemic for education. E-learning has proven that usability, effectiveness, and convenience are key factors for acceptance in its use during the COVID-19 pandemic. Thus the use of information and communication technology in education with e-learning through Moodle allows an increase in the effectiveness of education in the COVID-19 pandemic and new normal times.



Fig. 2. Administration Map.

Learning media can be said as a tool to convey messages to reduce verbalism and the learning process can take place effectively. Learning media are tools, methods, and techniques used to make communication and interaction effects between teachers and students in the learning process.[10]. By using Moodle, making learning materials easier, quizzes for learning evaluation, and others. The use of LMS has an impact on teacher and student interactions. All content is captured in a computerized database making it easier to process and retrieve data that can be used for learning purposes.

The use of LMS will certainly have a good impact on the existing learning system during the COVID-19 pandemic, this certainly provides great potential in the use of existing technology and communication. Learning is done differently, providing high learning interest, especially for students. Students can access and use it interactively various sources of information available on the internet to support learning.

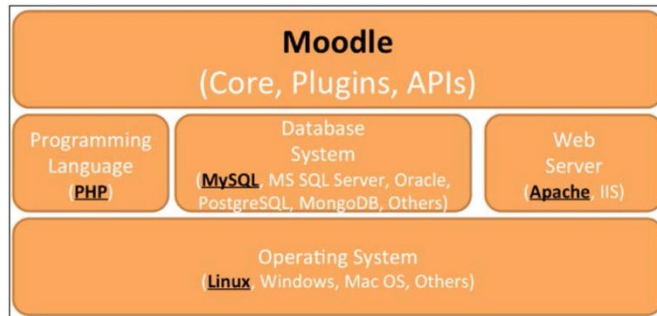


Fig. 3. Moodle Core.

The use of LMS will certainly have a good impact on the learning system during the COVID-19 pandemic or the new normal period, this certainly provides great potential in the use of existing technology and communication. The traditional class method can be changed by the use of e-learning to deal with the COVID-19 pandemic that affects all aspects of life, especially in education.

Moodle Mobile based LMS

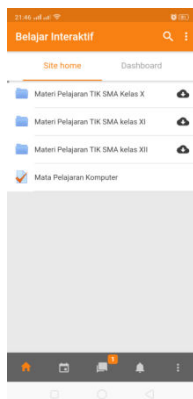


Fig 4. Moodle Mobile Home Page

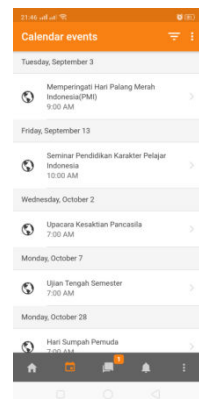


Fig 5. Moodle Mobile Activity page

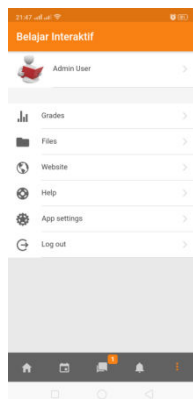


Fig 6. Admin page

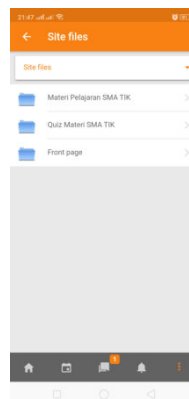


Fig 7. Site Files page

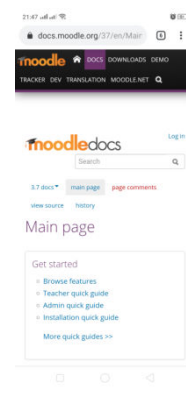


Fig 8. Moodle Mobile Help page



Fig 9. The main page of LMS Moodle

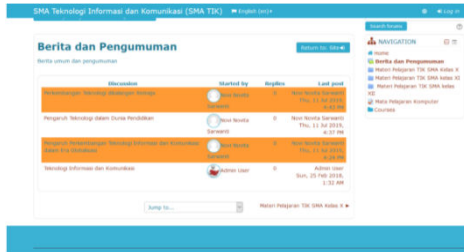


Fig 10. LMS Moodle News and Announcements

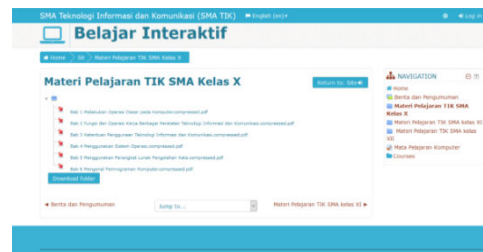


Fig 11. LMS Moodle Learning Materials

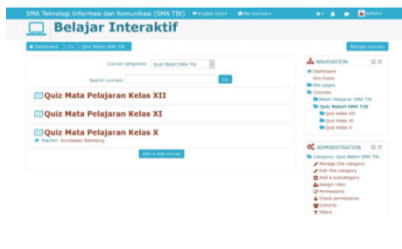


Fig 12. Quiz LMS Moodle



Fig 13. LMS Moodle Grade Grade

4 Conclusion

The COVID-19 pandemic period requires schools to apply a learning method based on technology, communication, and information, with the existence of an LMS that can implement electronic learning or called e-learning. Moodle-based LMS can realize an effective and efficient learning system especially when the COVID-19 pandemic takes place, so the use of LMS can be done as a method of new learning. The use of LMS will certainly have a good impact on the learning system during the COVID-19 pandemic or the new normal period, this certainly provides great potential in the use of existing technology and communication. The role of Moodle-based LMS is to create comfortable learning conditions for students and make it

easier for teachers to provide knowledge and teaching to be better, and more perfect during the COVID-19 pandemic. The software was delivered to schools in the Java and Bali regions, and the Moodle web and mobile models were provided. In school learning using the Learning management system moodle that has been developed and in this case helps learning during the Covid-19 pandemic.

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Civic Education in Realizing *Nangun Sat Kerthi Loka Bali* in the COVID-19 Pandemic

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Abstract. This research objectives examine the learning process of Civic Education in the COVID-19 pandemic in realizing the vision of the Bali provincial government development program, namely *Nangun Sat Kerthi Loka Bali*. This research uses a quantitative approach with a descriptive survey method. The results of this study show that students' perceptions of the effectiveness of online-based learning in Civic Education learning are considered effective in the COVID-19 pandemic with several considerations and surveys also show that Civic Education has adopted the vision of *Nangun Sat Kerthi Loka Bali*. Conclusion and implication of this research is students and lecturers have the ability to learn online and can adopt the values of local wisdom in civic education materials.

Keyword: Civic Education; *Nangun Sat Kerthi Loka Bali*; COVID-19 Pandemic

1. Introduction

Indonesia first confirmed the COVID-19 case on March 2, 2020, which was announced directly by President Joko Widodo. Since the confirmation that the COVID-19 case has entered Indonesia, various policies have been issued by the government to tackle the spread of COVID-19, including policies in the field of education. Some of these include the issuance of a circular letter from the Ministry of Education and Culture (Kemendikbud) number 4 of 2020 concerning the implementation of educational policies in the emergency period of the spread of *Corona Virus Disease* (COVID-19) and reaffirmed by the issuance of a circular letter from the Ministry of Education and Culture (Kemendikbud) number 15 years 2020 concerning guidelines for organizing learning from home in the emergency period of the spread of *Corona Virus Disease* (COVID-19). This circular indicates that the spread of COVID-19 can occur at every level of education from primary to higher education, so that face-to-face learning is temporarily suspended.

Currently in Indonesia, several campuses have begun to implement policies for teaching and learning activities from distance or online learning. This is actually not a problem for universities that already have an online-based academic system. However, it can be a problem for higher education institutions that do not yet have an online-based academic system, especially if the

teaching resources do not really understand the learning system using online applications. The Internet connection problems have not maximal on every land and not all great students to have a *smartphone* and a *notebook* or computer that connected to the Internet. This is one of the obstacles faced by the government in implementing online learning. The solution is Kemendikbud provides internet data quota assistance of 50 GB / month to lecturers and students for 4 months and develops portal and android based distance learning applications.

Learning System in the network (online) utilizing multimedia technology, virtual classrooms, learning videos, e-mail, video *conferencing*, and other online tools. Learning can be carried out massively with an unlimited number of students, it can be done for free or paid [1]. The application of the online learning system, in addition to trying to prevent the spread of COVID-19, has also brought changes to the learning system that takes place in schools and universities. Teachers and lecturers are also required to master technology in providing learning to their students. This includes the civic education learning system in tertiary institutions. Law number 14 of 2005 concerning teachers and lecturers, in article 60 number C states that in carrying out professional duties, lecturers are obliged to improve and develop academic qualifications and competencies on an ongoing basis in line with the development of science, technology and arts. This law implies that all lecturers, especially Civics Education lecturers, are able to work together in developing teaching materials into online learning media that are in accordance with student characteristics. The development of attractive civic education teaching materials is a demand so that the learning process does not take place boringly. Lecturers' creativity and innovation in communicative packaging are critical to the success of online learning. In addition, based on the results of a survey it shows that 70.7% of Ganesha University of Education students think that Civic education is a very important subject to be given at the higher education level because Civic Education instills a sense of nationality and love for the land, water in students [2]. So it is only natural that Civic Education Lecturers have the potential and creativity in developing learning materials.

Civic Education Lecturers are required to have competence and creativity in developing online or digital-based learning media. This is because the substance of civic Education material has a strategic position in instilling a sense of nationality and love for the country in the context of *Pancasila* values and morals, *Bhineka Tunggal Ika* values and commitment, commitment to the 1945 Constitution of the Republic of Indonesia, and having a commitment to the Unitary State of the Republic of Indonesia to students. Civic Education is proven to be effective in building political competence and democratic and responsible young citizens [3]. Vision Learning Civics forward is not enough just to build a democratic citizen and rationally, will however need to develop a vision of faith, quality, and cultured at once. Likewise with its mission, Civic Education learning is not enough to just realize a *psychopedagogical* mission, but also in an integrated manner it needs to realize *psychosocial*, *socio-cultural* and *socio religious* missions [4][5][6]. For this reason, Civic Education learning in universities, especially in Bali, adopts the local cultural values of Bali in its learning materials. Education as part of human civilization cannot be separated from the context and socio-cultural processes of the society that surrounds it, including the values contained therein, meaning that education is an effort to shape behavior, imparting knowledge, the process of thinking, values - values, ways of learning, cognitive and social skills are essential, as well as the values of truth will be determined also by how the people of the world view and value - its value [7].

Civic Education as one of the fields of science related to state administration and government is only natural to be a means of realizing the vision of the Bali provincial government development program from 2018 to 2023, namely *Nangun Sat Kerthi Loka Bali*. *Nangun Sat Kerthi Loka Bali* has meaning maintain the sanctity and harmony of Bali and its contents, to manifest the life *manners Bali* prosperous and happy, *scale-noetic* towards life *krama* and *gumi Bali* in accordance with the principle of Trisakti Bung Karno: politically sovereign, self-reliant economically, and having a personality in culture through development in a patterned, comprehensive, planned, directed and integrated manner within the framework of the Unitary State of the Republic of Indonesia based on the values of Pancasila on 1 June 1945 [8]. Through *Nangun Sat Kerthi Loka Bali* with a planned universal development pattern, it is hoped that it can lead Bali to a new era, namely an era marked by a new life order (Bali that is *Kawista*, Bali *lacks the peaceful system of kerta raharja, gemah ripah lohjinawi*). Holistically includes three main dimensions, namely 1) being able to maintain / maintain the balance of nature, *krama* (humans), and Balinese culture; 2) can fulfill the needs, hopes and aspirations of Balinese *krama* in various aspects of life; and 3) have sufficient readiness to anticipate or face the emergence of new problems and challenges at the local, national and global levels which will have a positive or negative impact on conditions in the future. Referring to the third dimension, Civic Education lecturers should be prepared to face the COVID-19 pandemic by making digital-based teaching materials.

This research will later raise problems with regard to student perceptions in receiving online-based Civic Education learning during the COVID-19 pandemic and have Civic Education learning materials carry the vision of *Nangun Sat Kerthi Loka Bali*. It is hoped that this research can achieve the goal of assessing the effectiveness of Civic Education learning with an online system and assessing the substance of Civic Education material that develops a vision of faith, quality, and culture.

2. Method

This type of research is quantitative with a descriptive survey method. Researchers carry out activities widely and researchers try to find results that can be used for descriptive actions that can describe things that contain facts and serve to explain the symptoms that occur. Population participants in this study will involve 36 respondents from Ganesha University of Education students who have taken civic education courses. Data to be sought in this study are 1) students' perceptions of receiving online-based learning during the COVID-19 pandemic and 2) the vision of *Nangun Sat Kerthi Loka Bali* on Civic Education learning materials.

The data collection technique used was a questionnaire survey. In this study data and information were collected from respondents using a questionnaire via google form. Using *google form* (online research) is felt to have many advantages compared to *offline*, one of which is cost-effective. The use of research *online* like *google form* will save the cost of research, because it does not need to be excluded funding to print the questionnaire and distributed questionnaires both from researchers to the respondent and vice versa [9].

The data analysis technique used is descriptive quantitative data analysis. Data are obtained and the results will be presented descriptively and by the end of the research will be analyzed picture of

the facts, the nature and the relationship between the symptoms of the research explanations (*explanatory research*). The specific stages of this research are 1) identifying the problem; 2) determine the research objectives to be achieved; 3) conducting literature studies and distributing questionnaires *via google form* ; 4) collect the data obtained; 5) data processing and analysis; 6) make conclusions and suggestions.

3. Results and Discussion

The COVID-19 pandemic has resulted in the Civic Education learning system from face-to-face (offline) to now network-based learning, known as virtual classes. Whereas Higher education is a forum for young people to get their first experience of being citizens, being involved in the democratic process, and fostering a sense of belonging in the wider community [10]. Based on a survey conducted on 36 student respondents, related to their perceptions of the effectiveness of online-based distance lectures, it is known that 13 students (36.1%) stated it was effective, 12 students (33.3%) stated it was very effective, and 11 students (30.6%) students stated that they were normal. This survey indicates that online-based learning in Civic Education is considered effective in the COVID-19 pandemic with several considerations. First, 27 students (75%) stated that lecturers should be able to teach online Civic Education courses using Power Point media and Learning Videos using *video conference* platforms such as *zoom* or *google meet*. Second, online learning in civic education courses should be able to display audio-video elements to increase student interest in learning (52, 8%), be able to create a continuous learning process (50%), allow direct interaction between students and teachers or between students and students (44.4%). The use of technology in learning is a mandatory activity carried out by lecturers in the current digitization era. The utilization of information and communication technologies for education can be implemented in various forms according to their function in the educator's. There are several types of online learning methods that are often used in teaching and learning activities in schools or colleges, namely the Portal Schoology and Vlog methods [11].

The implementation of online Civic Education learning is also what the ministry of education and culture means by implementing learning in a bath, which before the Covid-19 pandemic was echoed by Nadiem Makarim as independent learning. Student is required to be literate in technology, to be creative, have a highly motivated, able to create an innovation whose aim is to prepare the future milennial ready with the challenges of globalization. The dreams and hopes of the Minister of Education and Culture are currently being realized by the presence of students and nearly 65% of students who can use or implement *Virtual / Distance Learning*. Although the percentage of students *Online Learning* is not so significant, but at least showed some progress, development, and innovation in the education system in Indonesia by using *Online Learning* this [12].

Civic Education Learning seeks to instill *civic knowledge*, *civic disposition*, and *civic skills* in students. Based on a survey conducted on 36 student respondents, it is known that after participating in online Civic Education learning they experience an increase in skills or creativity (50%). This is due to lecturers who often give flexibility to students to create learning media by searching from various sources and using creative *platforms*. During online learning students also become more disciplined in time and have a sense of responsibility for the work given by the lecturer

(47, 2%). Their parents also monitor their children when studying online, this is what causes students to be punctual in participating in online learning and to be responsible for collecting assignments given by lecturers. Civics education is expected to combine transformative and conservative discourses; in some places the emphasis is on personal (civil) rights while in others it is on critical social discourse governing engagement in community [13]. Lecturers are required to adopt a communitarian and individualistic model of citizenship: the “personally responsible citizenship” [14]. For example, lecturers and students are expected to obey laws, to be honest, self-disciplined and hard working. Regarding participatory (communitarian) citizenship lecturers and students are expected to be active in communities, for example, caring for people in need. The more radical transformative and justice-oriented citizenship however, goes beyond this as it also expects lecturers and students to be critical in their analysis of issues and to be involved in addressing social injustices in communities; to question the social structure, challenge existing political systems and making demands for social change[15]. Learning about citizenship responsibilities can best be accomplished through citizenship education in the higher education curriculum, since they spend much of their time in the higher education institution [16]. Finally, during online learning they also experienced an increase in knowledge (25%). The percentage is quite low, because most of them have difficulty understanding the material provided by the lecturer. The majority of citizenship lecturers through online education have difficulty monitoring the extent to which off-campus practical activities are suggested. In addition, civics and citizenship education in general, demand that learners, including lecturers, be critically analytic of official documents (semester learning plan), that is, reading documents beyond the surface in order to expose hidden intentions [17]. The solution so that students do not miss the material is by the lecturer to provide learning videos along with concrete examples in the field. In addition, lecturers should not only refer to the semester learning plan but also adjust to the conditions of the lecture.

Civic Education as one of the fields of science related to state administration and government is only natural to be a means of realizing the vision of the Bali provincial government development program from 2018 to 2023, namely *Nangun Sat Kerthi Loka Bali*. Based on a survey of 36 student respondents, it is known that 35 students (97.2%) stated that Civic Education learning has adopted the vision of *Nangun Sat Kerthi Loka Bali*. There are several indicators that support it, namely 1) Civic Education is able to develop highly competitive human resources, namely quality and integrity, quality, professional, and moral and has a strong identity which is developed based on the values of local wisdom of Balinese *krama* ; 2) Civic Education is able to realize democratic and just Balinese *krama* by strengthening the legal culture, political culture, and gender equality by taking into account Balinese cultural values; 3) Civics able to instill values that can develop the livelihood of *krama* Bali, arrange regions, and green environment, beautiful, and clean. The results of this survey are in line with the position of Civic Education as one of the general course groups (MKU) has the aim of developing the personality of students so that they are able to contribute as members of society, nation and state [2]. As Balinese people, of course they are trying to realize the "New Era Bali", which is a way that is marked by a new life order; Bali *kawista* , Bali *kang tata-titi tentram kerta raharja, gemah ripah lohjinawi*; holistic life order which includes three (3) main dimensions: 1) to keep / maintain the balance of Nature, *Krama* (human), and Culture of Bali (*genuine* Bali); 2) can meet all the different needs, expectations, and aspirations *krama* Bali in various aspects of life; and 3) have sufficient readiness to anticipate / face the emergence of new problems and challenges at the local, national and global levels which will have a positive or

negative impact on conditions in the future. Civic education cannot be separated from the influence of the local environment of the community, so it is recommended that the learning method uses a science, technology, social, and environmental (STSE) learning situation, for example using a subak rice field as a case study in exploring, understanding, and solving the problems of the local ecosystem and communities [18]. This is done to find out about how science and society share a more complex interdependence [19]. The subak is a complex adaptive system that has been sustained for more than two millennia through co-evolution between the Balinese farmers and their local environment rich with socio-scientific values, concepts, and issues. Hence, the system is an excellent model to study higher concerns about the relationship between scientific and technological issues in the development of a sustainable society [20].

4. Conclusion

Based on the survey results, it is known that online-based learning in Civic Education learning is considered effective in the COVID-19 pandemic with several considerations. First, 27 students (75%) stated that lecturers should be able to teach online Civic Education courses using Power Point media and Learning Videos using *video conference* platforms such as *zoom* or *google meet*. Second, online learning in civic education courses should be able to display audio-video elements to increase student interest in learning (52, 8 %), be able to create a continuous learning process (50%), allow direct interaction between students and teachers or between students and students (44.4%). Based on the survey, it is known that 35 students (97, 2%) stated that Civic Education learning has adopted the vision of Nangun Sat Kerthi Loka Bali. There are several indicators that support it, namely 1) Civic Education is able to develop highly competitive human resources, namely quality and integrity, quality, professional, and moral and has a strong identity which is developed based on the values of local wisdom of Balinese *krama*; 2) Civic Education is able to realize democratic and just Balinese *krama* by strengthening the legal culture, political culture, and gender equality by taking into account Balinese cultural values; 3) Civic Education is able to instill values that can develop Balinese *krama*, organize areas, and a green, beautiful, and clean environment. The recommendation for civic education lecturers is to adopt the values of local community wisdom in Civic Education material.

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Empowering citizens against corruption with civic education

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Abstract. The success of a country can be seen in cooperative relationships with citizens in achieving a common goal. A state must be present as social control for citizens in solving various existing problems. Corruption is one of the biggest problems that must be fought in a country. This can occur due to several factors such as low awareness or knowledge, weak guiding laws, insistence on economic needs, abuse of position or power, and even a culture where corruption is common. Therefore, this study will examine the role of Citizenship Education in empowering citizens to fight corruption in Indonesia. Citizenship Education does not only talk about theory, but rather its implementation to make good citizens synergize in achieving state goals. Empowerment of citizens in corruption Citizenship Education provides the basis for forming wise and courageous citizens to act in eradicating the corruption of the values of Pancasila.

Keywords: Corruption; Citizens and Civic Education

1. Introduction

Corruption is a serious disease that often occurs in many countries, including Indonesia. The State of Indonesia has now reached 75 years of independence but is still not free from corruption. This seems to have become a culture that cannot be separated from this country which is known as the "sleeping Asian tiger". This disease, which has been mushrooming for a long time, continues to mushroom regardless of circle, age and place, which often occurs without us knowing it. The criminals became more and more joking until the people's screams became less and less audible. The replacement of state leaders who spread sweet promises against corruption eradication is like mere talk that raises public doubts about the government. *Kompas.com* [1] mentions that there is an infographic on the 7 biggest corruption cases in Indonesia starting from the Jiwasraya case with a loss of Rp.13.7 trillion, the Century Bank case with a loss of Rp. 7 trillion, Pelindo II case with a loss of Rp. 6 trillion, the case of the East Kotawaringin Regent with a loss of Rp. 5.8 trillion, BLBI cases with a loss of Rp. 4.58 trillion, E-KTP case with a loss of Rp. 2.3 trillion and the Hambalang Case with a loss of Rp. 706 billion.

These cases are only a few of which have been revealed not to mention other cases that have not been revealed yet are still mysteries. Corruption cases that are increasingly published day after day make it furious not to mention the offenders from state officials who make public trust in the state decline. State officials who should be role models for society are now increasingly coloring the rodent drama in this country. Often people are made victims of injustice

for the sake of bribes of wealth for irresponsible people. The wrong perception is able to provoke people into action. Our culture that often gives envelopes as a form of gratitude to state officials can also be categorized as an act of corruption. Including small things such as not being on time is an act of corruption, of course with different actions [2].

Empowering citizens in fighting corruption must be encouraged by the state by paying attention to various aspects that are in accordance with the identity of this nation. Indonesia, with all its diversity based on a sense of the same fate, commitment and struggle, should be able to unite the nation to fight this corruption problem. One of the simple things is through Citizenship Education in education [3]. The provision in the form of this theory is very precise according to the basis of our country, namely Pancasila which is from the values of the Indonesian nation itself. Through Citizenship Education, it is hoped that it will be able to form a generation that is wise and has the courage to act in fighting corruption [2]. Not just memorizing the theory of being a citizen to achieve the goals of the state, but also being able to implement it in the real life of society, nation and state.

This study will examine the role of Citizenship Education in empowering citizens to fight corruption in Indonesia. From this research, it is hoped that a calm solution to solving corruption can be obtained from the perspective of civic education. Especially moral education which can shape the anti-corruption character of the younger generation.

2. Method

This article is a literature review using a qualitative descriptive method. In terms of the topic, it is a form of social science study related to the empowerment of citizens in criminal acts of corruption that occur in Indonesia through Citizenship Education. Researchers will collect various references that are relevant to the topic raised. Furthermore, the reference sources will be analyzed critically-systematically. The data obtained will be presented descriptively and the symptoms, events and incidents that occur in society with regard to corruption. Descriptive method focuses on actual problems in the field, it aims to find solutions to the problems raised.

The stages of the implementation of this research started from determining the topic of *kajia*, then conducting a critical analysis of various sources in the mass media, both print and online such as *kompas.co.id*, *vivanews.com*, *balipost.com* and so on. Furthermore, the preliminary data is analyzed with the prevailing laws and regulations such as the anti-corruption law, the State Civil Apparatus Law, the Manpower Law, and so on. These regulations become an ideal model in preventing corruption. In addition, studies were also carried out on regulations concerning the police, prosecutors, and policies in the education sector. The whole study then becomes the basis of analysis to explain the position of citizenship education in creating good citizens, especially against acts of corruption.

3. Result and Discussion

Corruptors joke more and more until the people's screams are not heard, why?

According to the Big Indonesian Dictionary, the word "corruption" means fraud or embezzlement (state or company money) and so on for personal or other people's gain [4]. Corrupt acts always contain elements of "*misappropriation*" or *dishonesty*. Based on Law Number 28 of 1999 concerning State Diversion that is Clean and Free from Corruption, Collusion and Nepotism [5], it is stated that corruption is a criminal act as referred to in the provisions of the statutory regulations governing corruption [5]. Corruption comes from the Latin *corruptio* and *corruptus* which means damage or depravity. In Greek, corruption is an act that is not good, bad, cheating, can be bribed, immoral, deviates from sanctity, violates religious, material, mental and general norms. Corruption is an act against the law to enrich oneself personally or others,

including: (1) bribery, (2) conflicts of interest, (3) economic extortion, and (4) illegal gratuities [6].

From the understanding that has been stated above, it is clear that corruption is very detrimental both materially and morally. There are many factors that influence someone to commit acts of corruption, both internal and external. Internal factors come from within the desires of the individual itself, such as greediness that always wants more must be obtained not to mention a consumptive lifestyle so that you try to get what you want in any way. Lack of awareness of moral and professional responsibility is also an opening to encourage someone to act corruption. External factors occur as a result of influence from outside the individual itself, such as for the sake of politics to survive and even rise in a position, weak regulatory laws, insufficient economic demands, weak supervision within the organization that triggers fraud to occur.

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Based on the results of research conducted by the World Bank [7], other factors have contributed to the occurrence of corruption, especially in Indonesia, as follows: First, the result of the former colonial government. Even corruption did not only exist in the colonial government, but also continued to develop as an indirect influence by the incitement of the nationalists against the government. Second, the number of civil servants is increasing rapidly as a result of which their salaries are very low. This resulted in the need for additional income and the expansion of bureaucratic power and opportunities coupled with weak control from above and the influence of political parties. Third, customs in the past and still attached to a society, such as family solidarity and the habit of giving gifts to each other are considered causes of corruption, in addition to sudden changes in history. Fourth, phenomenologically, corruption is made, it will be found that the elements that exist in corruption are fraud and theft. If it takes the form of extortion, it means theft and coercion of the victim. If it takes the form of a bribe against an official, it means helping the theft occur. When corruption occurs in the determination of a corruption contract, it is the theft to the decision as well as the money that is the result of the decision. Fifth, the resulting opportunities for corruption and party competition in some countries can also provide the basis for a marked increase in corruption.

In the midst of technological advances accompanied by the increasing necessities of life, everyone is competing to survive the rigors of civilization. The law on corruption is constantly being revised, the flushing of funds continues to be disbursed, but the corruptors are still hanging around. Every day the corruptors joke around and again the people become victims of the ruthlessness of the state money-trapping actors. Perpetrators are not just ordinary people, even state officials also play in the rodent drama. Legalizing all means for the sake of mere profit, bribing here and there, pulling here and there while the people only accept the remnants which even make their heads shake. This problem cannot be ignored and it is not the responsibility of the government alone, but our collective obligation to continue to uphold justice for the common welfare.

Reporting from Transparency International, Indonesia shows the results of the Corruption Perceptions Index (CPI) in 2018 where Indonesia is in 89th position with a score of 38 [8]. These results have increased by seven levels compared to 2017 which was in the position-96 with a score of 37. The CPI or CPI itself is calculated methodologically by Transparency International on a scale of 0-100 with calculations from 180 countries. This shows a slight change in Indonesia, neither for the better nor for the worse in terms of corruption. We must appreciate these changes and become our enthusiasm in fighting corruption in this country. It is a sign that what is damaged can be fixed if we cooperate in preventing, taking action to control something both by the state and citizens.

The state must be present and connected with citizens

Based on the 1945 Constitution Article 1, paragraph 3, which "Indonesia is a rule of law" [9]. In addition, based on Article 26 of the 1945 Constitution, paragraph 1 "those who become citizens of the Indonesian nation are native Indonesians and people of other nations who are legalized by law as citizens" [10]. So in that case, citizens play a role in influencing what is happening and will happen in their country. Not to mention that Indonesia is a democratic country which is from the people by the people and for the people. So on that basis we should be increasingly united in fighting the ignorance that has been eating away at this nation for a long time. The state must be a social control as well as a role model for citizens in achieving the goals of the state itself. The state must be present and connected to the people, not just listening and responding with the word "patient and waiting" but real action in one goal of achieving a truly independent country.

Quoting the words of the famous French Emperor and General Napoleon Bonaparte [11], "The world suffers a lot. Not because of the violence of bad people but because the silence of good people". That, the world has suffered a lot. Not because of the actions of bad people, but because of good people who were silent. The state must be present in ensuring the security and comfort of its people in their life without fear of being pressured. The state must be aware of and act, one of which is to form an institution or anything else to solve this corruption problem. Quoting from the National Law Development Agency, there are institutions and handling of corruption eradication, such as the division of investigations and investigations into criminal acts of corruption delegated to the Police, the Attorney General's Office and the KPK [12]. Meanwhile, the prosecution for corruption is left to the Attorney General's Office and the KPK [12]. This is of course adjusted to the classification of corruption crimes regulated in Law No. 31 of 1999 in conjunction with Law No. 20 of 2001 [13].

The establishment of the Corruption Eradication Commission, which is stipulated by Law Number 30 of 2002 [14] concerning the Corruption Eradication Commission to overcome, overcome and eradicate corruption, is an independent commission which is expected to become a "weapon" for perpetrators of corruption [15], collusion and nepotism. The objective of forming the commission is to increase the effectiveness and effectiveness of efforts to eradicate corruption [14]. A series of actions to prevent and eradicate criminal acts of corruption through efforts to coordinate, supervise, monitor, investigate, investigate, prosecute, and examine court proceedings, with the participation of the public based on applicable laws and regulations called the eradication of corruption [15]. In its duties, the KPK collaborates with the Corruption Eradication Team (Timas Tipikor), the State Administrative Wealth Audit Commission (KPKPN), and the National Ombudsman Commission. The Corruption Eradication Commission is domiciled in the capital city of the Republic of Indonesia and its working area covers the entire territory of the Republic of Indonesia [16].

The success of a country can be measured from its synergistic relationship with its citizens. Instinctively humans are social creatures who need each other. The wall of social inequality should be leveled because it again returns to the basis of the country where they stand. Indonesia with Pancasila as the basis of the state provides the essence of human life to be fair for welfare by thinking wisely while paying attention to every aspect of life. Citizens play an important role in fighting corruption. Through Law No. 31 of 1999 in conjunction with Law No. 20 of 2001 concerning the Eradication of Corruption in Article 41, which basically means that the community has the right and responsibility in efforts to prevent and eradicate corruption in accordance with applicable regulations and others [13]. The participation of the community in efforts to prevent, eradicate and reveal corruption, of course, has received a certain appreciation from the state in accordance with applicable regulations [16]. The legal basis for the public to be able to participate in the prevention and eradication of Corruption Crime has actually been regulated in article 108 paragraph 1 and paragraph 3 of Law Number 8 of 1981 concerning the Criminal Procedure Code (KUHP), namely: (1) Every person who has experienced, seen, witnessed and or been a victim of an incident which constitutes a criminal act has the right to submit a report or complaint to the investigator and / or investigator, either orally or in writing; (2) Every civil servant in carrying out his / her duties who knows about the occurrence of an event which constitutes a criminal act is obliged to immediately report it to the investigator or investigator [17].

The state must design maximally according to the capabilities and needs of the country from various aspects. Considerations in terms of economy, religion, culture, health, technology and of course education can be a way for the state to educate citizens to be careful as a state. With full awareness, citizens are able to carry out what is their obligation to the state not because of demands but with a sense of pride ready to serve the state. This of course does not talk about being ready or not but willing or not to learn because after all the country continues to move and change, it must continue to transform and adapt wisely according to the values of the nation. If the citizens are strong, the state will be very easy to carry out its duties and vice versa. Establishing communication and cooperation through education, implementation and appreciation is an alternative way to create an Indonesia that is free from corruption, of course, with an appropriate evaluation of the values of this nation.

Civic Education as a provision against corruption

Corruption is clearly very detrimental and contrary to the values of the Indonesian nation. Various ways have been made by the government to eradicate this problem, one of which is through education or what is usually taught in school under the name Citizenship Education. These subjects are not only taught in school but up to the college level with different prospects. Citizenship Education is basically a way to equip students as good citizens to contribute to the country in the future. This compulsory subject contains the essence of every aspect of Indonesian life. Starting from studying the history of the value of the Indonesian nation, the state's goals include the rights and obligations as citizens of the state and others. In addition to this, of course, it is also necessary to instill an anti-corruption attitude in students in every learning process. Attitude is an important component in developing the culture or character of students in doing good. According to Sax, attitude is "a preference along a dimension of favorableness to unfavorability to a particular group, institution, concept, or object" [18].

Citizenship Education is one of the subjects that must be included in the educational curriculum in all educational units [12]. This is in accordance with Law Number 20 of 2003 Article 37 paragraph 1 concerning the National Education System [19]. The vision of Citizenship Education subjects is the realization of a subject that functions as a means of fostering national

character and empowering citizens. Meanwhile, the mission of the Citizenship Education subject is to form good citizens, namely citizens who are able to carry out their rights and obligations in state life, based on political awareness, legal awareness and morals. Citizenship Education is one of the fields of study that carries out a national mission to educate the life of the Indonesian nation through the corridor of "value-based education", namely to foster and develop the active thinking abilities and skills of citizens, especially the younger generation in participating and being responsible in the life of the nation [20].

This is again explicitly reinforced in the research conclusion delivered (CCE, 1999) that the content for the new civic education should include key concepts such as democracy, good governance, anti-corruption, the constitutional, national identity, and civic value. The results of this conclusion provide a strengthening of the urgency of the anti-corruption insight as a new paradigm of the content of Civics [6]. The Center for Indonesian Civic Education's recommendation is one of the foundations for the purpose of Citizenship Education at the primary and secondary education levels, namely "Participating actively and responsibly, and acting intelligently in social, national and state activities, as well as anti-corruption" [21].

This form of prevention or prevention in fighting corruption is very effective by equipping citizens through Citizenship Education. Corruption is included in white collar crime, as well as extra ordinary crime. So that this nation needs to formulate a structured, systematic, effective and comprehensive strategy as a preventive effort in eradicating criminal acts of corruption. Education is a conscious, planned effort in shaping Indonesian people who have qualified skills, so that they can become citizens who can be relied on by the state. The nature of Pancasila is an anti-corruption character, because it represents praiseworthy behavior. So it needs to be analyzed and reflected on the role of the scientific existence of Citizenship Education as mandatory learning in an effort to internalize anti-corruption values to students, as potential leaders of the Indonesian nation.

The Financial and Development Supervisory Agency of the Republic of Indonesia identified several causes of corruption, namely: individual aspects of the perpetrators of corruption, organizational aspects, aspects of society where individuals live, and corruption caused by a bad system. The Corruption Eradication Commission explained that there are 9 (nine) anti-corruption values which are the basis of morality in staying away from corruptive behavior. This value needs to be socialized and even internalized to the Indonesian people, especially the younger generation. The 9 (nine) values are: 1) core, including honesty, discipline, and responsibility, 2) attitude, including fairness, courage and care, and 3) work ethic, including hard, simple, and independently. The habituation of anti-corruption values is a preventive effort to eradicate corruption crimes. This process which is covered in Citizenship Education is not only theoretical for students. But in the implementation in life that also includes teachers, parents, society, government and others, they must be role models and remind each other.

Based on Regulation of the Minister of National Education No. 22 of 2006 shows the importance of Citizenship Education at the primary and secondary education levels as a vehicle for instilling anti-corruption attitudes and behaviors that are always inherent in the lives of students today and in the future [22]. In an effort to internalize anti-corruption values through Citizenship Education for students, it is certainly more effective if it is implemented with a strategy of analyzing corruption cases. This learning method is basically a form of contextual learning. The existence of Anti-Corruption Education contained in Citizenship Education learning is expected to be able to provide initial provisions regarding knowledge, understanding, and the consequences of corruption, anti-corruption attitudes and behaviors that are always constructed in students as citizens who have Pancasila morality and are responsible for the state.

4. Conclusion

The state must be smart in empowering its citizens in joint efforts to achieve the goals of the country. Every person who is part of Indonesia is obliged to comply with the applicable law in fulfilling their rights and obligations towards the state. State officials are representatives of the people who are elected to carry out the mandate of the state not to be ridden by other interests. Those who used to come from the people should consciously understand what their country needs and maximize their ability to develop the country. Every problem that occurs must be resolved jointly, there is no way to pass responsibility on to the government because they also exist because the people also vote. It must be recognized together that the problem of corruption is very detrimental and must be fought together. One of the prevention efforts through education is Citizenship Education or Civic Education. The state must be present and connected with citizens to create a state free from corruption together. The state of Indonesia is a rule of law, with the implementation of democratic governance in accordance with the values of Pancasila, which has become our solid basis for resolving this corruption problem. When the criminals are joking until people's voices are not heard, then it is appropriate to intensify education on the prevention, eradication and prosecution of corruption in various aspects of society with every available media adjusted to the needs and abilities. Citizenship education is not only memorized theoretically but in its form of implementation in life consciously understanding its role as a good citizen in achieving the goals of the Indonesian state [23].

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The Current Application of Teleconferencing in the Criminal Justice Process

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Abstract. The emergence of the use of teleconference technology in criminal court hearings brings pros and cons. Many parties rejected the use of teleconferences, but not a few also supported the use of teleconferences in court. This study aims to identify and understand how the application and effectiveness of the teleconference in court. This research is a research that uses normative research methods using a qualitative descriptive approach, a conceptual approach and a statutory approach. Then by using primary, secondary and tertiary legal materials to get conclusions that are relevant to the problems at hand. The results show that the Criminal Procedure Code (KUHAP) is currently one of the references in the application of teleconference media in court. Therefore, additional regulations are needed as legal protection, in a more complex and comprehensive manner related to the use and application of teleconferences in court.

Keywords: Application, Teleconference, Criminal.

1. Introduction

There are technological advances that bring changes to human life too has an impact on the development of existing laws in Indonesia. The emergence of use Teleconferencing technology in criminal court hearings brings pros and cons. Lots parties who refused the use of teleconferences, but not a few also supported them the use of teleconferences to hear witness testimony at trial. This conflict is due to the non-regulation of the use of teleconferences in the Criminal Procedure Code (KUHAP) which is an umbrella for the implementation criminal procedural law. In principle, criminal procedural law is the rules that govern procedures for maintaining and maintaining good material criminal law contained in the book criminal procedural law (KUHAP) as well as those contained in laws and regulations outside the Criminal Code.[1] Teleconference is a meeting conducted by two people or more is done over a telephone or network connection. The meeting can only using voice (audio conference) or using video (video conference) allows conference participants to see each other.[2]

The use of teleconferences in criminal proceedings to date still causes conflict, which occurs in both the government and law enforcers (judges, prosecutors), as well as in society. Whereas in the world of justice in Indonesia it is used A teleconference was held, namely in 2002, the Supreme Court (MA) gave permission to the former President BJ for the first time. Habibie to testify through teleconference in the case of

Bulog's non-budgetary fund deviation on behalf of the defendant Rahardi Ramelan. Then in the case of gross human rights violations (HAM) in East Timor who asked the Central Jakarta District Court (PN) on the grounds of safety and time efficiency. So that the teleconference testimony was held in the city of Dili, while the defendant was at Central Jakarta District Court (PN). Likewise with the trial of Abu Bakar Ba'asyir, The defendant case plans to bomb several churches on Christmas Eve 2000 and plans assassination of Megawati, who at that time was still the Vice President. Besides In Bali, witnesses were examined by teleconference at The Denpasar District Court (PN) in the Bali Bombing terrorism case, the defendant was Ali Gufron alias Muklas alias Sofwan who presented witness Wan Min bin Wan Mat who reside in Malaysia. And finally in 2011 the examination by teleconference was again practiced in the case of Abu Bakar Ba'asyir against the 16 (sixteen) witnesses who will give testimony.[3] Based on the cases mentioned above, which is in process examination of the case submitted by teleconference has shown that the law always have a dialectic with non-legal aspects. So it does not rule out the law too will dialectic with technology.

2. Methods

The type of research used is normative legal research, namely written legal research from various aspects, namely aspects: theory, comparison, structure and composition, scope and material, consistency, general explanation article by article, formality and binding strength of a law, and law language. (Ashofa, 2001: 15). The type of approach used in this research is the regulatory approach approach; conceptual approach; case approach. The legal materials used are primary, secondary and tertiary legal materials. In the framework of legal material procedures, the authors used document study techniques, then described them in accordance with the main problems that were studied qualitatively[4].

3. Result and Discussion.

There is a judge's decision on the use of teleconferences on sample cases accepted legally because a judge cannot reject a case because there is no reason legally, Article 10 paragraph (1) of Law Number 48 of 2009 concerning Power The Judiciary, so regardless of the situation the judge has the obligation to examine and make a decision, which means he is obliged to find the law. Legal developments are relatively fast is not sufficiently regulated in a law. For example a teleconference, where because it is not regulated in the Criminal Procedure Code (KUHAP) can't be done. In fact, ideally the estuary of law enforcement should be relative it is material truth that must be sought so that the administrative aspects, formal and relatively less substantial, should be abandoned.[3] But in the Book The Criminal Procedure Code (KUHAP) itself also has no provisions prohibiting the use of teleconferences itself.[5] Despite the use of the teleconference inside criminal proceedings are not regulated in the Criminal Procedure Code, this does not become contrary to the Criminal Procedure Code itself, however the use of teleconferencing is a new breakthrough in law enforcement existing in Indonesia, specifically criminal procedural law. Therefore, an active role for the judge

is required in accordance with Article 5 paragraph (1) of Law Number 48 of 2009 concerning Power Justice, in order to discover new laws (*rechtfinding*) to reach the truth material and justice in accordance with the expectations of society. Therefore, the authors agree with use or use of teleconferences in court examinations for enforcement law, provided that it does not conflict with the norms and public order prevailing at Public[6].

In addition, the use of teleconferences in the examination of criminal cases in court does not violate general principles applicable to the criminal procedure law. These principles namely: The principle of fast, simple and low cost trial, and the principle of examination in attendance defendant. There is the use of teleconferences in criminal case examinations in court according to the author, is a breakthrough in the field of law as a form of human activity which is influenced by Information and Communication Technology. Making a human problem as the main problem brought the author to the thought of Satjipto Rahardjo with law progressive, which places humans as the starting point. According to him, thought law needs to return to its basic philosophy, namely law for humans, not the other way around.[7] In this regard, the law does not exist for itself, but for something wider and bigger. So whenever there's a problem with the law, the laws that are reviewed and corrected are not human beings who are forced to enter into in the legal scheme.

Despite the trial examination by teleconference have been several times done, in fact, setting the law has not been regulated in the Book Criminal Procedure Law (KUHAP), is regulated disguised in statute in a manner *lex specialist* discussed development of evidence written provisions regarding teleconferencing exists in jurisprudence, namely Supreme Court Decision No. 112 PK / Pid / 2006 case of Schapelle Leigh Corby, but in this case a plea examination by teleconference cannot be accepted by the Supreme Court (MA) with the proposition that in the system civil law, jurisprudence is persuasive "so there is no obligation for judges in Indonesia to use teleconferencing and neither is it a necessity according to the criminal procedure law which benefits Indonesia for using a teleconference in the process examination. [8]

With respect to use the teleconference, the provisions of which can be used as a basis for use measure the strength and results of evidence, among others, by paying attention to and reviewing the existing provisions in Article 183 through Article 189 Criminal Procedure Code (KUHAP) jis Article 3 of the Book of Law Criminal Procedure Law (KUHAP); Article 284 paragraph (2) Code of Law Criminal Procedure (KUHAP) and Article 10 paragraph (1) and Article 5 paragraph (1) of the Law Number 48 of 2009 concerning Power Justice.[5]

Especially with the development of Information and Communication Technology the more rapidly it is clear that the Criminal Procedure Code (KUHAP) will always be lagging behind the times, such as the use of teleconferencing technology in examination of criminal cases in court which is now the pros and cons because the Criminal Procedure Code (KUHAP) does not recognize the procedure of examination the trial via teleconference. For that we need an idea of promoting development progressive national law that stems from the concern that practical law science is more emphasizes the paradigm of regulation, order and legal certainty, which is apparently lacking touching the paradigm of human welfare itself. Satjipto said that the difference lies in practical legal science that uses the regulatory paradigm (rule), while science progressive law uses the human paradigm (people). Acceptance of the human paradigm bring progressive law science to care about behavioral factors (behavior,

experience).[9] Since progressive legal science prioritizes humans, progressive law science does not being submissive or simply submitting to existing laws but being critical. The author argues that the use of teleconferences in criminal case examination at court indicates that the law has followed the development of human needs Information and Communication Technology, besides that the use of teleconferencing is also wrong a form of the birth of a judiciary that has global reach, across borders. Because the law is not is an institution that is separated from human interests. Legal quality, determined by its ability to serve human welfare. According to progressive law, law in charge of serving humans, not the other way around. Progressive law puts interests first human being greater than interpreting the law from the point of "logic and rules".[7] Law it is expected to be able to keep up with the times, able to respond to changes age with all the bases in it, and able to serve the community with relying on the morality aspect of the law enforcement human resources itself.

The use of teleconferences in the examination of criminal cases in court, according to author, only as a means to get the truth of a criminal act, although the Criminal Procedure Code (KUHAP) does not exist yet the arrangement, however, in order to achieve material truth as desired by procedural law criminal, then it can be justified if the judge proves it in court use teleconference so that the principles of fast, simple and low cost trial can be realized. Although the principle is a strong foundation in the formation of chapters in the Criminal Procedure Code (KUHAP), but if it is no longer appropriate with values that grow and develop in the community, it is a natural principle this is diverted, so that the sense of justice in society can be fulfilled. Examination the legal arrangements have not been regulated in the law by means of teleconference Number 8 of 1981 concerning the Criminal Procedure Code (KUHAP), but only disguisedly regulated in laws which a lex specialist regulates development of evidence while the provisions explicitly regulate teleconferences contained in jurisprudence, namely the Supreme Court Decision No. 112 Pk / Pid / 2006. Can not It is undeniable that the existence of a teleconference examination has embodied the principle of rapid justice, simple and low cost, where the process of case examination in court becomes more easy, straightforward and brief, because the trial does not have to be adjourned constantly various reasons and of course lighter in terms of cost by using the application teleconference which is free and easy to operate by anyone. Apart from that existence examination by means of a teleconference does not conflict with the principle of examination the presence of the defendant because in principle the examination of the defendant was using teleconference is the same as the usual way of conducting regular checks directly verbally and transparently, the only thing that distinguishes is where the defendant is give explanation. In a normal examination the defendant is presented physically (face to face face) in the courtroom, it is different with the examination using teleconference, where the defendant is not presented physically but only virtually while the defendant was physically in another room or place[10].

4. Conclusion

Based on the description above, the authors conclude that the use of teleconference technology can only be used if it is deemed necessary by investigators, public prosecutors, legal advisors with the approval of the panel of judges. This is

because the legal instruments in the form of laws and regulations The procedural law that is the basis for the use of teleconferences has not been thoroughly regulated, the use of teleconferences can be used as a whole if the Indonesian legislature carries out formulative policies (making laws) related to the use of teleconferences in Indonesian courts. There is no denying existence teleconference checks have been embody the principle of fast justice, simple and low cost, where the process case examination in court becomes easier, less wordy and short, because the trial does not have to be continuous postponed for various reasons and has been certainly lighter in terms of cost with use of the teleconference application free and easy to operate by whom only. Apart from that the existence of an examination by using teleconferencing no contrary to the principle of examination in the presence of the defendant because of in principle, the examination of the accused by using teleconference is the same as the usual way of checking which is done directly orally and transparent, the only difference is where the defendant was when giving name. Under regular checks the defendant was presented physically (face to face) in the courtroom then another relationship with inspection by using teleconferencing, where the defendant does not presented physically but only virtually while physically the defendant be in another room or place. In order to clarify the rule of law use of teleconferencing in examination of criminal cases in court then the legislators at Indonesia must immediately amend Law Number 8 of 1981 regarding the Code of Law Criminal Procedure (KUHAP) in particular 74 Badamai Law Journal, Vol. 3, Issue 1, March 2018 regarding usage teleconference in case examination criminal in court. And as long as it happened vacuum of law and legitimacy against use of teleconferencing in court, Successfully accommodated through a circular MA or only through the "determination" of the assembly judge or head of court. [11]

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Awareness of politicians in implementing political education to realize political voluntarism in buleleng

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Abstract. This study aims to describe the awareness of politicians in carrying out their political education functions in order to realize the political voluntarism in Buleleng regency in welcoming the simultaneous regional leader elections in 2022. This study uses a qualitative descriptive research approach. The research data analysis used by qualitative method. The results of this study indicate that the characteristics of political voluntarism in Buleleng regency are still low level. The factors that can influence the emergence of citizen political volunteerism in Buleleng regency include personal factors of politicians, socio-economic, cultural and political factors, the influence of globalization and modern democracy, mass media and factors of law enforcement. Politicians are expected to better interpret and understand, then implement their duties and functions in increasing awareness of politicians in carrying out the function of political education in order to realize the political voluntarism of citizens in Buleleng.

Keywords: politicians; political education; political voluntarism

1. Introduction

The success in holding general elections is one of success barometer of a country that adopts a democratic system [1]. This is determined by the level of citizen's participation. Participation is an active process and initiative in an activity. In Indonesia, citizen's participation in politics is guaranteed by the state. This is stated in Constitution of Indonesia (UUD 1945 pasal 28). In addition, it is also regulated in Undang-Undang Nomor 12 tahun 2005 concerning the guarantee of International Covenant Civil and Political Rights [2].

The phenomenon of low citizen's political participation in general elections is reflected from the implementation in each city or regency, such as in Buleleng Regency. In legislative elections 2004, citizen's political participation rate of Buleleng was 326,498 voters (75%) of 434,018 final voters list. So there are about 25% voters who do not use their voting rights. In the election 2009, there were 480,420 voters, but 332.799 voters exercised their voting rights (68.67%). However, in Presidential Election 2009, there was a decline of 65.26% and 34.74% of those who did not use their voting rights. In presidential election 2014, there were 543,542 registered voters, but those who used their voting rights were 337,277 voters (62.05%) and those who did not use their voting rights were 37.95% (data from Regional General Comisional

Election Buleleng Regency / KPUD Kab. Buleleng, 2014). In regent election of Buleleng regency 2017 has 54.4% citizens participation rate, while in governor election 2018, participation rate of Buleleng is 58.4% [3]. But there was an increase in voter participation in the election 2019, where out of 595,032 DPT who exercised their voting rights amounted to 439,787 or 73.91%, but this figure is still lower than the overall participation rate in Bali province with a citizen participation rate of 81.84% and the lowest in between urban districts in Bali, data from KPU Buleleng, 2020 [4]

One of the challenges faced in holding of general and regional elections today is the low level of political participation and political voluntarism of citizens. The large percentage of voters who do not exercise their voting rights in range of 25% - 37% indicates that there is a tendency of citizens participation rate in Buleleng Regency. In fact, on the other hands, shows euphoria of election participants. However, this was not followed by high political participation.

The synergy of all policy makers regarding the interests of the General Election is expected to solve this problem. Especially, in order to provide appropriate socialization to the public about the importance of elections for the life of the nation and state. All elements of this nation certainly hope that people's political participation will be high in theregional leader elections (*Pilkada*) in 2022 , both in quantity and quality in Buleleng district. For this reason, various institutions, both government-owned and non-government institutions, must be able to form smart voters in the concept of active participation and citizen volunteerism in politics (political voluntarism). Through intelligent voters, it is hoped that representatives of the people with high integrity and quality will be elected who can produce policies that are expected by the community. Based on the above, it is this that provides a stimulus to researchers to study and describe how the awareness of politicians to carry out their political education functions in order to realize the political volunteerism of citizens in Buleleng , especially in welcoming the simultaneous regional elections in 2022.

2. Method

This research uses a qualitative approach with qualitative descriptive research method design [5]. In this case, the problem is focused on description of politicians' awareness in providing political education to realize the political volunteerism of citizens in Buleleng regency. The subject of this research is phenomenon of low level citizens political participation in Buleleng. In addition, it uses a qualitative data analysis [6].

This research begins with sending a questionnaire and is continued with in-depth interviews with parties involved in the election both organizationally and personally, namely the General Election Commission of Buleleng Regency, KPPS, the general election committee at the village level, to the voters. Voters are divided into two groups, namely those who come to vote and those who do not. The results of this data are then synergized with the results of observations in several locations for the implementation of general elections. Furthermore, comparisons were made with existing documents in the form of data on the number of voters in the Buleleng district, voters who came and not at each polling place.

Overall data was analyzed interactively until conclusions were drawn about the level of voter participation in the Buleleng district in depth. To deepen the understanding of the results of this study, this analysis process uses political, socio-cultural, and educational theories.

3. Results and Discussion

Citizens Political Volunteerism of Buleleng Regency

Political voluntarism in Buleleng regency can be described from characteristics and types of political activities that are participated during general elections, legislative elections, and presidential elections. There were several types of characteristics and types of political activities carried out by residents of Buleleng regency. (1) Actively registering as a candidate for voters; (2) Promote voter registration to neighbors; (3) Assisting TPDP in recording population of prospective voters; (4) Actively participating in socialization of regent election from and by Regional General Comisional Election (Komisi Pemilihan Umum) or from the media; (5) Actively participating in campaigns of the candidate pairs of regents and deputy regents; (6) Actively participating in village meetings by Komisi Pemilihan Umum (KPU) regarding the implementation of regent elections; (7) Active and volunteering to become a team of one candidate pair; (8) Active discussion about quality of district head elections and quality of candidate pairs; (9) Active as chairman and / or member of PPS; (10) Active as a witness / observer of election implementation; (11) Active in socializing on social media about the election of regents and the choice of candidates; (12) Active as a donor for one of the pairs of candidates; (13) came to the polling station and voted [7].

From these characteristics, it can be said that the citizens political volunteerism of Buleleng Regency is still low. This is evidenced by several reasons. First, citizens are forced to follow other people's interests, especially in practical political activities such as coming to polling stations and voting. Second, citizens only carry out their obligations as citizens. Third, because they get money from election contestants. Fourth, showing vote's right as citizens. Fifth, they want to participate in determining the candidate for Buleleng leader in next five years.

Tabel 1: Category of Citizens Political Participation Rate in Regional Leader Election Buleleng Regency 2017

	Category	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1 – 3 (Vary Bad)	337	86.6	86.6	86.6
	4 – 5 (Bad)	44	11.3	11.3	97.9
	6 – 8 (Normal)	8	2.1	2.1	100.0
	9 – 10 (Good)	0	0.0	0.0	100.0
	11 – 13 (Vary Good)	0	0.0	0.0	100.0
Total		389	100.0	100.0	

This data shows that the level of citizen political participation in the Buleleng Pilbup in 2017 is still low [7].

Tabel 2. The Level of Citizen Political Participation in Regional Leader Election Buleleng Regency 2017

Data	Category	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1 = abstain	139	35.7	35.7	35.7
	2 = voter	250	64.3	64.3	100.0
Total		389	100.0	100.0	

Based on the analysis conducted, the culture of participation and political volunteerism of citizens in Buleleng Regency is still colored by tendency of Patron-Client culture, moving on subject-participant culture and parocial-participant culture [8][9]. This is evidenced by the existing political culture in Buleleng Regency with the following characteristics; First, Patron-Client, explains that culture is seen from relationship patterns and contexts that are individual. This interaction is individual. There is a relationship between patron and client. Patron has resources in form of power, position, protection, attention, material resources (property, land, and money), while client has resources in form of manpower, support and loyalty [10].

The political culture in Buleleng

The political culture in Buleleng Regency affects legal culture and the level of legal awareness of citizens. In accordance with the theory put forward by Lawrence M. Friedmann [11], legal culture includes the values that underlie applicable law, values which are abstract conceptions of what is good and what is considered bad. Judging from its definition, legal culture defined as people's attitudes towards law and legal system such as beliefs, values, ideas, and expectations [11]. The culture of political participation and political volunteerism that has developed in Buleleng regency as mentioned above is still concerned with conventional practices with primordial principles, status quo, patron-client, paternalism, and kinship so that it has an influence on the legal culture that surrounds it, where culture the law that is influenced will be Top-Down, that is, from the leader to his subordinates, or in other words, from the politicians, the political elite to the constituents [12]. So why in this pattern is known as the Rule-Model pattern or modeling or influencing subordinates or convincing supporters (constituents) [13].

The legal awareness of the politicians themselves as the influence of the legal culture in contact with their political culture can be analyzed, understood and known from the indicators that have been described previously, namely indicators of legal awareness of politicians in Buleleng that can be seen from the levels: Knowledge of the Law, Understanding of the Law, Attitude, and Legal Behavior. *First*, legal knowledge, namely legal knowledge of politicians in Buleleng Regency regarding certain behaviors regulated by Law of the “Undang-Undang Republik Indonesia Nomor 2 Tahun 2008 about Partai Politik”, especially in the regulations governing their political education function. *Second*, understanding the law; Legal understanding is a number of information held by politicians in Buleleng district regarding the contents of Law of the Republic of Indonesia Number 2 of 2008 concerning Political Parties. Or the meaning of the content and objectives of Law of the “Undang-Undang Republik Indonesia Nomor 2 Tahun 2008 about Partai Politik”, as well as their benefits for parties whose

lives are regulated by Law of the Undang-Undang Republik Indonesia Nomor 2 Tahun 2008 about Partai Politik. *Third*, Legal Attitude, this is a tendency to accept the Law of the Undang-Undang Republik Indonesia Nomor 2 Tahun 2008 about Partai Politik. *Fourth*, the pattern of legal behavior. The pattern of legal behavior is the actions of politicians who are carried out in accordance with Law of the Undang-Undang Republik Indonesia Nomor 2 Tahun 2008 about Partai Politik concerning Political Parties which is an implementation of the interpretation and actualization of politicians towards the law [14]; [15].

The legal awareness of politicians which is reflected in the knowledge, understanding, attitudes, and behavior patterns that are displayed will also affect the legal awareness of their constituents[16]. Where, as explained earlier, the existence of exemplary and Rule-Model will be able to have a positive influence on the legal awareness of society through its constituents. That effectiveness of legislation can be said to occur in society[17]. So that it can be explained about the awareness of politicians in carrying out the function of political education in order to realize the political volunteerism of citizens in Buleleng district in welcoming the simultaneous regional elections in 2022, namely as follows; Political Education for Internal Political Parties, Political education aims to provide knowledge, understanding, inculcation of attitudes and manifesting behavior patterns of politicians themselves[18]. This means that political education is carried out for politicians in political parties as outlined in the vision, mission and work program of the political party concerned, namely in the following forms; The first is Consolidation, the politicians in Buleleng regency, through the life of their political party organizations, there will always be a process of consolidation and socialization. Consolidation concerns the interests of the party (its political party platform) which is associated with the socialization function of political parties to strengthen unity and integrity and identity within the party concerned[19]. Consolidation is manifested in the form of socialization activities on ideology and political party platforms, which include: socialization of political parties' statutes, visions, missions, and work programs which politicians in political parties must know, understand, address and implement. Consolidation aims to create the highest possible sense of solidarity and dedication, as well as loyalty from politicians, party elites and party cadres to their parties[20].

Consolidation of Political Parties

Looking at the programs of political parties that are the object of this research, it can be identified into several forms of consolidation carried out according to translation or understanding of political parties concerned in Buleleng Regency, they are; structural party consolidation, party structure consolidation is carried out in form of; Party Branch Conferences, this will be held in 9 (nine) regencies / cities in province Bali. Party Branch Conference for Children, this is carried out in every sub-district in Bali. Party Subdistrict Deliberations, carried out by the branches that have formed PAC Party management Bali, and Branch Children Meeting. Non Structural Consolidation, consolidation is very important in winning elections[21].

Consolidation of non-party structures is carried out by forming and establishing a Party Regional Advisory Council, forming and establishing departments according to division of tasks

in accordance with fields determined by party. Internal party consolidation with main objectives as follows; strengthening party loyalty to Pancasila and UUD 1945 and NKRI, strengthening appreciation and practice of party cadres and members on basic of struggle, vision, mission and party discipline, conducting introspection of party performance based on experience and being responsible for development and progress of party, forming and solidifying image of party[18].

Then, there is also the type of consolidation in an effort to succeed in party consolidation and development. *First*, ideal consolidation. This consolidation aims to strengthen party loyalty to Pancasila and UUD 1945 and maintain the upholding of Unitary Republic of Indonesia, improve practice of party ideology, increase moral awareness, ethics and exemplary. Secondly, consolidation of insights, this consolidation aims to solidify the insight of nationalism and insight of archipelago, develop global insights in the perspective of national interests[22]. Third is organizational consolidation. This consolidation tends to be like a structural consolidation, which concerns membership sector; institutional regeneration; extracting and utilizing funds; relations with social and professional organizations; in the field of cooperation, synergy with other political parties; and information and mass media, research and development as well as law and human rights development [23].

Political Voluntarism in Covid-19 Pandemic Era

In this year, many party officials who will run for Regional Election 2020 have come to public to campaign for the dangers of COVID-19 and the ways of transmission. This activity was generally accompanied by distribution of aid for nine basic necessities (sembako), food, disinfectants, and personal protective equipment (PPE). Not only that, several members of parliament at local and national levels have also stated that they will donate part of their salary to ward off growing spread of COVID-19 outbreak. Several political parties conveyed instructions and established special programs against COVID-19. Partai Demokrat (PD), Partai Demokrasi Indonesia Perjuangan (PDIP) and Partai Kebangkitan Bangsa (PKB) have conveyed instructions for party cadres to take part in breaking the chain of COVID-19. Meanwhile, several other parties including Partai Golongan Karya and Partai Nasional Demokrat have special programs which they call: "Gerakan Golkar Peduli Lawan COVID-19" and "Gerakan Nasdem Peduli" [24].

The steps taken by these political parties must be appreciated. However, there are notes that also need to be observed. Parties should be able to take advantage of broad network of political party cadres and use the ability of parties to tie up their cadres. The strength of this cadre is what distinguishes party programs from aid programs or donations made by individuals or civil society groups[21]. Party administrators and party wing organizations can be mobilized to map the problems and needs of constituents after the outbreak of this corona virus. There are several factors that can influence the emergence of citizen political volunteerism in Buleleng Regency, they are personal factors of politicians, socio-economic, cultural and socio-political factors, socialization of legislation products, influence of globalization and modern democracy, communication media and the masses and factors of the casualties. Personal factors are defined as anything that can affect legal awareness of politicians in carrying out their political education functions that originate from within themselves [25].

4. Conclusions

Politicians in Buleleng Regency are expected to better interpret and understand, then implement their duties and functions in increasing awareness of carrying out the function of political education in order to realize citizens political volunteerism in Buleleng Regency. Undang-Undang Nomor 2 tahun 2008 about Political Parties, it is hoped that political life in Buleleng Regency will lead to a political culture, community participation and conventional practices with primordial principles, status quo, patron-client, paternalism, and kinship to realize implementation of democracy modern based on the values of Pancasila and UUD 1945 in Indonesia. It is hoped that political parties, through their politicians, will further improve their political education functions with aim of increasing the participation of the Buleleng Regency people in efforts to increase their rights and obligations as citizens to determine direction of public policy, so that national goals are achieved and not only limited to political participation in voting in general election.

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Undiksha Students' Level of Understanding about the Civic Education in Implementation the Socio-Pedagogical, Socio-Academic, and Socio-Cultural Missions in to Create Smart and Good Citizenships

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Abstract: This study aims to explain Undiksha students' level of understanding about the Civic Education essence in carrying out the socio-pedagogical, socio-academic, and socio-cultural missions in to form smart and good citizenships. This study used a survey method by providing a multiple choice (objective test) as the data instrument. The data obtained were analyzed descriptive quantitatively. The results of this study the level of students' understanding about the essence of Civic Education in carrying out the socio-pedagogical, socio-academic, and socio-cultural mission to form smart and good Citizenship is at a value of 64.98, which is classified in the medium range, not in the maximal range yet. The efforts that can be made in order to improve students' understanding about the essence of Civic Education are the implementation of the Civic Education' missions, and empowering students through pedagogical, teaching and learning processes, academic processes, research, study, and public service so that they have civic skills.

Keywords: civic education mission; socio-pedagogical; socio-academic; and socio-cultural.

1 Introduction

Almost all circles agree and it has become a common knowledge, especially among Civic Education academics that the purpose of Civic Education (PKn in Indonesia) is to formed good and intelligent citizens, or smart and good citizenship. The general goal of Civic Education is to educating citizens to be good citizens, which can be described as patriotic, tolerant, loyal to the nation and state, religious, democratic, and truly uphold the values of Pancasila [1].

Based on the description about the essence and the vision of Civic Education above; Civic Education have a socio-pedagogical, socio-academic, and socio-cultural mission as follows. Socio-pedagogical mission is obliged to empowering students through education, teaching and training processes so they may have seven civic skills, such as civic knowledge, civic disposition, civic skills, civic confidence, civic commitment, civic competence, and integrated civic culture which integrated in the ability to think, behave and act as Indonesian citizens who have good character and democratic [2]. The social-academic mission, Civic

Education must be useable for the students to develop a better civic and democratic life academically through various activities of thinking and reflective inquiry on various civic education problems in community, nation and state. In this case civics should be able to be a mean of social reconstruction, or be a social engineering for educators and students in applying the principles of thinking, and scientific research that creates and develops democratic citizenship life with a better character according to the stages of social, emotional, and moral development of the students. Based on the socio-cultural mission, then civics must be useful for educators and students so then both are willing to give dedication for the community, nation and country [3]. Then Civic Education must be able to become a vehicle for citizens' political participation for educators and students in the common interests as citizens in democratic life towards the national goals of Indonesia which always leads to a better life in society, nation and state of Indonesia according to Pancasila, and the 1945 Constitution [4].

If the essence and vision of Civic Education above can be a real guidance and able in realizing Civic Education missions and tasks, then it is not difficult to be able to realizing the ideals and the goals of Civic Education as a vehicle for civic education, as a vehicle for democratic education, and as an Indonesia's national character education. In this case the aim of Civic Education is to build and empowering good and smart citizenship in the sense of: intelligent, faithful and pious, moral and virtuous, democratic, responsible, has a strong commitment, and being participative in the development of citizenship, state and country. In the term of education, civics is a vehicle for education in the framework of nation and character building that enables all citizen to have complete and powerful civic skills and competencies; to become good and smart citizens which also include: civic knowledge, civic disposition, civic skills, civic confidence, civic commitment, civic competence; which as a whole can be used to create a civic culture with a good moral and dignified (humanist, holistic, and religious) [5].

The problem is whether of the Civic Education practice in university, especially at the Ganesha Education University has carried out the Civic Education mission as above [6]. The results of the preliminary study did show that most of the Civic Education lecturers or educators at this institution were indeed lecturers in the Law and Civic Education Department, except for 4 people who came from the Primary Teacher Education Department. It is believed that all Civic Education lecturers have a minimum provision of training and competence in carrying out and realizing the essence, the vision and missions (socio-pedagogical, socio-academic, and socio-cultural) to form smart and good citizenship. However, it is known that the higher education backgrounds of lecturers, the value orientation, and their commitment vary considerably. Beside of that, there is no evaluation study effort on how effective the influence of the background and competence of the Civic Education course lecturers on the implementation of the essence, the vision and mission of Civic Education in terms of socio-pedagogical, socio-academic, and socio-cultural to form smart and good citizenship until now. So in this case, we believed that this research is very important to do in order to know the level of understanding of Undiksha students about the essence of Civic Education in implantation the socio-pedagogical, socio-academic, and socio-cultural mission to form good and smart citizenship.

2 Methods

This research uses a survey method, the focus of this research is the level of student's understanding about the nature of Civic Education in carrying out the socio-pedagogical, socio-academic and socio-cultural missions in order to form good and smart Indonesian citizens. Whole research was conducted at Undiksha, especially in the departments that offer civics courses in the even semester of the 2019/2020 academic year.

The main data collection technique that used in this study is by providing multiple choice objective tests to determine student understanding about the nature of citizenship education in carrying out the socio-pedagogical, socio-academic, and socio-cultural missions in order to form good and smart citizenship. The data collection in this research is mostly descriptive quantitative which supported by the descriptions of qualitative data from observations and interviews. The data processing procedure is carried out in the following steps: (1) giving an objective test, (2) scoring (3) descriptive statistical analysis, and (4) describing the data [7].

3 Results and Discussion

Based on the given test to Undiksha students about the nature of citizenship education in carrying out the socio-pedagogical, socio-academic, and socio-cultural missions to form good and smart citizens showed that the average score of is 64, 98. That score indicates that the level of student understanding about the nature of citizenship education in carrying out the socio-pedagogical, socio-academic, and socio-cultural missions to form good and smart citizens is not yet maximal.

The average score indicates that the level of students understanding about Civic Education is not maximal in carrying out the socio-pedagogical, socio-academic, and socio-cultural missions to form good and smart citizens. It can be proven based on the score obtained, it was 64.98. In general, the level of students understanding is described as follows; there are 14.19% of students who categorized in red zone level of understanding, that classified a very bad category, with scores from 10 to 49; there are 19.35% of students who categorized in orange zone level of understanding, that classified as a bad category, with scores from 50 to 59; there are 27.1% of students who categorized in yellow zone level of understanding, that classified as a normal category, with scores from 60 to 69; there are 23.23% of students who categorized in green zone level of understanding, that classified as a good category, with scores from 70 to 79; and there rest 16,13% of students who categorized in blue zone with a very good score.

Table 1. Distribution Frequency of Student Understanding about the Essence of Civic Education

No	Categories	Interval	Frequency	Relative Frequency %	Cumulative Frequency %	Percentage
1	Very Bad	30	39	7	4.52	4.52
2	Very Bad	10	49	15	9.68	14.19
3	Bad	50	59	30	19.35	33.55
4	Normal	60	69	42	27.10	60.65
5	Good	70	79	36	23.23	83.87
6	Very good	80	89	16	10.32	94.19
7	Very good	90	100	9	5.81	100
			N = 155	100%	100%	100%

The data above shows that the level of student understanding about the Civic Education is not maximal yet in carrying out the socio-pedagogical, socio-academic and socio-cultural missions to form good and smart citizens. From several observations, and analysis of some existing facts, this fact is caused by the following things. Procedurally, civics has an ideal essence, but this essence was not followed by the implementation of civics in accordance with the essence of Civic Education vision, mission, and goals.

The efforts to develop Civic Education learning practices need to be done through a more holistic-humanist-religious and integrated thinking. Civic Education in the future is not sufficient only to develop rationality, and democratic citizens, as like what done in western countries. However, it also needs to develop a vision of faith, quality, and culture at the same time. Civic Education is not only a guide to realizing the socio-pedagogical mission, but also in an integrated manner to realizing the socio-academic, socio-cultural and socio-religious missions. The characteristics of civics learning in general is still colored by the controlled learning of capitalist society ideology that tends to be rational-empirical-materialistic, which shows that there has been a phenomenon of secularization that separates religious affairs from the state, or religious matters with science so that the spirit of education is based on socio-cultural values (*local genius*), meanwhile the religious value in Civic Education is increasingly thin out [8].

Civic Education learning materials which provided for students, and also learned by students was only focus on studying the relationship between citizens and countries with a secular western pattern; it is very rarely discussing the holistic-humanist-religious values that come from local wisdom; people's spiritual culture in real daily life. Civic Education learning in general still uses a conventional approach. This is because the hidden assumption that Civic Education is a knowledge which can be completely transferred from the teacher's mind to the students' mind (one way method) so then the conventional learning model is still applied [9].

The level of students' understanding about socio-pedagogical mission of civics is not maximal. The understanding that being talked about was the understanding about socio-pedagogical mission which related to content, substance, material, teaching materials and also concerns the processes of education, teaching and training to have seven civic skills. The seven civic skills include: civic knowledge, civic disposition, civic skills, civic confidence, civic commitment, civic competence, and civic culture which were integrated in the ability to think, behave, and act as democratic Indonesia citizens [10].

In accordance with the level of understanding about socio-academic mission, the students should be able to understand civics which functioned for educators and students academically to developed better civic life through various thinking activities, and reflective inquiry on various problems in daily life among society, nation, and states which can be simulated in academic activities. In this case civics supposed to be able to be the reconstruction or social engineering for educators and students in applying the principles of scientific thinking and research, especially in creating and developing a better democratic life in accordance with the stages of participant thinking, social, emotional and student's moral development [11].

The next important topic is socio-cultural mission. Students have not been able to fully understand the essence of Civic Education. Civic Education must be able to be a function for educators, and students so then both of them can serve the society, nation and state. Civic Education must be able to become a vehicle for socio-political participation for educators,

and students in the common interests of democratic life in order to achieve the national goals of the Indonesian state based on Pancasila and the 1945 Constitution. As a vehicle for socio-political participation, Civic Education does not have to be non-governmental organizations, political institutions, and government superstructure institutions. In this case Civic Education has to be a vehicle for political education for citizen which allows every citizen to contribute actively, and being participative. However, Civic Education must also be able to influence, determine, and control the direction of public policies for common interests in the life of society, nation and state in the unitary state of Republic Indonesia based on Pancasila, and 1945 Constitution[12].

The process of education, and teaching as a form of the implementation of its socio-pedagogical mission can be carried out in order to master the integrated civic competence. Civic Education must have the aim of developing civic skills in the student subject as a whole, meaningful, and authentic both concerning personal, social, intellectual, academic, and vocational skills. The development of these skills are only possible if civics is able to fully achieve and integrating all individual competencies of students, including civic knowledge, civic disposition, civic skills, civic confidence, civic commitment, and civic competence that are needed in order to build a dignified civic culture, and good Indonesian moral [5].

The practice of learning the all of Civic Education objectives as above can be formulated as follows: 1) students are sensitive to various problems in their environment; 2) students are responsive to the various implications of the problems they identified; 3) students are able to solve one of the most crucial problems from the perspective of democratic citizen; 4) students are able to take collective decisions as recommendations regarding relevant public policies; and 5) students are able to communicate and socializing recommended policy proposals through the corridors and instruments of democracy in their environment [2].

To achieve the objectives of Civic Education as a vehicle for achieving its mission in its socio-pedagogical framework then Civic Education learning must be based and oriented towards developing the practice of the life of relations between the country and its citizens. Civics education in Indonesia needs to be facilitated in order to develop from the knowing paradigm that focuses on the mastery of knowledge, to the doing and building paradigm that focuses on practice in order to prepare citizens who are committed to the application and development of the Indonesian nation. The use of the Contextual Teaching Learning model needs and must be implemented in daily life. The approach can be done by a functional approach, and problem-based learning approach. The instructional strategy used in this model and approach basically departs from the essence of inquiry learning strategy, discovery learning, problem solving learning, research-oriented learning, and cooperative learning which been packaged in a Civic Education learning project model [3].

Then, Civic Education as a vehicle for education and teaching in its socio-pedagogical mission will also be effective if the implementation of the assessment process and student learning outcomes is more authentic. It is also necessary to use alternative assessment models that better reflect the application of democratic principles and principles. Therefore, the assessment of the process and learning outcomes of students must be intact, comprehensive, authentic, meaningful, honest, transparent, objective, integrated, educating, empowering, and not judgmental. The use of assessment strategies such as interviews, observations, essay

writing tests, performance tests, self-assessments, and well-designed portfolios are the main requirements for the achievement of Civic Education learning objectives in realizing its socio-pedagogical mission [9].

On its socio-academic mission, civics must be useful for educators and students. Thus both can develop a better relationship life between the state and citizens academically through various activities of thinking and reflective inquiry on various political, ideological, legal, state administration and general social issues in the social life of society, nation and state. Civics in this case must be a mean of social reconstruction or a mean of social engineering for educators, and students in applying the principles of scientific thinking and research, especially in creating and developing a better national and state life in accordance with the stages of thinking, social, emotional development, and student's moral [12].

In its socio-cultural mission, civics must be useable for educators, and students so then both of them can serve the community, the nation and the state. Moreover civics must be able to become a vehicle for socio-political participation for educators, and students for the common interests of social, national and state life towards the national goals of Indonesia, which is to achieve a better life based on Pancasila and the 1945 Constitution. As a vehicle for socio-political participation, civics does not must become non-governmental organizations, political institutions, and government superstructure institutions. The next concern is civics needs to be the vehicle for political education which allows every citizen to actively give a participative contribution. But the more important thing is civics must particularly influencing, determining, and controlling the direction of public policies for common interests in the life of society, nation and state in the unitary state of Republic Indonesia based on Pancasila, and the 1945 Constitution[5].

4 Conclusions

The level of students' understanding about the nature of civics in carrying out the socio-pedagogical, socio-academic, and socio-cultural mission to form a good and smart citizen is at a value of 64.98 which classified as normal category, or not maximal yet. In general, the level of students' understanding is described as follows; as many as 14.19% of students whose level of understanding was in the very low category with values ranging from 10 to 49; then 19.35% of students have a level of understanding in the low category with a score from 50 to 59. In the normal category there are 27.1% of students with an interval of score from 60 to 69. Furthermore, at the interval of scores from 80 to 89 there are 23.23% of students which are classified in the high category, and the rest 16.13% of students have an understanding level that classified in the very high category of scores. The efforts to improve students' understanding about the nature of Civic Education in carrying out the socio-pedagogical, socio-academic and socio-cultural missions to form good and smart citizens can be taken from the implementation of Civic Education mission.

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Babad Cendek: Inclusive Values in West Bali on Multicultural Communities as an Effort to Deradicalize and Build a *Toleran* Civilization of a Nation

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Abstract. This study aims to examine the inclusive values contained in the Babad Cendek as a past consensus on multicultural societies in West Bali region. This is a picture of the sociohistorical of West Bali as the inheritor of the multiethnic and multi-religious values of harmony. The inclusive practices contained in Babad Cendek can be seen as a means of building a tolerant civilization in the people of West Bali in particular and Indonesia in general. This study used a qualitative research design. Conducted using an ethnographic study design that made former Dutch colonial plantation workers since the second decade of twentieth century. Currently they live in Sumber Kelampok Village, Gerokgak District, Buleleng Regency, Bali. Consists of various ethnicities such as Madurese, Javanese, Bugis and Balinese. The data analysis technique used in this research is qualitative data analysis.

Keywords: inclusive, multicultural, multiethnic, multi-religious

1. Introduction

This research will examine inclusive values contained in Babad Cendek as a product or consensus in the past on multicultural societies in West Bali. They are social communities formed by Dutch colonial plantation workers since second decade of twentieth century. They consist of various ethnicities such as Madurese, Javanese, Bugis and Balinese. Madurese and Bugis ethnic groups were specifically brought in by the Dutch to harvest forest, and the other ethnics, Balinese and Javanese, were in charge of planting and maintaining plant seeds.

Unlike the Dutch plantations in other parts of Indonesia which were water surplus, due to geographic factors and the refusal to open plantations in southern Bali, the establishment of colonial plantations in West Bali focused on coconut and kapok crops. As a result of historical processualization of social community formed by the multiethnic and multireligious the Dutch colonial plantation workers in twentieth century, a consensus was born which they call Babad Cendek which provides historical legitimacy as well as a reference for social practice, culture towards a tolerant and harmonious community life. Babad, as the Balinese, Javanese and Madurese call it, is an attempt to set the stage for the tradition and history of shared values of a group of people.

The Balinese, Javanese and Madurese refer to genealogies to legitimize where they come from. It was written or passed down to the next generation through oral tradition. Babad, apart

from being considered a form of oral tradition, is also one of the ways a person or group of people views the past and then builds and rearranges stories of the past in order to make the present and future better and more meaningful. This kind of view, apart from having a socio-historical meaning, also contains an educational meaning, in which there are processes and events of documenting ancestral values, regeneration, publication, regeneration and even the inheritance of communal values.

The existence of Babad Cendek as a historical legitimacy in the multiethnic and multi-religious society in West Bali which was formed due to historical processualization and still survives until now is very similar with Pancasila as a collective memory in history of the past of Indonesian. By linking various national phenomena recently such as the strengthening of ethnic sentiment and religious primordialism, it is necessary to make efforts to explore inclusive values in locality. Apart from being an effort to strengthen the national identity as well as to provide confidence about a sense of self *bhinneka tunggal ika*, so that foreign ideas that try to tear our nationality can be avoided.

2. Method

This research was conducted using a social history method combined with ethnographic research designs on racial communities formed by the labor of Dutch colonial plantations in West Bali since second decade of twentieth century. This study focuses on description and explanation of cultural phenomena that can be reconstructed from perspective of natural research participants. Research with an ethnographic study approach for above purposes requires researcher to be directly involved in research arena to make observations, in depth interviews, and discussions, as well as study existing historical documents.

3. Result and Discussion

Socialhistorism Background of Multiethnic Society

Approaching nineteenth century, European private companies who opened plantations in West Bali had difficulty finding local labor. Local workers, especially from southern Bali, are usually brought in only at harvest time because of the status of casual workers and not based on contracts (Bagus, 1975). As a solution, workers were brought in from Madura, Java and Bugis (Lieftrink, 1969).

Workers from Java and Madura are assigned the task of clearing land, including digging soil and ripping forests. Because of their heavy duties, they make settlements and settle permanently around the plantations. Workers from southern Bali got a share of weeding the plants and sowing the seeds (Vickers, 1990). After harvesting, they will return to their home areas.

The first settlement of migrant workers from Madura began in 1918 when a coconut plantation in Sumberklampok Village was opened by Willem Remmert. He brought 65 forest workers from Sapudi Island, Madura. They are the first generation of Madurese in region. On the other hand, Javanese workers were brought in in 1922 by John Powtal and established settlements in different plantation locations but still in one village area.

The migration of Balinese people, especially from Karangasem Regency, started in 1963 when Mount Agung erupted. People of Badung, Klungkung, Nusa Penida, Tabanan and Gianyar began in the middle 1980s, along with the need for labor on plantation land whose concession rights were transferred to PT Dharmajati and CV. Margarana.

Early migration of Balinese people to West Bali occurred in 1962. The Governor of Bali, Anak Agung Bagus Suteja, moved 89 farmer families from Badung and Tabanan. He borrowed a plantation area of 50 hectares. Not having had chance to issue a circular to

withdraw farming family, its traces disappeared along with the tragedy of 30 September 1965 (Cribb, 2004). The provisional suspicion is that they are members of Barisan Tani Indonesia (BTI), which is one of the underbow organizations of Partai Komunis Indonesia (PKI).

Agrarishe Wet and The Opening of West Bali's Plantation

Agrarian Law which was in effect since 1870 in Java was also implemented outside Java. This law states that there is common land ownership by citizens (*domein verklaring*). All land belongs to the state, except when other parties, such as the local king, raise objections with provable reasons. Therefore, Dutch Government could lease state lands for private European private plantations for a period of 75-99 years (Mubyarto, 1983). In addition, it mentions a statement regarding prohibition of transferring state lands from native to private European without written permission from Colonial government.

Dutch influence entered Buleleng after the conquest in 1849. The Jembrana area which was previously part of the Buleleng Kingdom became subordinate to the Dutch. The influence of the Dutch became even wider after being assigned a resident assistant in 1885 in Buleleng and a controlleur in 1856 in Jembrana. The first land lease in Bali was carried out by I Gusti Made Pasekan, Regent Jembrana in 1860 to L.G.G.R. de Mey van Streefkerk, a clerk in Banyuwangi with a rent payment of f 1500 per year and transactions written in palm leaves (Damste, 1925).

Geographically, the locations of Jembrana and Buleleng are very advantageous in Balinese economy. This area covers the west coast plains to the hilly plains, extending from the middle of Bali's southwest coast to the mountains. At that time, resident of Bali and Lombok, F.A. Lieftrinck, rejected the request to open a plantation in southern Bali. He reasoned that the opening of plantations would push Balinese agriculture. If that happens, Bali will be short of water followed by death of culture. Even though at the same time, the Dutch Colonial was holding Baliseering project. This project aims to make Bali a living museum where it can only live and develop in water culture. Therefore, the way out of the refusal to open plantations in southern Bali is to use West Bali as plantation land (Djelantik, 1924).

With the geographical character of West Bali which is lacking in water and supported by increasing demand for copra, especially from Singapore since the late 19th and early 20th centuries, coconut has been chosen as the main plantation crop. Lieftrinck reported that in Buleleng the annual yield of coconut reached 10,000 tons per year, especially at the end of the 19th century. Lieftrinck also said that the quality of Balinese coconut is quite good and rarely affected by pests (Reksodihardjo, 1951).

The opening of first Europe plantation in Jembrana in 1860 had an impact on other areas culturally. Migration of labor from Java and Madura, then settled in Buleleng and Jembrana as plantation workers because economic and social problems have made it an area that forms characteristics that also give rise to specific conditions in language, as well as in its customs and culture. (Korn, 1932).

Plantations in West Bali and North Bali as well as other plantations in Indonesia are owned by foreigners. Likewise, the coconut oil factories in Kapal, Denpasar, Temukus and Buleleng were owned by Chinese. The world recession of the 1930s also affected Dutch colonial plantations in Bali. The plantations became withdrawn and with the arrival of the Japanese in Bali the plantations became derelict. After independence, several plantation companies were bought by Indonesians of Chinese descent and the Bali Regional Government (Soekarman, 1983).

Babad and Historism Legitimation

The Balinese refer to *kawitan* to legitimize its origins. It was written down and passed on to the next generation through oral tradition. One form of oral tradition is *babad*. *Babad* is considered the Balinese way of looking at the past as well as building and reconstructing the past in order to make the present more meaningful (Nordholt, 1996). *Babad* and *kawitan* work together as a link between ancestors and the present. Neither of them will be able to work if they are not ordered to act

In the context of the Dutch colonial plantation workforce in West Bali, which consisted of three ethnicities, they're Balinese, Madurese and Javanese, documentation of origins did not become the domination of one ethnicity, namely Balinese ethnicity. Javanese and Madurese ethnics have consciously documented their existence since 1967, when the administrative village was first formed. The aim is to legitimize the origin as the inheritor of the homeland.

The idea of three ethnic social integration in West Bali has existed since the opening of the first plantations in the second decade of the XX century. This is reflected in social behavior that shows respect, such as the tradition of *ngejot* and *metulungan*. Inter-ethnic interaction, even though it is carried out within the boundaries of the settlement, has given birth to an experience which then settles into a common memory. The idea of shared memory refers to the common fate that they are entities that have been uprooted from their culture. This memory does not only live in the minds of ethnic Balinese, but also of Madurese and Javanese ethnicities. It becomes the collective knowledge and truth of the past. Thus, this short *babad* does not only function as self-legitimacy for a multiethnic and multi-religious society, but also as a kind of historical agreement between ethnic groups.

Babad Cendek becomes a kind of inter-ethnic social glue that can reduce social tensions. The chronicle also becomes a force that is able to unite when dealing with enemies. Together, they used the stories in *babad* as a reference to explain the position and rights of the homeland.

Through *Babad Cendek*, that bloodshed sense of ownership is nurtured and shaped because their ancestors in the past had built the village together. They had already been buried and may have become the ancestors who would have stayed behind to watch over the village from the realm there.

4. Conclusion

Babad is considered as a source of identity and past references regarding the existence of a community. Identity becomes very important when faced with a common goal. So, identity becomes a means of self-legitimacy that they have the right to space. On the other hand, *babad* becomes a source of law, a social glue capable of dissolving ethnic and religious boundaries. This is shown through social expression in the form of actions that reflect tolerance and equality.

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Implementation of Article 7 Law 16 Year 2019 Concerning Amendments to Law 1 Year 1974 Concerning Marriage with the Age Limit of Marriage in *Sidetapa* Village

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Abstract. The problems discussed in this thesis are how to implement the minimum age limit in marriage according to Law Number 1 of 1974 and whether the factors that become obstacles in implementing the minimum age limit in marriage in accordance with Law Number 1 of 1974. The method used in the study This is a juridical empirical, with qualitative descriptive research specifications. The data collected are primary data and secondary data. Primary data were obtained from observations and interviews with predefined respondents. The results of this study indicate that from 2016 to 2020 there were still many underage marriages that occurred in Sidetapa Village, Banjar District. This marriage was caused due to economic problems in the family, which resulted in underage marriages. Lack of socialization about the marriage law in Sidetapa village is one of the inhibiting factors in the community to understand the aw.

Keywords: Marriage, Underage, Sidetapa Village, Buleleng.

1 Introduction

Marriage is a physical and mental bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on God Almighty (Law No.1 of 1974). Meanwhile, the definition of marriage according to Burgerlijk Wet Boek (Dutch heritage) is a relationship that is only civil in nature. This means that marriage is an "agreement" or "agreement" between individuals that is not related to the religious-magical element. Marriage is considered legal and legal if it has been agreed upon and approved by each party and is recorded in the form of a marriage certificate at the civil registry office [1].

Humans by nature have the instinct to maintain their life by obtaining offspring. To get offspring is done by marriage. Marriage is one of the important parts in human life that is sacred and holy, where two people of different sexes, namely men and women are brought together with conditions and laws that apply to the same purpose, namely to form a family in the long term. Unlimited time and is valid for a lifetime. Article 1 of Law Number 1 Year 1974 states that marriage is a physical and spiritual bond between a man and a woman as

husband and wife, which aims to form a happy and eternal family based on the One Godhead. Marriage is generally motivated by a sense of mutual love and belonging to each other, this feeling that encourages someone to commit to marriage [2].

Marriage is a sacred and special event, where the marriage is generally carried out once in a lifetime. Based on this, most people pay a lot of money to carry out a marriage ceremony that lasts only a few days. Seeing this fact, it can be said that marriage is a very important event in human life. Because marriage is a very important event, marriage in Indonesia has been regulated in such a way both in religion, customs and state law. To ensure legal certainty and legal unification in the field of marriage, the national law on marriage is regulated by Law Number 1 of 1974 concerning Marriage, hereinafter referred to as the Marriage Law [3].

Marriage is the initial gateway to forming a family which is the smallest unit of a society. The family which is the smallest unit of society consists of husband and wife, or husband and wife and their children, or father with child, or mother with child. The purpose of marriage is not limited to biological relationships. Marriage has a further purpose than that, which includes a loving life guidance so that people can live peacefully in family and society. To achieve the noble goal of marriage, of course, the prospective bride and groom must have entered her body and soul before marrying. This maturity is expected to realize the goal of marriage well without thinking about divorce and to get good and healthy offspring [4].

In discussing maturity, we cannot limit ourselves to only one or two scientific fields, but we are forced to carry out interdisciplinary studies because maturity itself is used by almost all fields of social science, including: sociology, law, political science In economics, even in religious studies, issues of maturity are fundamental and decisive. In the field of law, maturity can determine the validity of a legal act. An immature person is seen as a subject who has not been able to act alone before the law, so that his legal action must be represented by his parents / guardians [5].

Diversity in determining the age limit for maturity is caused by the absence of a standard that can be used accurately to determine the limit of human maturity. Age and the act of marriage can indeed be one of the determinants of maturity. But it is not always the right measure because maturity itself is a condition in which a person has reached the maturity level in thinking and acting, while the maturity level is present in each person differently, there is even an opinion that it is possible until the end of human life. never experience maturity because maturity is not always proportional to age. Indeed, not all laws and regulations explicitly state limits on maturity [6].

However, by determining the age limit for a certain legal act, it is actually the maturity factor that is being measured. For example, some laws only state the age limit for those who are called children, so that those above the age limit must be considered as an adult, or the law allows a person to commit certain acts after exceeding the specified age limit. All these arrangements are ultimately focused on the meaning and understanding of maturity. The ability to think conceptually based on norms and value systems makes human civilization continue to develop rapidly. In relation to the pattern and level of human civilization, there is a condition in humans which is always associated with mental qualities and personal maturity, this condition is none other than adulthood. Maturity is always a measure in every action and

responsibility that is carried out, so that maturity is a very important factor in every social interaction, whether it has legal consequences or is limited to the scope of public relations [7].

In almost every area of life, maturity is always a measure of the responsibility of an act. This is because only a person who is an adult is deemed to be perfectly accountable for his actions, this can be seen from several legal provisions which qualify for actions which in principle can only be done by those who are adults. But on the other hand, there is a phenomenon of underage marriage which is quite interesting to the attention of various circles, this happens because in fact the phenomenon of underage marriage is like an iceberg phenomenon that looks a little above it, even though in the plains the fact is very much happening in Indonesian society [8].

This underage marriage raises many social problems and on the other hand also creates legal problems. The controversy over underage marriage has become a debate, especially regarding the minimum age limit for a child to marry. So far, what has happened is an intersection between the two legal systems, namely Islamic law and national law, especially those which each regulate marriage and the rights of the child as the subject of the marriage.

Article 1320 of the Civil Code states that one of the conditions for the validity of the agreement is that if the legal subject is capable of acting, the meaning of capable of acting is closely related to the meaning of maturity, because according to Article 1330 point 1 of the Civil Code, one of the people who are not capable of acting is those who are not yet mature. The marriage law also requires a maturity limit as stated in Article 7 of Law 16 of 2019 concerning Amendments to Law 1 of 1974 concerning Marriage that "Marriage is only permitted if the male has reached the age of 19 (nineteen) years and the woman has reached the age of 19 (nineteen) years [9].

Based on the above background, the researcher is interested in raising the title of research on "Implementation of the Implementation of Article 7 of Law 16 of 2019 concerning Amendments to Law 1 of 1974 concerning Marriage with Respect to the Age Limit of Marriage in Sidatape Village".

2 Method

This research is a descriptive study which aims to describe something in a certain area and at a certain time. The meaning here is to describe in detail and critically examine legal facts related to the application of Article 7 of Law 16 of 2019 concerning Amendments to Law 1 of 1974 concerning Marriage with regard to the Age Limit of Marriage in Sidatape Village. This research took place in Buleleng Regency, Bali, especially in the village of Sidatape. In Sidatape Village, many of them perform early marriages. In addition, it is also interesting to study and research related to the Application of Article 7 of Law 16 of 2019 concerning Amendments to Law 1 of 1974 Concerning Marriage with Respect to the Age Limit of Marriage in Sidatape Village [10].

In this study, primary data and secondary data were used. Primary data were collected through observation and interviews. Secondary data is collected through literature / document

studies, namely on legal materials that are relevant to the research problem. This research method is carried out in the form of previous studies, textbooks, related news in print media, as well as online data search on the internet. And this method is very useful because it does not interfere with the object of research or the atmosphere of research [1].

This research is descriptive in nature, so the sampling technique used is non-probability sampling, meaning that in this study there is no definite rule on how many samples must be taken in order to represent the population. Data processing and analysis techniques in this study will be carried out qualitatively. All data from the research results were collected both from primary data and secondary data, processed and analyzed by systematically compiling the data. The data that has been compiled are linked between one data and another, then interpreted to understand the meaning of the whole data. The analysis process continues since the search for data in the field and continues until the analysis stage [11].

3 Result and Discussion

Underage marriage can be defined as a marriage that is carried out by a person who has not entered the age of marriage. Underage marriage is not something new, and it can be legal to implement, but by fulfilling certain requirements, as stipulated in Law No.1 of 1974 concerning Marriage. Therefore, it can be said that underage marriage is a marriage which according to law cannot be practiced freely. In view of the law, underage marriage is something that can have an impact, as stated in the explanation of article 7 paragraph (1) of Law No.1 of 1974, namely: "to maintain the health of husband and wife and their offspring, it is necessary to set an age limit. for marriage ". If interpreted again, according to the law it is clear that the impact of this underage marriage can be felt in the next family life, which can be said to have a negative impact [2].

The realities of the pros and cons of underage marriage have yet to find a solution. The main factor that makes this problem drag on is the lack of understanding between the two factions that have different views. The group that agrees has the ambition to defend their right to marry a minor by reason of worship, has the consent of the parents of the child they want to marry, and several other alibis that are used as supporters without paying attention to the child's main interests or rights. The group that prohibits the marriage of minors is trying to fight for the rights that should be obtained by children [3].

When viewed from the socio-economic aspect, this marriage is labeled as causing problems in terms of child protection, because in the real situation in society, this marriage is often used as an excuse for parents to exploit in order to meet the economic needs of the family. In addition, if the child is the woman, it can be said that the marriage of minors has neglected and even degraded the status and dignity of women. The impact of this marital behavior causes sexual trauma and has a negative impact on reproductive health in girls. Mentally, psychologically, the child also feels unable to make the right decision for himself to bear the responsibility of taking care of household life which should be for people who are old enough or mature. In addition, for the child, unconsciously there are many negative effects that will arise due to this marriage, ranging from limited relationships to the loss of playing time with peers which has an impact on the child's mental and emotional development [4].

Regarding the determination of age in marriage according to Law no. 1 of 1974 can be concluded in article 7 paragraphs 1 and 2, namely as follows: a. Marriage is only permitted if the male has reached the age of 19 and the female has reached the age of 16. b. In case of deviation from paragraph (1) of this article, dispensation may be requested from the court or other official appointed by the parents of the woman. In the Civil Code, it has been explained in article 29, namely as follows: "A boy who has not reached the age of 18, like a girl who has not reached the age of fifteen, is not allowed to bind herself in marriage" [5].

Meanwhile, in the presence of important reasons, the president is in power to remove this prohibition by giving dispensation. The provisions regarding dispensation in this article are no longer valid. As stated in the explanation of article 7 paragraph (2) of Law no. 1 of 1974 the dispensation provisions governing the granting of dispensation to marriage as regulated in the Civil Code are no longer valid with the enactment of Law No. 1 of 1974 concerning Marriage. In law no. 1 of 1974 concerning marriage, stipulates that the determination of the age limit of 19 years for men and 16 years for women to be able to get married is based on physical maturity (physical), spiritual maturity, or psychological (psykhis) [7].

So it is hoped that a man and woman at this age limit are able to understand the consequences of direct marriage and have the responsibility to be able to foster a happy family, in accordance with the goals expected by the marriage law. Marriage is not only a physical bond but also an inner bond between husband and wife in a happy and eternal community of life. The age of marriage is also related to the maturity of the husband and wife, within that age limit, it can be implemented properly, in fostering family welfare, and in their social interactions [7].

In the Civil Code, the determination of age in a marriage, if we compare it to the provisions in Article 29 of the Civil Code, is for men 18 years and for women 15 years. The measure to determine the age limit in the Civil Code is based solely on the biological function of a man and a woman. Where at the age limit a person is considered mature to be married, so that if they get married it is expected that from that marriage a child can be born. The basis for determining the age in marriage can be said to be based solely on one's physical maturity or one's biological function [6].

The results of the research carried out in Sidetape Village, Bajar Subdistrict, still have underage marriages (early marriage), this is based on the data that has been collected. The data above shows that from 2016 to 2020 there are still underage marriages. If we describe one by one in 2016 there were 23 marriages in Sidetapa village as well as in 2020. The data obtained shows that underage marriages still occur. The practice of early marriage is often influenced by local traditions. Although there are statutory provisions prohibiting early marriage, it turns out that there are also dispensation facilities. The Religious Courts and the Office of Religious Affairs often grant dispensations if the bride is found to be a minor.

Child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with human dignity, and receive protection from violence and discrimination. So, what is protected is that all children, including children who are in conflict with the law. As for the purpose of child protection, it is for the realization of Indonesian children who are qualified, have noble character, and are prosperous. Based on the explanation regarding child protection, it can be concluded that in the context of the nation and state, children are an immeasurable asset of wealth, with the existence of the Child Protection Law it is hoped that it can provide security and comfort for the growth and development of children in the community to avoid the threat of crime and all kinds this exploitation and protection is guaranteed by the government and the state. Factors that become obstacles in implementing the minimum age limit in marriage in accordance with

Article 7 of Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage [9].

The results of the interviews that the researchers have conducted are obstacles in implementing the minimum age limit in marriage in accordance with Article 7 of Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Amendments to Law Number 1 of 1974 concerning Marriage still Village officials and the community in Sidetape Village have not implemented this. This is closely related to the past history in the village of Sidetapa, Banjar District.

The various impacts of early marriage or underage marriage can be stated as follows: *First*, Biological impact; Biologically, their reproductive organs are still in the process of maturing so they are not ready to have sex with the opposite sex, especially if they become pregnant and then give birth. If it is forced, it will result in trauma, extensive tearing and infection that will endanger the reproductive organs to the point of endangering the lives of children. It is questionable whether such sexual relations are based on equality in reproductive rights between wife and husband or whether there is sexual violence and coercion (manipulation) of a child. *Second*, Psychological impact; Psychologically, the child is also not ready and understands about sexual relations, so it will cause prolonged psychological trauma in the child's psyche that is difficult to heal. The child will be gloomy and regret his life which ended in a marriage that he himself does not understand the decision of his life. In addition, the marriage bond will eliminate the child's right to education (fair 9 years), the right to play and enjoy his spare time and other rights inherent in the child [8].

Third Social impact, this social phenomenon is related to socio-cultural factors in a patriarchal society that is gender biased, which places women in a low position and is only considered a complement to male sex. This condition is very contrary to the teachings of any religion, including Islam, which respects women very much (Rahmatan lil Alamin). This condition will only preserve a gender-biased patriarchal culture which will lead to violence against women. *Fourth*, Impact of deviant sexual behavior. The existence of deviant sexual behavior, namely behavior that likes to have sex with children is known as pedophilia. This act is clearly an illegal act (using child sex), but is packaged as if marriage becomes legal. This contradicts Law No. 23 of 2002 concerning Child Protection, particularly Article 81, the threat of imprisonment for a maximum of 15 years, a minimum of 3 years and a maximum fine of 300 million and a minimum of 60 million rupiah. If legal action is not taken against people who use child sexuality illegally, it will cause no deterrent effect from the perpetrator and will even become an example for others [7].

4 Conclusion

Implementation of the Minimum Age in Marriage in accordance with Article 7 of Law 16 of 2019 concerning Amendments to Law 1 of 1974 concerning Marriage that occurred in the village of Sidetapa, Kecamatan Banjar from 2016 to 2020, there are still underage marriages (pre-wedding early). This is because economic factors and knowledge of the law of marriage in the village of Sidetapa are still very minimal, this is what causes the implementation of the marriage law to not work properly. The factors that become obstacles in implementing the minimum age limit in marriage according to Article 7 of Law Number 16 of 2019 concerning

Amendments to Law Number 1 of 1974 concerning Marriage are related to the economic factors of the community in Sidetapa Village, Banjar District, because with how to give “permission” for early marriage. Parents feel they have let go of their burden and no longer have the responsibility to send them to school. Implementation of Minimum Age in Marriage in accordance with Article 7 of Law 16 of 2019 concerning Amendments to Law 1 of 1974 concerning Marriage that occurred in the village of Sidetapa, Kecamatan Banjar is still very minimal, this is the need for village officials to continue to provide social assistance related to The purpose of the marriage law is to provide legal education to the community in Sidetapa village. The role of government agencies and the family in particular is very much needed to provide education to children and the community, especially in rural communities, that marriage at the age of a child greatly impacts the psychological and psychological development of the child concerned and can hinder children from achieving their goals want, therefore it is hoped that the community and related institutions can work together to support each other so that child marriages can be reduced and do not happen again.

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Nampah dandan beling tradition as local wisdom for premarital sex education in adolescents

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Abstract. This study aims to determine the implementation Nampah Dandan Beling Tradition. The qualitative research stage began with the determination of the location in Tenganan Pegringsingan Village, the data source was based on interviews with the head of the traditional village and other community leaders. Document studies in the form of customary village regulations (*awig-awig*), village profiles, and observations in the village of Tenganan Pegringsingan. The collected data is then analyzed interactively. The results of the study stated that the tradition of Nampah Dandan Beling is the local wisdom of the Tenganan Pegringsingan community to prevent premarital sexual behavior in adolescents. This tradition punishes parents for life by paying a fine of Rp. 1,000, - for a long they live. This procession is a prerequisite for the education of educational, religious, moral, social, and cultural values for the younger generation in Tenganan village which can be implemented in the wider community.

Keywords: Tradition of Nampah Dandan Beling; free sex; education; local wisdom

1 Introduction

Today there are very big changes in aspects of human life, one of which is culture. One of the many forms of culture is related to lifestyle. One of the lifestyles that are considered to be outside the norms of religious, customary, and legal norms is premarital sex. The trend in recent years has increased [1]. An increase in the number of premarital sex can certainly hurt adolescent health. The bad impact can be seen from the number of people who contract sexually transmitted diseases such as HIV-AIDS, hepatitis B, and syphilis [2].

Adolescents and their parents do not expect the infection of these various diseases. However, the data shows that there is a phenomenon that is quite concerning with adolescent sexual behavior. Based on the results of a survey conducted by the Indonesian Child Protection Committee (KPAI), the data is quite alarming, where 32% of adolescents aged 14-18 years in several major cities in Indonesia such as Jakarta, Medan, Surabaya and Yogyakarta have had sex. Also, the data shows that adolescents have lost their virginity in junior high school with the percentage reaching 62.7%. The data that is even sadder is that among them also had an abortion [3]. This phenomenon seems to be a latent danger for the future of youth as the future of this nation. And it has become a topic of conversation quite important and has become a topic of conversation in recent years [1]

Therefore there needs to be an increase in social supervision and control so that adolescents as the next generation of the nation do not fall into premarital sex. Various actions can be taken, the government through law enforcement, traditional village institutions through traditions, and parents through home monitors. The good synergy between community components can certainly have a good impact on the handling and prevention of deviant

behavior by adolescents in particular [1]. One of the roles of the community can be seen by the village of Tenganan Pegrisingan, Karangasem, Bali. In this village, there is a tradition known as Nampah Dandan Beling. This tradition is a policy that imposes life sanctions on parents who have pregnant children before marriage.

The existence of this tradition is interesting to study as a model for the prevention of premarital sex among adolescents which is currently increasing in number. As revealed by the online daily *Warta Kota* dated October 6, 2019, which revealed that 33% of adolescents aged 18-20 have had sexual intercourse [4]. This data was obtained after surveying adolescents in several big cities such as Medan, Bandung, Jakarta, Yogyakarta, and Surabaya. The condition is very apprehensive if it continues to be allowed [5].

Another study by Rahyani [6] on Premarital Sex Behavior in Denpasar City explains in detail how this phenomenon is one of the lifestyles of teenagers today. The results of this study indicate premarital sex life in Bali spreads very quickly and is one of the driving forces for the spread of HIV / AIDS [6]. Another study was also conducted on the Motor Club in Semarang with the title Free sex behavior on members of the X motor club in Semarang City in 2017 which studied free sex among motorbike clubs [7]. There are also other studies on factors related to premarital sexual behavior in v semester students of Stikes x East Jakarta 2012 [8] explaining the development of premarital sex life among college students. The most important thing related to the application of Ethno pedagogy in learning is research entitled Ethnopedagogy in Learning in Elementary Schools through Media Based on Local Wisdom [9] which explains that Ethno pedagogy is important and can be applied in the world of education as a source of knowledge that can be developed in enriching the knowledge of students.

Of these, no one has specifically discussed the study of the prevention of premarital sex through local wisdom-based traditions, especially the Dandan Beling Tradition. Therefore, the aim of this research is to know the process of implementing the Nampah Dandan Beling tradition in Tenganan Pegrisingan Village and the values contained in this tradition, especially to prevent premarital sex among adolescents.

2. Method

The research model is qualitative research carried out in the village of Tenganan Pegrisingan, Manggis, Karangasem-Bali. Data collection is carried out by interview, observation, and document study [10]. Then the data analysis used an interactive analysis of Mile and Huberman [11]. The whole is described in descriptive-analytic aided by analysis of educational, psychological, and socio-cultural theories.

The research process was carried out by interviewing key informants, namely the Kelihan adat village of Tenganan I Putu Madri, then he gave instructions to meet I Wayan Sudarsana, the other Kelihan Adat, after that Putu Yudiana and several other informants who did not wish to be named in this study. At the same time, the researcher also observed the environment of the research location, to see the real condition of Tenganan village. To strengthen the findings, the researcher also collected various document sources, such as traditional village Awig-Awig, article sources, books related to Tenganan village in general, and also the Nampah Dandan Beling tradition.

As befits qualitative research, researchers also carry out the analysis and triangulation process simultaneously in the data collection process. Until a condition where the data that has been collected is saturated and leads to a conclusion. Then the data is displayed descriptively and analytically with the help of social theory, especially psychology, education, and socio-culture.

3. Result and Discussion

Nampah Dandan Beling Tradition Procession

Conceptually based on an interview with I Wayan Sudarsana (55 years), he explained that the word *Nampah* means slaughtering or cutting. While *Dandan* means a fine or sanction. Then the word *Beling* means pregnant. The Nampah Dandan Beling Tradition means slaughtering pigs as a penalty because someone is pregnant outside of marriage. This tradition is carried out as a form of apology for the mistakes and inability of parents to educate their children. The time for the implementation of the Nampah Dandan Beling tradition is carried out once a year according to the local calendar, namely in the fourth month (*Sasih Kapat*). This is in line with the concept of tradition conveyed by Koentjaraningrat [12]. The existence of tradition is closely related to the religious beliefs and life of community groups. This tradition becomes a culture that functions as a learning medium and crystallization of ideas or ideas.

There are several important reasons why this tradition is carried out by the village. Religion aspect the Nampah Kampad Tradition - Dandan Beling can be present because of some kind of *mala* (dirty in *Niskala*) which will adversely affect the village so that it is considered something that needs to be avoided villages are also believed to be able to bring bad things to the village. Because tradition has a very complex function. As explained by Purnamawati [13] where she clearly stated that tradition has a religious function to strengthen belief in God Almighty and also the world magical, but also strengthens social relations among the supporting communities.

Furthermore, the educational dimension of the Nampah Dandan Beling tradition is primarily aimed at preventing sexual acts outside of marriage. This was seen at the time when the activities of collecting fines (*Dandan Beling*) were carried out for each of the violating families. The customary village official who was sent to collect a fine (2 people), at that time was reminded that this was wrong. This can be meaningful as education for parents to increase the supervision of their children's association so that there are no cases of pregnancy outside of marriage [14]. Besides, for the local community or family who violates this collection, it is hoped that they will increasingly monitor the development and activities of their unmarried children. All of this will lead to intensive character education from parents to their children. In the sense that parents will educate their children better by instilling values that are appropriate and inappropriate for their children to do.

There are moral values that underlie the emergence of this tradition because through this tradition each family who violates customary rules will feel ashamed of their child's actions. Because they must be held accountable for the mistakes their children have committed by paying a lifetime amount of money. The money given by the family will be used to pay for all the necessities in this traditional procession. Even though the amount of money is not that big, for the family the shame of the indigenous village community is so great and cannot be recovered just like that. Tradition always provides a strong moral education for its supporters [15].

Another important think of this tradition is economic aspect [16]. Because if seen from the amount of the fine of Rp. 1.000, - when this tradition was first there, it was very valuable. For the traditional village government, the presence of the Nampah Dandan Beling tradition can at least help the traditional village treasury which is used to finance all village ceremony activities. And what is more important is to pay for the various needs of this Nampah Kampad tradition. As for the family, they are obliged to assist in terms of costs in carrying out this

traditional ceremony. For example, to buy one black pork, or ingredients for making offerings every time this tradition is done.

Furthermore, the procession of the Nampah Dandan Beling tradition, in general, can be seen from three parts: preparation, implementation, and closing. The initial procession before the day of the implementation of the Nampah Dandan Beling tradition, all village officials gathered at the Bale Agung (a large building belonging to the traditional village) to discuss the course of this ceremony and the preparations that must be made. Then one day before the event is held, village manners both men and women prepare offerings to be used. For women, they have the task of making offerings and assembling them in the specified container, while men make *Bebalungan* (processed from black pigs) which will be placed on the offerings and given to each temple in Tenganan Village. *Bebalungan* consists of several pieces of black pork such as the head, body, and legs which are cooked by frying. After each piece has been processed, it will be placed in each offering facility. In the next stage, when the Nampah Dandan Beling event, the whole community or *krama desa* brings the prayer facility to each village temple. The laying of the means for the ceremony starts from the uppermost temple, with the offering of *bebalungan* part of the pig's head, then further downstream of the body, leg, and so on.

The peak stage of the event begins with the collection of fines to all people who have pregnant children before marriage. The officer who carries out the obligation comes to each resident's house. The collection is carried out by the village *krama* assigned to the male *krama* (community) with details: 29 youths, 6 *Kelian Gumi* people, along with Tenganan Traditional Village assistants/leaders. Officers who ask for fines do not go directly to the violating family's house, but only wait for the homeowner to pay. This is interpreted as a moral punishment because the customary village has approached him and the community around him knows that he has violated village rules. After that is done, the money that has been collected will be accumulated which will eventually be handed over to the traditional village government. The next day a Nampah Dandan Beling ceremony was held which began with a gathering at Bale Agung for those who were the organizers. Then carry out prayers at the first Bendesa Adat house which at the same time leads the ceremony.

The final stage of the Nampah Dandan Beling tradition is when the prayer is finished, so as closing all village manners that carry out this tradition gather to eat together (*Magibung*) with preparations made before. The ingredients (*Banten* or *upakara* used are eleven kinds of *uraban*, the means of male black pigs / *bebalungan* are used as offerings to each temple. *Banten* is almost the same as offering at other ceremonies, but what distinguishes it is the method of treatment and placement of parts -parts of the pork body whether it is placed on the offering or at the temple in the village of Tenganan Pegringsingan.

The values contained in the Nampah Dandan Beling Tradition, which function as the Pre-Marital Sex Social Filter for Adolescents

Nampah Dandan Beling tradition teaches the Tenganan Pegringsingan community in particular and the general public, that life must follow the existing rules in society such as religion, customs, law, and morals. If not then it will get punished. That punishment can come from God in the form of sins that must be held accountable after death, namely going to hell. Or punishment in the real world such as paying a fine or being punished socially as in this tradition must pay a fine of life. Also, the Nampah Dandan Beling tradition serves as a reminder to the younger generation that premarital sex is a despicable act that is not

reasonable to follow. This action is not justified in terms of religion, social, or legal regulations that apply in society. Therefore everyone must prevent this from happening.

The form of implementation of adherence to these rules can be seen from the various traditional processions of Nampah Dandan Beling, namely the existence of religious rituals in the form of prayers at the Pura Desa Adat Tenganan Pegringsingan, namely the existence of offerings and *bebalungan* offerings. There is a social aspect to the process of *ngayah* (voluntary work) to prepare all ritual needs. Legal compliance aspect by paying fines promptly. Aspects of morality are honesty and responsibility from parents to convey information about their child getting pregnant before marriage.

All aspects of the series of processes contain character values that can be used as guidelines by the wider community. Specifically, these values can be explained in the following description.

Religious value

Religious values are values related to religious teachings and belief in God Almighty. This value is reflected in the ritual activities carried out by the people of Tenganan Pegringsingan. The ritual activities referred to are praying, making offerings, making religious rituals or ceremonies. Overall, this reflects that this tradition is very closely related to the teachings and values of the religion, especially Hinduism. The existence of religious values is important to safeguard people's actions and behavior to comply with the prevailing religious norms[17]. Obedience to the values of religious teachings causes the people of Tenganan Pegringsingan village to always carry out and carry out this tradition amid changing times.

The findings of K Datingawati [18] state that there is a negative correlation between the level of understanding of religion and premarital behavior. Where the higher the religiosity one has, the perception will be negative or tend to stay away from premarital sexual behavior. Departing from this study, it is certainly important to improve the quality of religion and at the same time use a religious approach in preventing premarital sex. The importance of this implementation is because in the context of Hindu belief there is the concept of *Rta* or natural law and the concept of *dharma*, namely worldly law, both of which synergize and influence each other. This is contained in the book *Manawa Dharmasastra* Chapter VII sloka 18 which reads as follows.

*Danda casti prajah sarwa danda ewabhiraksati;
Danda suptesu jagarti danda dharmam widurbudhah*

The quote means that the law or punishment itself regulates all living beings in this world, protects them from various *adharmas* actions, the law continues to work even though everyone is sleeping, the law will keep the *dharmas* awake.

This religious value is important because based on research conducted by Pradisukmawati [19] there is a positive correlation between the level of adolescent religiosity with acts of sexuality. Where the better the level of understanding of religion that is owned, the teenagers' actions can be controlled, so they do not commit premarital sex acts. These values are the basis for encouraging how a religious approach is important to do to prevent premarital sex among adolescents.

Educational value

The educational value that exists in this tradition is to teach the younger generation, especially young women, to maintain their honor until marriage. Furthermore, the educational value that exists in this tradition is education for parents to always protect and advise their children not to violate predetermined customs. If this is not done, the parents will be at risk for

life. This is certainly a bad record for the family. This impact is a lesson for parents and other families at the same time not to take the same actions, to avoid the prevailing social and customary sanctions. Furthermore, Rinta [14] explained the importance of premarital sex education to prevent deviant sexual behavior. Because through this education, adolescents will understand what should not and should not be done in their relationships, especially when they enter puberty.

Social values

The social values contained in the Nampah Dandan Beling tradition can be seen from the cooperation between one family and another. This collaboration is social values that already exist and become a characteristic of Balinese life in general. The spirit of helping each other and working closely can be seen when the people of Tenganan village carry out this tradition. This is a social spirit that we need to safeguard and continue to preserve Balinese customs and culture. The existence of a shared sense of responsibility to help complete the *yadnya* is an example of social life which is still very thick with the culture of cooperation in the village of Tenganan Pegrisingan. This is in line with the findings of Abdullah [20] who explained that tradition always has social values, especially to strengthen the social ties that exist in the communities that support the tradition.

Economic value

The economic value contained in the Nampah Dandan Beling tradition can be assessed from the aspect of a life-long levy of 1,000 rupiahs that must be paid to the village. The value of money is very small when it is calculated today, but of course, it is of great value when seen at the beginning of the existence of this tradition. The amount of money value was when at the beginning of the existence of this tradition it was able to finance traditional activities carried out in the traditional village of Tenganan Pegrisingan. However, over time, the value of money has decreased due to the influence of inflation causing today's value of money to be Rp. 1.000, - is not very valuable. Furthermore, if examined in other aspects, this tradition causes the economic cycle of the community in Tenganan Pegrisingan village, because all the means of the ceremony and the people involved come from this village. For example, the black pig facility that had to be purchased from the community in the village of Tenganan Pegrisingan certainly caused transaction activities in the form of buying and selling pigs. This aspect of the economy has an impact on the circulation of capital/money in society [16].

Moral values

The important thing that is taught from the Nampah Dandan Beling tradition is morality. Morality is related to the attitudes and character of youth in the village of Tenganan Pegrisingan so that they do not commit acts that violate existing norms such as religion, customs, and law. Because premarital sexual behavior is behavior that cannot be justified in the teachings of religion, eastern customs, or applicable law. When viewed in Hinduism, free sex is also discussed in the *Trikaya Parisudha* teaching which consists of thoughts (*Manacika*), words (*Wacika*), and deeds (*Kayika*) [21]. *Kayika*, namely doing good, behaving in free sex is wrong behavior and violating *Kayika*'s rules. In *Kayika*, there is the concept of *Tan Paradara*, namely the prohibition of not touching, having sex, and even imagining sex, between men and women if they are not legally married through religious or legal processions.

4. Conclusion

The Nampah Dandan Beling tradition is a tradition in the village of Tenganan Pegrisingan which aims to prevent premarital sex. This tradition requires parents who have a pregnant daughter before marriage to pay a fine of Rp. 1,000, - during his life. The fines are not that big from an economic point of view today but have high moral and social penalties that cause people to feel ashamed of being seen as failing in educating their children. The findings of the Ethno pedagogy model based on local wisdom are important to continue to be studied more deeply. So that it can be used as an educational model for the prevention of premarital sex behavior that is prevalent among adolescents. Because in fact, this tradition is conditional on values, including religious, educational, moral, economic, and social. If it continues to be applied, premarital sexual behavior can be prevented from an early age.

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Legal Description of Witnesses in the Criminal Investigation via Teleconference New Normal Era

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Abstract. During the Covid-19 pandemic, the health protocol is an indispensable procedure to stop the spread of the Covid-19 virus in Indonesia. One of the government's efforts to stop the spread of this virus is to carry out online activities, including investigations at judicial institutions as well as by teleconference. The type of research used by researchers in this study is a type of normative legal research, this study examines the testimony of witnesses in the Criminal Code and Law Number 13 of 2006 concerning Witness and Victim Protection. Normative research draws data from literature and examines relevant laws, jurisprudence and doctrine. This article discusses the strength of proof of witnesses being examined by teleconference in criminal case examination. the examination of witnesses by teleconference in order to have the power of proof must meet the requirements, including presenting detailed images and clear sound quality without interference (noise), enabling judges to know directly the eyes, facial features, and body language (gestures) shown by a witness before the trial.

Keywords: Teleconference; Witnesses; and Legal Arrangements

1. Introduction

On March 11, 2020, the world health organization World Health Organization or abbreviated WHO has announced the 2019 Corona Virus Disease to be an International Pandemic called Coronavirus Pandemic. This means that countries around the world must respond to, prevent and deal with this corona virus pandemic. Indonesia is one of the countries affected by this pandemic which has made preventive efforts to break the chain of spreading the Covid-19 virus.

Large-Scale Social Restrictions are a solution implemented by the Indonesian government which is regulated in the Minister of Health Regulation Number 9 of 2020 concerning Guidelines for Large-Scale Social Restrictions in the Context of Accelerating the Management of Corona Virus Disease 2019 (COVID-19). The government advised the Indonesian people to carry out work or study activities at home online, as well as activities in government. It was recorded that until September 21, 2020 there were 248,852 confirmed cases and 9,677 people were declared dead[1].

And since last August the government issued a new normal scenario, where in this scenario people who are in the moderate level of the Covid-19 spread zone can continue their activities by paying attention to health protocols. However, the government still urges the public to carry out activities online or online to prevent crowds in one place.

In this new normal era, the judiciary also plays an active role in breaking the chain of the spread of COVID-19 in Indonesia, the Supreme Court of the Republic of Indonesia, the Attorney General's Office, and the Ministry of Law and Human Rights have also entered into a Cooperation Agreement Number 402 / DJU / HM.01.1 / 4 / 2020, Number KEP-17 / E / EJP / 04/2020, Number PAS-08.HH.05.05 of 2020 concerning the implementation of trials via teleconference, in criminal case examination in the new normal era, an online examination system has also been carried out. By teleconference. However, the examination of criminal cases carried out by teleconference still invites long debate and pros and cons in the community, because there is no related article regulating teleconferencing in the Criminal Code[2].

Moreover, in the examination of witnesses by teleconference, it is still a matter of debate in its implementation at court. Evidence has a very important position in the examination process at trial because it is through this evidence that the fate of the defendant is determined and only by proving a criminal act can a criminal be imposed. In essence, evidence is part of the criminal procedure law which regulates various types of evidence which are valid according to law, the system adopted in the evidence, the requirements and procedures for presenting the evidence and the judge's authority to accept, reject and evaluate evidence. Witness testimony plays a very important role in uncovering facts in court about the criminal act that occurred, but witnesses must meet the requirements as a person who knows, hears, and has experienced a criminal act himself, not a witness who obtains a statement. From hearing. Other (*testimonium de auditu*). The witness testimony at the trial will have the power of proof if the witness is appointed[3];[2]

The proof system that applies in criminal procedural law is the system of proof before the court which is regulated in article 185 of the Criminal Procedure Code, which states that "witness testimony as evidence is what the witness said at trial".[4]

Witness testimony is the main means of evidence in proving a criminal case, however not all witness testimonies can become valid evidence, this of course must meet the requirements so that the witness can become evidence, including:

- a. The witness must take an oath or promise that he or she is will explain the truth and nothing is true anymore;
- b. The information provided must be about a criminal event that the witness heard, witnessed, or experienced, clearly stating the source of his knowledge. Witness statements in the form of repeated stories from other people have no information value as evidence. Likewise, the opinion or fiction that the witness gets from the results of his thoughts cannot be considered as valuable information as evidence;
- c. Witness testimony must be declared in court. Statements outside court proceedings have no value as valid evidence;
- d. The testimony of a witness alone is not valid evidence, therefore the minimum limit of proof stipulated in Article 183 of the Criminal Code must be fulfilled.

Before imposing a sentence, a judge must observe 2 (two) absolute conditions stipulated in the Criminal Procedure Code, namely: sufficient and valid evidence and conviction of the judge. Legal evidence in criminal procedural law is regulated in the provisions of Article 184 paragraph (1) of the Criminal Procedure Code, among others: witness statements, expert statements, letters, instructions and statements of defendants[2]

Whereas in the world of justice in Indonesia, the use of teleconferencing has been widely used, namely in 2002 the Supreme Court granted permission to the former President BJ for the first time. Habibie gave testimony via teleconference in the case of irregularities in Bulog's non-

budget funds on behalf of the defendant Rahardi Ramelan. Then the case of gross human rights violations in East Timor was submitted to the Central Jakarta District Court on the grounds of security and time efficiency. So that the teleconference statement was held in the city of Dili, while the defendant was at the Central Jakarta District Court. Likewise with the trial of Abu Bakar Ba'asyir, the defendant in the plot to bomb several churches on Christmas Eve 2000 and the plot to assassinate Megawati, who was still Vice President at that time. In addition, in Bali, the witness was questioned by teleconference at the Denpasar District Court in the Bali Bombing terrorism case where the defendant was Ali Gufron alias Muklas alias Sofwan who presented witness Wan Min bin Wan Mat who was in Malaysia. And finally in 2011, the examination by teleconference was again carried out in the case of Abu Bakar Ba'asyir, with 16 (sixteen) witnesses who will provide information.

This article will discuss the strength of proof of witnesses being examined by teleconference in criminal case examination.

2. Method

This type of research used by researchers in this study is a type of normative legal research. Normative legal research is research conducted by reviewing the laws and regulations that apply or are applied to a particular legal issue. Normative research is often referred to as doctrinal research, namely research whose object of study is documents of laws and regulations and library materials.

This research examines the testimony of witnesses in the Criminal Code and Law Number 13 of 2006 concerning Witness and Victim Protection. Normative research draws data from literature and examines relevant laws, jurisprudence and doctrine.

3. Results And Discussion

Tool As explained by the author above, although trial examinations have been carried out several times by teleconference, in fact the arrangements for trial examination via teleconference have not been regulated by law.

In the Criminal Procedure Code there are no legal rules governing teleconferencing, but only under the guise of laws regulating the development of evidence in a *lex specialist* manner, while explicit provisions regarding teleconferencing are contained in jurisprudence[5].

However, in the law system *civil*, jurisprudence is persuasive in nature "so that there is no obligation for judges in Indonesia to use *teleconferencing* and it is also not an obligation under the applicable criminal procedural law in Indonesia to use *teleconferencing* in the supervisory process"[4]

And in connection with this pandemic, which has entered a new normal era, the Supreme Court of the Republic of Indonesia, the Attorney General's Office, and the Ministry of Law and Human Rights have also entered into a cooperation agreement Number 402 / DJU / HM.01.1 / 4/2020, Number KEP- 17 / E / EJP / 04/2020, Number PAS-08.HH.05.05 of 2020 concerning the implementation of the trial by *teleconference*.

In connection with the use of the *teleconference*, provisions that can be used as a basis for measuring the strength and facts, among others, by observing and reviewing the provisions contained in Article 183 to Article 189 of the Criminal Code in *conjunction with* Article 3 of the Indonesian Code of Law. Criminal Procedure Law; Article 284 paragraph (2) of the Criminal

Procedure Code and Article 10 paragraph (1) and Article 5 paragraph (1) of Law Number 48 of 2009 concerning Judicial Powers[6]

Information conveyed in front of court proceedings that have expanded the meaning in accordance with the development of society in the fields of technology and law. Examinations *Teleconference* have been regulated in statutory regulations as a form of anticipation for legal developments in the information technology sector, because the Criminal Code has not been regulated. The witness's testimony has developed, along with the development of public knowledge in the field of technology and information today. In criminal justice practice, information is no longer given directly (physically) and must be tried to give testimony.

Currently, the Indonesian world court has introduced a remote examination method using multimedia or technology *teleconferencing*. One of the laws and regulations that help prove by *teleconference* is Article 9 of Law Number 13 of 2006 concerning Protection of Witnesses and Victims.

If the examination of the Criminal Code that is examined by *teleconference* is in fact contrary to Article 160 paragraph (1) and Article 167 paragraph (1) of the Criminal Code. Article 160 paragraph (1) letter a of the Criminal Code states "witnesses are summoned to the courtroom one by one according to the order which is fine by the head of the trial after hearing the opinion of the public prosecutor, the accused or the defendant's legal advisor". Then Article 167 paragraph (1) of the Criminal Code stipulates, "After the letter provides a statement, he will still be present at the trial unless the chairman of the trial gives permission to leave him". Based on these provisions, the presence of a physical witness is required to attend and testify at trial.

Likewise, Article 185 paragraph (1) of the Criminal Code states that "a certificate is a means of evidence to state what is stated in court". So that the words mentioned in front of the trial here are not clear (*absurd*), because the Criminal Code itself does not explain or in giving testimony in front of the trial the witness must be present (physically) to the court to give testimony. Under the law, the sentence which states "written statement before the trial" that reveals the loophole for examining, examining is explicitly contained in the provisions of Article 9 of Law no. 13 of 2006 concerning Protection of Witnesses and Victims, of which there are three choices of witnesses who do not have to be presented to court, namely:[4]

- a. Witnesses are permitted to give written statements in front of officials such as notaries, judges, or district heads;
- b. Information can be retrieved by teleconference;
- c. The examination is like *a mystery guest*, who provides information in a special room.

In fact, according to the author of the document through teleconference, in fact, it has fulfilled Article 185 paragraph (1) of the Criminal Code which in essence is stated as "witness evidence as evidence that the witness declares at court", where the teleconference statement is also stated in before the trial, but not directly (physically) present at the trial. From this provision, textually it is not required to have a physical witness in the room, but in Article 160 paragraph (1) letter a and Article 167 of the Criminal Code, which stipulates that the physicality of an officer is absolute. However, in reality, to seek and enforce the truth which leads to textual justice, in practice it will be responded.

In Article 10 paragraph (1) of Law Number 48 of 2009 concerning Judicial Powers, then the situation is that the judge has the obligation to examine and issue a decision, which means he is obliged to find the law. Based on the idea that in a society that is still familiar with unwritten law and the existence of upheavals and transitions, the judge is a formulator and

digger of values that live among people, for that he must go into society to know, feel and be able to understand the feelings of law and living justice. In society. Thus the judge can give a decision in accordance with the law and public justice, this is in accordance with Article 5 paragraph (1) of Law Number 48 of 2009 concerning Judicial Power.[7]

The provisions of Article 5 paragraph (1) of Law no. 48 of 2009 concerning Judicial Power, judges as law enforcers and justice must be tried, follow and understand the legal values of a sense of justice that live in society. So that in pursuing, understanding, and pursuing material truth in criminal law. In criminal law where a person can be accused of having committed a certain criminal act, based on evidence submitted with the conviction of the judge who stated it, when in fact he is not responsible, so that a judge's decision based on the evidence can lead to a person who is free without retribution, whereas the same irresponsible person became convicted in a very unfair way. Therefore, the method of proof developed by the judge must really be justified, so that it can actually produce justice.

So, it is an important task for judges to regulate adjusting laws with real issues in society. If a law cannot be implemented according to the meaning it says, the judge is obliged to interpret it so that he can make decisions that are fair and in accordance with the purpose of law, namely to achieve legal certainty.[8]

The development of the law is quite wise in regulating legislation. For example, teleconferencing, which is not regulated in the Criminal Procedure Code, cannot be conducted. In fact, in fact, the estuary of law enforcement should ideally be relatively focused on the correctness of the material that must be sought so that administrative, formal and relatively less substantial aspects are followed up. However, in the Criminal Procedure Code itself, there are no provisions prohibiting the use of teleconferencing itself.

Therefore, an active role of judges is needed in accordance with Article 5 paragraph (1) of Law Number 48 of 2009 concerning Judicial Power, in order to make new legal discoveries (rechtfinding) to achieve material truth and justice in accordance with the expectations of society. Therefore, the authors agree with the use or use of teleconferencing in trial examinations for law enforcement provided that it does not conflict with norms and public order prevailing in society.

The pros and cons of examining by teleconference in court actually depend on whether it is detrimental or beneficial to each party. Teleconferencing is only one form of technological means to hear information only. However, the injured party is of the opinion that the examination of witnesses at trial via teleconference / video conference is not regulated in the Criminal Code, so it is unacceptable and may violate the Criminal Code[2]

Regarding the power of proof of reports through teleconference, this is clearly still related to the previous discussion. Whereas in order to assess the correctness of the proof of the witnesses provided by teleconference, it must first be clear that the identity is valued as valid evidence as regulated in Article 184 paragraph (1) of the Criminal Code.

Thus the main thing that plays a role in the process of investigating criminal cases is legal evidence as regulated in Article 184 of the Criminal Code.

It should be noted that since the inception of the Criminal Code to the use of electronic media, especially teleconferences in criminal proceedings, it shows that there are several innovative things in the perspective of procedural law, especially the proof system where the development of information technology and telecommunications today has also colored

development of the world of law and justice itself. As for the weaknesses of the Criminal Code, it is necessary to immediately overcome and find a solution.

Court proceedings by teleconference are not regulated in the Criminal Code, so that their legality issue is highly interpretive. However, the use of teleconferencing as evidence in court, from various ideas of thought, has begun to converge that teleconference is the closest correlation to evidence.

The proof system in Indonesia is a combination of a conviction-in time (*vrijbewijk*) system and a positive proof system (*positief wettelijk stelsel*). Thus, the judge's conviction is an important thing in the proof system. As a belief, it is convictive and subjective, so it is difficult to test objectively. To get conviction, the judge must be able to physically understand the person's background, behavior and body language in court face to face.[3]

As regulated in the Criminal Code, there are several provisions regarding legal provisions so that they can be used as evidence. What is meant by testimony according to M. Karjadi and R. Soesilo is "a statement orally before the Judge with an oath regarding matters concerning certain events that have been heard, seen and seen by themselves". If the provisions concerning the above are applied in the testimony given by teleconference during the trial using the teleconference media for the examination, it can be said as follows:

- a. Witness testimony before the court session. The use of teleconferencing in this case has displayed detailed images and sound quality that is not clearly disturbed (noise), supporting judges to directly see the eyes, facial features, or body language (gestures) shown by a witness in front of the trial. Thus, in principle, the physical presence of a witness before the trial as referred to is fulfilled by means of teleconferencing.
- b. With an oath in advance. In accordance with the provisions of Article 160 (3) of the Criminal Code, in utilizing teleconferencing technology it is not much different from an ordinary trial, namely before giving a compulsory testament or promise according to one's respective religious methods, that he is giving true information and nothing else. From the real thing.
- c. About certain events that he heard, he saw and experienced himself (*Nontestimonium de Auditu*). As is the case in every criminal trial, that the witness testimony is one evidence of a criminal case in the form of information from a criminal event which he has heard himself, he has seen and experienced himself by mentioning the reasons for his knowledge. In this case, the teleconference will be valid evidence as long as it does not deny it.[9]

If the legal requirements of the letter have been fulfilled, then the letter has been given by a witness who has the power of proof that can state it as evidence. The witness's testimony will be used as a consideration for a judge to give a verdict on a criminal act. Thus, the legality of testimony via *teleconference* becomes clearer.

In order for a legal umbrella regarding witness examination by means of carried out teleconference before it's against the Criminal Code, it is necessary Supreme Court to issue new or instructions for its implementation. Policy this can be in the form of Supreme Court regulations regarding the procedure or the latest regarding news examination by teleconference. This is important to do by not giving comments on the pros and cons in practice, because in practice this has already been carried out in court[10].

The use of *teleconferencing* in the examination of witnesses in a case that contradicts the theory of proof according to the law negatively by the Criminal Procedure Code, where in determining whether or not a defendant must be with at least 2 (two) valid evidence according

to the law as well as the judge's conviction that the criminal act actually occurred and the accused was the perpetrator. Because the use of *teleconferencing* in the examination of criminal cases for the author is as a means of obtaining the truth of a criminal act.

The use of *teleconferencing* in the examination of criminal cases in court according to the author is a breakthrough in the field of law as a form of human activity developed by Information and Communication Technology. Making the human problem the main problem of the writer in Satjipto Rahardjo's thought with his progressive law that places humans as the starting point. According to him, legal thinking needs to return to the philosophy of reality, namely law for humans, not the other way around.

4. Conclusion

Prove a certificate by means of a valid teleconference as evidence in the criminal court process, then the conditions that must be fulfilled are the testimony of witnesses before a court session, with an oath in advance and regarding certain events that he has heard, seen and experienced himself (Nontestimonium de Auditu). If the provisions regarding witnesses above are applied in the testimony given by teleconference in a trial that utilizes the teleconference media for which the examination is carried out, then first, the witness's statement before the court session. The use of teleconferencing in this case has displayed detailed images and sound quality that is not clearly disturbed (noise), supporting judges to directly see the eyes, facial features, or body language (gestures) shown by a witness in front of the trial. Thus, in principle, the physical presence of a witness before the trial as referred to is fulfilled by means of teleconferencing.

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Community Empowerment as a Supplement of Social Learning Materials of Junior High School

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Abstract. This study aimed at identifying and mapping important elements of community life that could be used as social studies learning resources. This research was bibliographic. The object of the study consisted of curriculum documents and textbooks. The data collection techniques applied were interview, observation, documentation study, and expert judgment. The data collected was in the form of qualitative data. Data processing applied non-statistical analysis. The results showed that there were various important elements of community life could be used and developed as supplementary materials and learning resources in social studies learning for SMP / MTs. in Buleleng Regency, Bali Province.

Keywords: Material Supplement; Social learning; Community as a learning source.

1 Introduction

This research is motivated by the problem that the community and life in the environment around the school have not been empowered as a learning resource optimally. Textbooks are still the only sources and teaching material used by teachers to teach social studies. Learning is still tightly sealed with the classroom walls. The real condition shows that during this time the teachers rely on textbooks (package) as the only source and teaching materials with a limited model of learning in the classroom. It is not appropriate with the vision and mission in obtaining optimal quality processes and learning outcomes in social studies learning since students are required not only to rely on what happens in the classroom but must be willing and able to explore the various learning resources needed [1], [2], [3].

Suwarma [4] in his research revealed that the approach used in the development of the material is still dominant for mastery of concepts, events, and generalization of scientific fields. Textbooks are still the only sources and teaching material used by teachers to teach social studies. Learning is still tightly sealed with the classroom walls and only takes place strictly according to the class schedule. The learning approach used to realize the objectives of social studies is more observed from the mastery of concepts, events, and generalization of the scientific field rather than seeing them in integrative social issues themes so that they can develop complete, integrative, and comprehensive abilities, personalities, and actions [5]–[7].

The conditions above are certainly not appropriate with the objectives of social studies education to produce humans who can think globally, act locally, respect and commit to the nationally [8]. To realize the nature and objectives of such social studies education, the empowerment of the community as a learning resource should be done by teachers in the context

of social studies learning in schools. Community empowerment as a learning resource is appropriate with the objectives of social studies learning as a social education program aiming at providing knowledge, values, and attitudes as well as social skills to students directly, actually, and touch the aspects of human interests in their life in society.

Community empowerment as a learning resource in social studies learning is more evident with the issuance of Minister of Education and Culture Regulation Number 58 Year 2014 concerning the SMP / MTs Curriculum, which demands the need for innovation in the implementation of learning programs, especially in social studies learning. This is appropriate with the essence of social studies subjects in the 2013 curriculum for SMP / MTs, which explains that the social studies subject is an application-oriented educational program, developing thinking skills, learning abilities, curiosity, and developing a caring and responsible attitude towards the social environment. Because the development of such ideas is still limited, this research is very important to conduct. This research is expected to be able to be reconstructed the development of the substance of the PIPS study which integrates the local cultural concepts of the community and the empowerment of important elements of community life as a media and source of social studies learning. Based on the reason, this research is important and urgent to conduct

2 Method

Research design

This research is bibliographic research aiming at finding philosophies, theories, principles, and practices regarding social studies learning that empower important elements of community life as learning resources. The material that is studied and used as the object of study is all dimensions of social studies learning in SMP / MTs., which consists of curriculum documents, textbooks, references of learning models that have dimensions of community empowerment as a learning resource [9].

Data Collection Technique and Instrument

Data collection techniques used to obtain the data in this study were: (1) Interview, (2) Observation, (3) Documentation study; and (4) Expert judgment. The data collection instruments used consisted of: (1) observation guidelines; (2) interview guidelines, (3) field notes/minutes, and (4) camera recording tools.

Research Data Processing Technique and Analyzing

The data collected in this research were qualitative. This research applied non-statistical analysis to the purposes of data processing to give meaning to the description of the data regarding the content, logic of inferencing, processes, and products (output) of this research [10].

3 Results and Discussion

Based on the Syllabus of Social Science Subject analysis for SMP / MTs. and the laws and regulations that serve as the basis for the 2013 Curriculum, this study found that various

important elements of community life could be applied as supplements to social studies learning materials. The following description of the important elements of community life which could be applied as a supplement to social studies learning materials at the SMP / MTs level found in Buleleng Regency. Markets, both traditional and modern markets with shopping complexes around them. Traditional markets which still exist today in Buleleng Regency, they are in Buleleng District, including Anyar Market, Banyuasri Market, Buleleng Market (Peken), Kebon Market. In Sawan District, there is Sangsit Market (Peken). In Sukasada District, there is Pancasari Market. In Seririt District, there is Seririt Market. Besides those markets (peken), there are also local markets scattered in the sub-districts and villages in Buleleng Regency.

Apart from shopping complexes and traditional markets, there are also places of worship, such as Temples which are holy places for Hindus to pray. There are well-known temples in Buleleng Regency they are Pulaki Temple, Pongok Batu Temple, JagadNatha Temple, and many other temples, which apart from being a place of prayer, also have historical values that are very relevant to be used as social studies learning resources. A mosque is a place of worship for Muslims. In Buleleng regency, there is one mosque that is suitable to be used as a source of social studies learning is Agung Jami Mosque. This mosque is a place of worship for Muslims around the city of Singaraja. Next to the Agung Jami Mosque is the Village Head Office of Bugis Village. About 100 meters to the south from Agung Jami Mosque is the Banjar Bali Community Hall. The Village Head Office of Kampung Bugis is a sub-district level government institution where the majority of its citizens are Muslims. Meanwhile, the Banjar Bali Community Center is a meeting place for the Banjar Pekraman / Adat residents of the Banjar Bali Village, whose majority are Hindus. Even though the supporters of the two social institutions are different religions, in reality, both groups of society (communities) who support them can live together

Apart from temples and mosques, there are also places of worship, such as Klenteng, Vihara, churches that are scattered in the city of Singaraja and other places in Buleleng district. One Vihara that is suitable as a social science learning resource is a Vihara which is located in Banjar District. The existence of this Vihara is close to the Hot Spring Tourism Object. Besides the hot water in Banjar District, there are some tourism objects which can also be used as a social science learning resource, they are Gitgit Tourism Object, Sukasada District, Air Saneh, Kubutambahan District, Lovina Beach, Buleleng District. Government offices, both the current one and the colonial era heritage buildings located in Ex Pelabuhan Buleleng (Pabean). This place is very historical because it is the location of the Lesser Sunda Administration Center. Apart from government offices, there are also monuments and the Heroes Cemetery, and the Singa Ambara Raja Monument which is an icon of Singaraja City, Buleleng Regency which can be used as a source of social studies learning, as shown in the following Figure 1.



Fig. 1. Yudha Mandala Sakti Monument, Government Center, Singa Ambara Raja Monument, Buleleng Regency Curastana Heroes Food Park.

Figure 1 and Resources, in Buleleng Regency, there are several warrior figures both before the Indonesian independence era and afterward, since their character, struggle and their kindness, now their names have been immortalized into the names of building, such as the Gede Manik Art Building, Kertya Building, Monument and Street names, and others. Many places around the school can be visited for student learning purposes, and likewise, many people have expertise/skills in various areas of life that can help and be utilized as a learning resource for student learning activities, such as: These various facts, phenomena, and data show that various important elements of community life surround schools, both in the context of socio-culture, politics, economy, religion, ideology, and the views or values that live in society. The entire social, political, cultural, and economic context that surrounds the existence of SMP / MTs., Buleleng Regency a route that school members pass every day and of course become a sport of feeling, heart exercise, and sport for school members. The socio-cultural context of the surrounding community as above provides learning opportunities for students in real social settings.



Fig. 2. Figure and Location of the Struggle Monument in Buleleng Regency which can be used as a Social Studies Learning Source.

Government policies used as the basis for the development of the 2013 Curriculum which regulates the possibility of community empowerment as a learning resource in social studies learning contained in the Regulation of the Minister of Education and Culture Number 58 of 2014 concerning the SMP / MTs Curriculum, which demands the need for innovation in implementing learning programs, including of course in social studies learning. This is appropriate with the nature of the social studies subject in the 2013 Curriculum for SMP / MTs. In the Regulation of the Minister of Education and Culture Number 58 of 2014, it is emphasized that the Social Studies subject is an application-oriented educational program, developing thinking skills, learning abilities, curiosity, and developing a caring and responsible attitude towards the social environment. The important message implied by the regulation is Social studies education aimed at preparing students to become citizens and citizens who can participate in social life. Therefore, teachers expected to strive to develop learning materials by utilizing the facilities and learning resources available in schools and empowering the important elements of community life around the school. It needs to be done because if you only rely on textbooks used by students, the material is very limited to explanations of concepts and facts,

such as History, Geography, Economics, and Sociology. Thus, teachers need to develop learning materials through community empowerment as a learning resource.

Empowerment of important elements of community life as a learning resource can be used as a supplement to social studies subject matter to provide real and concrete experiences of concepts and theories contained in textbooks and/or those taught by teachers. Empowerment of markets and shopping complexes, which are a meeting place for sellers and buyers with various backgrounds and interests, and financial and economic institutions, such as cooperatives and banking institutions, of course, can be sources and media for learning. In the market, students can learn directly about the values of modern work that are rational in business competition, including the courage to invest, the courage to take risks, willing and able to work hard, need to make creative use of natural resources while still considering sustainability, the importance of reading business opportunities, building partnership networks with the business world, reading market needs and prospects, having a positive attitude towards modern technology, competing in a fair, honest and objective manner, being disciplined with business promises, sound and professional business management, the need to have business data in every business decision making, as well as the need to have a positive and creative attitude in dealing with and solving business problems encountered.

This kind of work ethic and value are not obtained by teachers and students directly and formally from the experience of working with entrepreneurs, but because of the personal, informal work relationships both by teachers and students at Pasar Anyar. Thus, the implementation of the Social Studies Education program cannot be separated from the influence of the socio-cultural environment of the community. That is, education in its efforts to shape behavior, impart knowledge, thought processes, values, learning methods, essential cognitive and social skills, and truth values will also be determined by how the society's prevailing world view and values (Pai, 1990; Subagia, 2000).

Social studies education must prepare children to be active in the learning process that reflects the democratic social structure of society to guide students to change their behavior. On that basis, the Social Studies Education program must provide an educational curriculum that sourced from the needs of students and society and make use of the application of intelligence to human problems in society. Learning that is relevant to curriculum programs such as the one above is learning that actively involves the role of students in the participatory learning process, cooperative work, learning by doing, and the inquiry process [11],[12],[13]. In this connection, substantially the content and organization of the Social Studies Education curriculum is developed based on an interdisciplinary or integrated approach. The curriculum as a major component in the school education system must contain aspects relating to (1) providing background knowledge and information about the world and life; (2) attitudes and values, which are dimensions of taste and relating to the provision of the basic ethics of society which will later become an orientation of self-values in their real-life; and (3) skills, especially those related to social studies abilities and skills, which broadly include: social skills, group work skills, and intellectual skills [13],[14],[16],[17].

Social studies learning also needs to integrate environmental, mental, social, moral, and spiritual activities that come from the real-life of the community. In line with this, it is necessary to select and develop various learning sources and learning media that allow the learning process to occur that can generate the full potential of students, both intellectual potential, social potential, and students' emotional potential. Achieving this purpose, students are required not only to rely on what is happening in the classroom but must be willing and able to explore the various learning resources needed. Various important elements of community life in the form of local wisdom of the community can be used as learning sources and learning

media [1], [2], [6]. The use of the community as a learning resource can be a fun educational tool and is considered capable of enriching various learning materials [18],[19].

4 Conclusions

Various important elements of community life in the form of local wisdom of the community can be used as learning sources and learning media. The use of the community as a learning resource can be used as a supplement to social studies learning subject matter for SMP / MTs. in Buleleng Regency, Bali Province. Social studies education cannot be separated from the influence of the socio-cultural environment of the community. Therefore, teachers are expected to strive to develop learning materials by utilizing the facilities and learning resources available in schools and empowering the important elements of community life around the school.

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Application of Multicultural Based Learning Model with Lesson Study Pattern in Citizenship Education Learning

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Abstract. The goal to be achieved through research is to analyze the increase in multicultural skills of semester II students of the D3 Accounting Study Program, Faculty of Economics, Ganesha University of Education in the 2019/2020 academic year after implementing a multicultural-based learning model in Citizenship Education courses. This type of research is a classroom action research conducted on a cycle, in a lesson study pattern, namely planning (plan), action (do), observation / evaluation (do), and reflection (see). The subjects of this study were all even semester students of the D3 Accounting Study Program, Faculty of Economics, Ganesha University of Education in the 2019/2020 academic year who took 37 Citizenship Education courses. The object of this research is student multicultural skills and multicultural based learning models. Data collection in this study was carried out by using the objective test method, attitude scale, and observation. This study uses descriptive quantitative data analysis techniques to find the average value and the percentage to determine the level of multicultural skills of students. Based on the research results, it was found that the implementation of the Multicultural Based Learning Model with the Lesson Study Pattern could improve the social skills of the D3 Accounting Study Program students. In the first cycle, the multicultural skill level of students reached an average score of 73.63% in the sufficient category. In cycle II, the level of multicultural skills of students reached an average score of 83.37% in the good category. There was an increase from cycle I to cycle II of 9.74%.

Keywords: Multicultural Skills; Lesson Study

1 Introduction

Students as the backbone of the nation, as well as the nation's next generation, must have cultural skills and awareness. This is inseparable from the fact that Indonesian society has a diversity of religions, ethnicities, languages and cultures. On the one hand, diversity is an asset and wealth with great potential for the prosperity and welfare of the Indonesian people. However, on the other hand, diversity can be the cause of endless conflicts. According to [1] if people do not understand the meaning and essence of diversity, then it is certain that differences will become the most dangerous "killing machine" on earth. The massacres in Rwanda, Yugoslavia, ethnic conflicts in Yemen, Iraq, Afghanistan, Rohingya Malaysia, India, and several other countries are concrete evidence of the vulnerability of diversity [2]. The issue of diversity that is still hot and causing casualties, property and the psychological condition of

society is violence against black people in America by unscrupulous police. Whereas so far, America is an example for other multicultural countries in building and developing diversity in unity.

Problems that occur in various countries around the world also occur in Indonesia. The Sambas conflict in East Kalimantan, inter-tribal conflict in Timika Papua, conflict and violence against the Ahmadiyah sect in Lombok and West Java, violence against peaceful acts of freedom to embrace religion, religious conflict in Poso, destruction of the Church in Tembung, Bali Nuraga conflict in Lampung and various other conflicts related to differences in "understanding" of diversity, are concrete evidence of the extent of multicultural values that exist in society [3]; [4]. The rioting due to the weak awareness of diversity that is still warm in our memory is the racial action of Papuan students in Surabaya which led to a massive demonstration by the Papuan people (CNN Indonesia, Tuesday, 20/08/2019). This demonstration led to the destruction and burning of several government offices and resulted in casualties on the part of the apparatus and the protesting community (CNN Indonesia, Tuesday, 29/08/2019). Deeper than all of that is the psychological trauma experienced by the Papuan people and the Indonesian people towards cases of diversity that are difficult to lose from memory and often cause personal and communal grudges, resulting in a temperamental reaction when faced with diversity cases [2].

One of the compulsory courses at the tertiary level that has the mission and goals of building good citizens is Citizenship Education. Through citizenship education, it is hoped that awareness of the importance of Pancasila, the Unitary State of the Republic of Indonesia, the 1945 Constitution and Unity in Diversity. Operationally in the context of the Indonesian State, students are expected to have an awareness of unity in diversity and diversity in unity, so that they can live in peace and harmony. For this reason, strategic efforts are needed that can improve the quality of the Citizenship Education learning process at the tertiary level. Research conducted by [5] shows that Citizenship Education learning in Bali Province is still dry from developing multicultural skills, using social media as a learning resource, using innovative learning models and using multi-media learning media. Citizenship education in tertiary institutions has not been able to fully develop a system of physical, emotional, intellectual, social, moral and spiritual intelligence at once, especially in the context of training and habituation to apply the values of Pancasila and *Bhinneka Tunggal Ika* in everyday life [6]. The learning process is more focused on developing mastery of material, without being accompanied by an empirical contextual assessment process on citizenship issues, such as the spread of hatred between beliefs due to differences in political choices, the pros and cons of solving legal cases, the development of fundamentalist currents and radicalism, hoax news and social media content that provokes between groups, and vilifies one another on religion, ethnicity, region, and political choices on social media [7].

The learning practice as described above also occurs in the learning practice of Citizenship Education at Ganesha University of Education. Where the learning process is still dominated by lecturers as a learning resource and the lack of student activity during learning. Lack of learning planning such as preparation of instructional media, preparation of semester program plans, learning objectives, materials and evaluation processes is one of the causes of this condition. On the other hand, the reflection process, which should be used as a reference for improving the learning process, is often neglected at the close of lectures. Moreover, there is a "perception", that the learning process is an administrative activity that makes lecture hours a measure of the success of the learning process, reinforcing this condition. In connection with that, lesson study as an effort to improve the quality of the learning process by involving colleagues as observers is a strategic effort to improve the learning process of Citizenship Education [8]. Through lesson

study, lecturers will have sufficient time to make lesson plans, objectively see weaknesses during the learning process, and be able to improve the learning process carried out [9]. Lesson studies are not only intended to improve the quality of the learning process and outcomes, but beyond that, there is an effort to share knowledge and skills to address broader learning problems.

2 Method

Methodologically, this research uses a classroom action research method with a lesson study pattern that begins with a plan, namely the process of planning actions, do, namely the process of implementing a multicultural-based learning model and making observations with Citizenship Education lecturers, and see, namely carrying out a reflection process [10]. Classroom action research with a lesson study pattern can be described as follows.

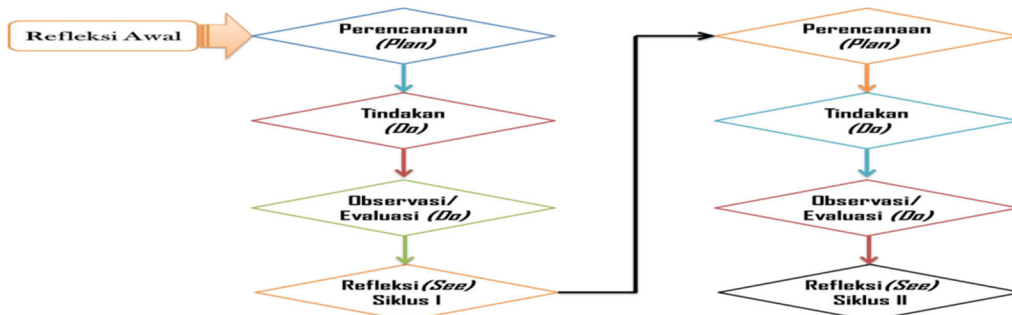


Figure 1 Classroom Action Research with Lesson Study Patterns

The subjects of this study were all 37 students of D3 Accounting Robel, totaling 37 people. While the object of research is a multicultural based learning model and student multicultural skills [11]. Data collection techniques were carried out by observation, interviews and objective tests. While the research instruments were interview guidelines for the implementation of learning, observation guidelines for students' social skills developed by the researcher and objective tests for students' multicultural knowledge. The data analysis technique in this study used qualitative data analysis techniques and descriptive statistics. Qualitative data analysis is used to analyze data from observations of the learning process that has been carried out. While statistical analysis is used to determine the average and average percentage of student multicultural skills [12].

3 Results and Discussion

Research Results Cycle I

Action planning (plan stage). In the planning process, the activity begins with coordination with a team of lecturers in the Pancasila and Citizenship Education Study Program to discuss the research implementation process, teamwork patterns for each stage, determine the material discussed in learning, determine a multicultural-based learning model as the model to be used, and compile units lecture events, student discussion sheets, learning media, and arranging instruments for student multicultural skills. Implementation of actions (do stage). The action stage is the implementation of the multicultural-based learning model syntax. The activity begins with an initiation, namely giving greetings, asking students to pray together, singing the national compulsory song, facilitating students to explore the meaning of the compulsory song to be sung, and conveying learning objectives. Individual opinion, namely asking students to seek information and identify diversity problems, asking students to make hypotheses, and facilitating students to submit their individual assignments. Multicultural groups, namely dividing students / classes into multicultural groups, giving assignments to each group, asking students to review references relevant to the problem, giving group assignments to make videos, pictures or power points for media presentations and guiding discussions. Multicultural opinion, namely asking students to present the results of their group work in front of the class, facilitating students for discussion, giving feedback on student percentages and asking students to determine the three best presenter groups. Implementation, namely asking students to submit their work (the three best group works). Reflection, namely, asking students to reflect on the learning process, asking students to make conclusions, providing confirmation of conclusions, giving evaluation, and praying together.

Observation and evaluation (do stage). To find out the multicultural skills of students after the multicultural based learning model was applied, an evaluation was carried out. The evaluation was carried out on three indicators of multicultural skills, namely the ability to communicate, the ability to work together and the ability to understand differences. Data on student multicultural skills in cycle I after being converted to conversion guidelines can be presented in the table below.

Table 1 Student Multicultural Skills Data

Score	Qualification	Frequency	Percentage
$108,00 \leq x \leq 135,00$	Very high	4	10,8%
$90,00 \leq x < 108,00$	High	9	24,4%
$72,00 \leq x < 90,00$	Moderate	16	43,2%
$54,00 \leq x < 72,00$	Low	8	21,6%
$27,00 \leq x < 54,00$	Very low	0	0,0%
Amount		37	100,0%

From the table above, students' multicultural skills are spread across all level categories except in the very low category. However, there are still 21.6% of students in the low category. Reflection (see stage). The not optimal multicultural skills of students in cycle I were due to several weaknesses. The results of the reflections of the researcher and the research team are: (1) students are not familiar with the model being applied, (2) students are still unable to find factual issues related to the material, (3) students have not been able to work well with their groups, (4)) students need to be accustomed to have the courage to argue and make policies related to the cultural conflicts being studied, (5) students still rely on their friends to answer questions / express opinions, and (6) elaboration between students has not been optimal. The

results of the analysis carried out by the research team agreed that the improvements made were: (1) students were guided more intensively in each group, (2) students were reminded to help each other, cooperate in their respective groups, (3) students given the opportunity to explore the knowledge and skills possessed in group activities, and (4) provide opportunities for all group members to express their opinions

Research Cycle II

Action planning (plan stage). Planning in cycle II is focused on improving the previous lecture program units, student discussion sheets, making learning media and arranging student multicultural skills instruments. Implementation of actions (do stage). The activities of implementing the action in cycle II are the same as the previous cycle. Initiation, namely giving greetings, asking students to pray together, singing the national compulsory song, facilitating students to explore the meaning of the compulsory song to be sung, and conveying learning objectives. Individual opinion, namely asking students to seek information and identify diversity problems, asking students to make hypotheses, and facilitating students to submit their individual assignments. Multicultural groups, namely dividing students / classes into multicultural groups, giving assignments to each group, asking students to review references relevant to the problem, giving group assignments to make videos, pictures or power points for media presentations and guiding discussions. Multicultural opinion, namely asking students to present the results of their group work in front of the class, facilitating students for discussion, giving feedback on student percentages and asking students to determine the three best presenter groups. Implementation, namely asking students to submit their work (the three best group works). Reflection, namely, asking students to reflect on the learning process, asking students to make conclusions, providing confirmation of conclusions, giving evaluation, and praying together.

Observation and evaluation (do stage). To find out the multicultural skills of students after the multicultural based learning model was applied, an evaluation was carried out. Evaluation was carried out on three indicators of multicultural skills, namely the ability to communicate, the ability to work together and the ability to understand differences. Data on student multicultural skills in cycle II after being converted to conversion guidelines can be presented in the table below.

Table 3.1 Student Multicultural Skills Data

Score	Qualification	Frequency	Percentage
$108,00 \leq x \leq 135,00$	Very high	6	16,2%
$90,00 \leq x < 108,00$	High	11	29,7%
$72,00 \leq x < 90,00$	Moderate	20	54,1%
$54,00 \leq x < 72,00$	Low	0	0,0%
$27,00 \leq x < 54,00$	Very low	0	0,0%
Amount		37	100,0%

In the table above, it can be seen that there is an increase in the percentage of categories: moderate by 10.9%, namely from 43.2% (16 people) in the first cycle to 54.1% (20 people) in the second cycle; high of 5.3%, namely 24.4% (9 people) in the first cycle to 29.7% (11 people) in the second cycle; and very high category of 5.4%, namely 10.8% (4 people) in the first cycle

increased to 16.2% (6 people) in the second cycle. Reflection (see stage). After the improvement efforts were made in cycle II, the researcher and the team observed that the learning process activities were generally going well. The things that become the results of observations are: (1) students have the courage to have an opinion, and are not monopolized by one or two people, (2) students are able to explore their abilities, (3) students are able to cooperate in their groups, and (4) students are able to control themselves in their interactions.

The application of a multicultural-based learning model showed a significant increase in the multicultural skills of students from cycle I to cycle II. The percentage increase in categories: moderate by 10.9%, namely from 43.2% (16 people) in the first cycle to 54.1% (20 people) in the second cycle; high of 5.3%, namely 24.4% (9 people) in the first cycle to 29.7% (11 people) in the second cycle; and very high category of 5.4%, namely 10.8% (4 people) in the first cycle increased to 16.2% (6 people) in the second cycle. This is because the syntax (steps) of the multicultural learning model is able to facilitate students in developing their skills optimally. Prayers carried out by lecturers and students seriously at the initiation stage are considered to be able to calm students' learning emotions because they feel protected by God Almighty. Singing the national compulsory hymn wisely and discussing its meaning collaboratively can make students understand its meaning. Through questions and reinforcement of what students say by lecturers, it can also increase student learning motivation.

Individual opinion activities, able to build and develop individual student opinions based on the process of exploring, analyzing, formulating and concluding what they have got. For this reason, the lecturer assigns assignments individually to all students through questions related to competencies and learning objectives that have been prepared by the lecturer. Then students are asked to develop their individual opinions by looking for information through relevant learning resources that have been informed by the lecturer at the previous meeting. This process builds students' personal skills, relating to self-confidence, the ability to develop opinions, the ability to express opinions, the courage to take risks and the courage to disagree with others based on truth and rational, logical and juridical arguments. The global community with its various dimensions must be respected and appreciated as long as it brings positive changes to the life of the nation and state. Vice versa, bad values must be filtered through the positive values we already have. Only people with personalities and identities are able to survive the current swift currents of globalization.

Multicultural group activities are able to build and develop multicultural awareness in students. Through multicultural groups consisting of various ethnicities, races, religions, cultures, regions, gender and abilities, students are invited to directly experience the true multicultural society in class life. This process does not only occur in the learning process, but also takes place outside the classroom, because the groupwork they do also takes place after class hours. This multicultural group really makes students consisting of various ethnicities, races, religions, regions and cultures mingle, helping each other, learning from each other, exchanging experiences and cultures, understanding each other's differences and interpreting the differences they have. This process is in line with the last three dimensions of multicultural learning namely: (1) reducing prejudice; (2) equality pedagogy, which is when lecturers change their teaching methods in a way that will facilitate the academic achievement of students who come from various ethnicities, races, cultures, regions and religions; and (3) an empowering campus culture and campus structure. This process can be done through learning practices that make the classroom a multicultural community laboratory [6].

Multicultural opinion activities are able to build various opinions of students based on the perspectives they build. For this reason, students are asked to observe carefully the work of their other student groups and provide comments based on the results of their observations. In this

process, there are actually skills to criticize, build and develop an objective attitude towards the work made by other people. Likewise, the group given an assessment must have an open attitude to accept criticism, suggestions, praise and improvement, regardless of who and where the person is (ethnicity, religion, region and culture), so that what is made is better. These processes should be built from an early age through learning practices, including formal learning in schools, so that in the future a society that is democratic, open, has shame and realizes the mistakes made in the future will be born.

Implementation activities, namely the process of socializing and disseminating the skills that have been acquired in the learning process. In this phase, students convey what is the result of their group work in front of the class. In addition, the three best works are displayed on the campus wall paper (given to others) so as to provide reinforcement of learning to students who provide a sense of fun, feel appreciated, and motivate student learning [6]. The existence of an award for this best work makes students motivated to develop their abilities to the maximum, so that they can appear in front of the class and their work is displayed on the campus wall magazine. Moreover, all of their potential is facilitated in the practice of Citizenship Education, so that weaknesses among students can be covered up, including the strengths of each student that can complement each other and produce the best work. Reflection activities, namely reflecting back on what has been done and concluding the learning outcomes that have been achieved. The process of reflection which is carried out with a conscience will help students to feel honestly, whether what has been learned is beneficial for themselves and others, whether the process is fun and is able to achieve the goals set. It is able to build self-awareness to acknowledge the weaknesses and strengths of each one. This reflection process is able to make students more aware of the importance of the processes that have been passed in building identity, so that they are more mature in taking attitudes and actions related to diversity issues [6].

4 Conclusions

The implementation of a multicultural based learning model with a lesson study attempt to improve the multicultural skills of the Undiksha Faculty of Economics D3 Accounting student shows positive effectiveness. This can be seen from the increasing multicultural skills of students from cycle I to cycle II. The percentage increase in categories: moderate by 10.9%, namely from 43.2% (16 people) in the first cycle to 54.1% (20 people) in the second cycle; high of 5.3%, namely 24.4% (9 people) in the first cycle to 29.7% (11 people) in the second cycle; and very high category of 5.4%, namely 10.8% (4 people) in the first cycle increased to 16.2% (6 people) in the second cycle. This is because the syntax of the multicultural learning model is able to facilitate students in developing their skills optimally.

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The Role of Geomorphological Maps in Regional Planning and Management in Indonesia

(Case: Buleleng Regency, Bali)

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Abstract. This research aims to study how much the role of the geomorphological map for planning and managing the territory in Buleleng regency and evaluating the geomorphological map in planning and managing the territory in Buleleng regency. The research was conducted by descriptive and data-collection methods with field surveys and interpretation images Landsat 8 and DEM as primary data. According to this research, planning and managing the regional of Buleleng regency has not fully yet maximized the role of geomorphology map and uses only a few factors between soil types, groundwater, slope, and basin. Then provoke environmental damage by land transfer function and settlements project around the drainage basin. The result of this research is that Landsat 8 and DEM can be used in making geomorphology maps with 81,6% accuracy of 6 landforms in the Buleleng regency. The geomorphology map role capacity can support reference data until it determines the location at the beginning of construction.

Keywords: Landsat 8; Geomorphology Map; Drainage Basin; DEM

1 Introduction

The planning and management of the stake are two related and long-term activities. Vast implementation of space planning is a generic term for all systems. Planning is the first stage of development so that the proposed planning should be implemented and applicable [1]. The regional planning and management will doubtless be connected with morphological conditions, the varying cases of either damage such as disaster or land-use change [2][3]. Due to anthropogenic activities, the earth's surface is being significantly altered, and man's presence on the earth profoundly affects the natural environment [4][5]. Buleleng regency with hill morphology and narrow alluvial plains, resulting in land indicated to a limited settlement. 10,60 million population growth in 3 years, it shows an increase of population in Buleleng regency and affects increasing demand for space [6]. The land uses refers to spatial planning that will create environmental sustainability [7] and be a bench point in measuring success in space planning [8]. Besides that, geomorphology planning can be used for a detect disaster such as; erosion and controlling environmental impact from industrial [9].

The forum of Bali Drainage Basin notes that the environmental damage in Bali is

increasingly severe due to the development of housing around the drainage basin, the industry around the river, and C digging activity [10]. This environmental problem also caused by human behaviour [11] that would have an impact on residential communities built directly across rivers. The problem of disaster is one of the results of development that pays no attention to the proper location for the building and ignores sustainable development principles. Thus, efforts to reduce potential disasters needed the geomorphological map to support the development of the region [12]. It contained the information needed in planning and managing regions in Indonesia: geology, hydrologic, and the slope of a region.

Based on the background that has been outlined. This research aims to know how far the role of the geomorphological map for planning and management in the Indonesia region, especially in the Buleleng regency. Furthermore, to evaluate the geomorphological map in planning and managing the housing in Bulelengregency.

2. Methodology

Buleleng is part of the administrative regency of Bali province. Located between latitudes $8^{\circ}03'40'' - 8^{\circ}23'00''$ S and between longitudes $114^{\circ}25'55'' - 115^{\circ}27'28''$ E. Buleleng regency has a unique topography, where the south side is a hill region, and the north side is the lowland. The settlement growth rate in Buleleng has an increase from 2000 until 2016, about 42,74% [13]. The research uses the image of Landsat 8 Operational Land Imager/Thermal Infrared Sensor (OLI/TIRS) in 2019 path 161 and 162. DEM Data is a free procured list on the official website of the USGS. The interpretation method refers to the terms of Lillesand and Kiefer by using the interpretation key. The key to interpretation is used, such as; Hue/colour, shapes, textures, patterns, and sites. The interpretation employed is by an overlay of images with DEM data to provide a realistic topographic impression in the field [14]. One display image of remote sensing but regular composites (321), pseudo composites (567), and durability of image spectral imaging reinforce the image coupled with 15 meters resolution of Landsat.

Table 1. The Units of Geomorphological Landform Map

Type of landform	Code	Annotation	Type of landform	Code	Annotation	
The denudational landform (D)	D1	The hills scrape	The marine landform (M)	M1	Beach	
	D2	Mountains eroded		M2	Tombo	
	D3	Leftover hill		M3	Beach ridge	
	D4	Isolated hills		M4	Beach dune	
	D5	Plain barely		M5	Low tide line	
	D6	Plain barely rises		M6	The coastal alluvial plain	
	D7	Slope		M7	The inundated coastal	
	D8	Areas with a mass movement of the rock			M8	Alluvial plain
	D9	Degraded land			M9	Coral reef Shoal

The volcanic landform (V)	V1	Volcanic cone	Karst landform (K)	K1	Karst plateau
	V2	Volcanic slope		K2	Slope and karst hills eroded
	V3	The foot of the volcano		K3	Karst topography
	V4	Flavio volcanic plain		K4	Karst alluvial plain
	V5	Lava land		K5	Dry valleys and karst canyons
	V6	Lahar land			
	V7	Mountainous plains			
	V8	Denudation volcano hills			
	V9	Boka, dike			
	V10	Parasite cone			
The structural landform (S)	S1	Fault block	Fluvial landform (F)	F1	Fluvial plain
	S2	Escarpment fault		F2	Riverbed
	S3	Big Escarpment		F3	Lake
	S4	Anticlinal mountains		F4	Swamp
	S5	Anticlinal hills		F5	Rear swamp
	S6	Synclinal mountains		F6	Dead river
	S7	Synclinal hills		F7	Floodplain
	S8	Monoclinical mountains		F8	Dikes
	S9	Monoclinical hills		F9	Fluvial spout
	S10	Dome mountains		F10	Alluvial fan
	S11	Dome plain		F11	Delta
	S12	Highland/plateau		F12	Delta spout
	S13	Synclinal valley		F13	Delta coast
	S14	Horst			
	S15	Graben			

Source: [15]

Restrictions and the naming of the interpretation results refer to Suharsono [15]. An interpretation is that it is untenable for different landforms (Table 1) and each landform's characteristics. The giving of geomorphological map code was divided into two kinds of 1:250.000 and 1:50.000. The scale significantly affects the durability it will display.

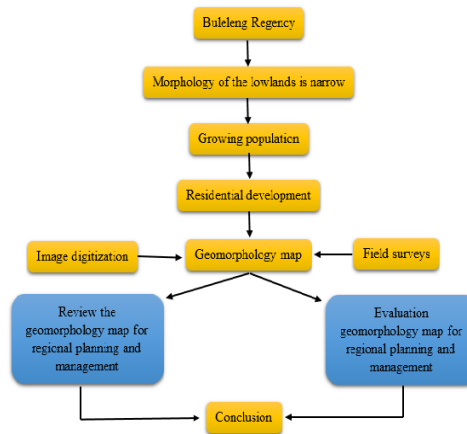


Fig 1. Flowchart Research

3. Result and Discussion

Analysis Geomorphology Map in Regional Planning

An interpretation of the Landsat 8 image shown on a false composite line at RGB 5.6.7 that features topographic cranking, were using that channel, the ridge of the hills and flows is visible. Image interpretation is used in research provides necessary information such as geology and topographic [16], for regarding their formation to be more accurate, it will require a DEM image to obtain marbles and field surveys. Similar studies have been done [17] to identify formation in Kulonprogo and Wonosari by looking at textures and colours.

Geomorphology identification through Landsat image gained six concepts: denudational landform, volcanic landform, structural landform, fluvial landform, marine landform, and karst landform. Each landform has characteristics and effects on the soil performed mainly for topographical conditions. In the case of disasters that occurred at several points in the Buleleng regency, flooding up to 1.75 m around Singaraja city, in Jalak Putih residential area, also occurred in Musi village, Gerokgak subdistrict (Figure 2.a.) causes high rainfall intensity, and the primary cause is that housing was located in a fluvial landform were before the construction was a drainage basin. The river that crosses Musi village is seasonal and often dry so that the people of Musi village built settlements around the drainage basin without worrying about flooding. The problems of disaster in the residential areas are a clear example of the potential dangers of building settlements that ignore geomorphology conditions. Figure 2.b. shown a new housing project under construction, but the location was not very suitable for settlement when viewed from the geomorphological map, the risk of landslides as they are built in regions of the denudational landform and located between the dredged hill.

In the past cases and signs of the problem, it is well known that the development of settlement in the Buleleng regency is not entirely because of the condition of the landform. Here the role of a geomorphological map can be a basis for housing development. However, evaluating the geomorphological map's role cannot be a single data to plan the exact location. Only the introductory of information needs to be compared to other data not contained on the geomorphological map to building sustainable development principles.



Fig 2. Settlements development in Anturan Village

Validation Result

The field survey was carried out at various landform points that are Bubunan as a region with denudational landform, Pulaki Hill to check of structural hills, Gondol Coast to prove the presence of outlying hills and check the organic and marine landform. The landform characteristic table is shown in Table 2. Observations on several landforms in Buleleng regency as follows.

Denudational landform

The characteristic of landform founded from the field survey indicated that in the Bubunan region is a denudational hill landform, as shown in Figure 3. (a) the shape of the terraced hills due to high erosion processes, (b) there is a stream below the hill that shows surface water good condition and (c) that shows the dominant soil's texture of sand and clay.

Structural landform

Based on field survey results, researchers obtained the features of structural hill landform among these are different types of Breksi rock and erosion. Structural hills are evidenced by the type of Breksi rock that the foothold can be seen in Figure 3(d). Structural hills also endure erosion, while Figure 3(e).

Marine Landform

The field survey for landform was done on the Gondol coast, Gerokgak. The coast has white sand in contrast with the black sand. The leftover hill on the Gondol coast was carrying eroded stone material on the coast. Figure 3(f) shows the coast on which tides occur with white sand from coral runoff and black sand from the erosion of Breksi rock, Figure 3(g) shows the Breksi rock on the beach of the remnant for the hill next to the Gondol coast.

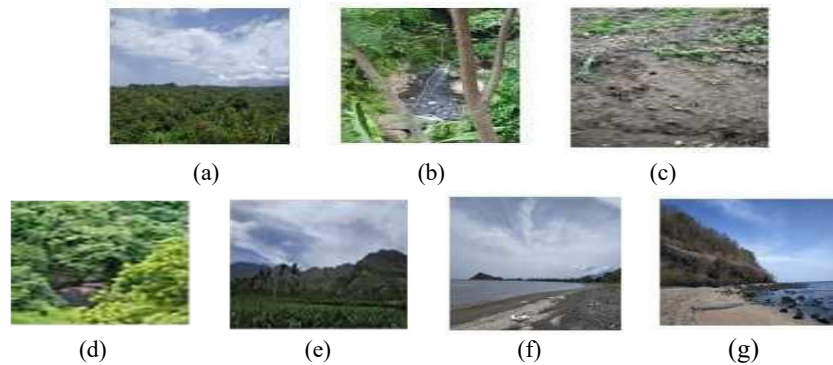


Fig 3. Landform (a), (b), (c) Denudational, (d), (e) Structural, and (f), (g) Marine.

Table 2. The characteristics of the landscape

Terrain unit		The characteristics of the terrain and water quality					
Code	Name	Relief/ Morphology	Process	Rock types	Soil	Water conditions	Vegetation
D	Denudational	40-50° A little bumpy	Eroded evidenced by the terraced hill	Tuff; Volcanic mudflow; Conglomerate	Sand; Clay; Andosol	Medium	Coconut palm with high vegetation density
S	Structural	27-39° Mountain ridge	Denudational	Breccia; Tuff; Conglomerate; Silt rock; Sandstone;	Gravel on top; Sand and clay on the base	A little	Scrub
M	Marine		Thinning of rock into sand	Sandstone; Coastal	Sand; Alluvial;	Big	Coconut palm;

				alluvial sediment	Hidromart		Mixed gardens
K	Karst	< 45° Low hills	Removal of the seabed	Lime	Gravel; Clay with sand	Very little	Hard trunked tree; Thron bush
F	Fluvial	0-15° Slope slightly	Fluvial sediment, beach, and lake	Gravel	Clay; Silt; Gravel	Big	Vineyard; Scrub High vegetation Density
V	Volcano	35-50° Belongs to Beratan Purba mountain	Volcano	Breccia; Lava; Tuff	Clay; Latosol	Less	High vegetation density with a high variation of vegetation

Source: Data processing, 2020.

Remote Sensing Data of Landsat 8 OLI and DEM for Geomorphology Map

Landform mapping using remote sensing imagery in Indonesia mostly involves visual interpretation techniques to obtain landform features instead of digitally manually. Similar research has been conducted in mapping geomorphology of the Pench reserve area, Chindwara district, India [18]. To improve RGB composite image quality on Landsat 8 in the information of texture from different rock uses 6/4;6/2;7/6 channels and pan-sharpened method.

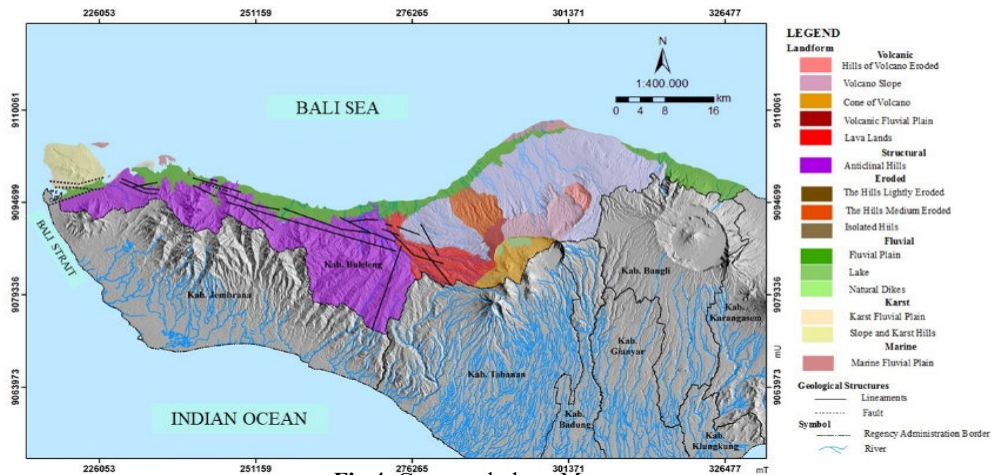


Fig 4. Geomorphology Map

The accuracy test of the geomorphology map has been created with field conditions was 81,6%. With that accuracy-test value, the interpretation landform belongs to the outstanding category [19]. The appearance of landform is distinguished by colour, as in Figure 4. The Structural landform is seen to dominated the western part of the Buleleng regency around the compact mountain with 60% transparency, so DEM can be seen as to facilitate interpretation of the structural landform visible with the rough texture shown.

4. Conclusion

The conclusion that can be drawn from this research is the satellite imagery Landsat 8, and DEM can be used in making a geomorphology map with a field accuracy test of 81,6% against six landforms in the Buleleng regency. So that geomorphology maps can be used as a basic map in the planning and management of regional in the Buleleng regency, the role of the geomorphological map, especially in settlements development, can provide information related to the landform that is suitable and safe to build residential areas with low disaster risk. Evaluation of geomorphological maps' role will not be useful if relying solely on data from geomorphological maps only to optimize the area of the settlements. Then in this stage, planning also requires other data such as regional layout plans data. Thus, the problem that has occurred in settlement of Buleleng regency can be minimized

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Model of Empathic Communication for Final Year Students Suffering Anxiety from Final Assignment During Covid-19 Pandemic

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Abstract. Many students are under pressure when working on their final project and it leads to anxiety. Especially in the time of covid-19 pandemic, many students who are working on their final task are facing numerous pressures, and a solution is immediately needed to solve their anxiousness. The purpose of this research is to develop a model of empathic communication in final year diploma (D3) and undergraduate (S1) students who are doing final assignments. This study used qualitative methodology. The result of this study is a model of empathic communication in final year students who experience anxiety while finishing their final assignment. The model has four elements: supervision with the empathic communication, time and privacy, the availability of reference for the assignment, and appreciation. These four elements can support students to be able to get out of the stress faced while working on the final task. They feel the four elements in the empathy communication model, they need when doing the final task.

Keywords: Empathic Communication; Model Development; Final year students; Anxiety; Final assignments.

1 Introduction

Based on research conducted by Sutjiato [1], students who experience anxiety will have a detrimental impact on their self. These detrimental effects will be seen in student's academic achievement, competence, and health. Other adverse effects are negative behaviors such as excessive smoking and drinking, and even suicide. Such anxiety, if not addressed immediately, will affect student development and brings health problems.

Another study conducted by Ramachandiran and Dhanapal [2], in the so-called gen-Y and gen-Z who attended private university in Malaysia identified that the sources of academic stress for students are their studies, peer pressures, family problems, financial problems and others. They cause stress that triggers physical and psychological problems.

Stress can be experienced by anyone in any particular form, it can be in heavy, mild, long-term or short-term levels. Stress can have negative implications if they accumulate in an individual's life without the right solution. The accumulation of stress occurs as a result of an individual's inability to cope with and control his stress. According to Heiman and Kariv in Sutjiato [1], stress is a large imbalance between physical and psychological demands and the ability to respond. There is a failure to meet demand that has essential consequences.

The causes of stress can come from the individual itself, the family, the neighborhood, the office, and the school. In this study the cause of stress came from the school. The cause of stress on students can stem from his academic life, especially from external demands and his own expectations [3].

External demands that cause students anxiety, according to Heiman and Kariv in Sutjiato [1], can stem from college assignments, schoolwork loads, parental demands, and social adjustments in their campus environment. The burden of study, including external demands that put stress on many students, correlates with the competency of lecturers resulting in the increasing complexity and difficulties of study materials.

Anxiety that students are unable to control and overcome will have a negative impact on students' cognitive, physiological, and behavioral abilities. Negative impact on cognitive abilities can be observed in the form of difficulties to concentrate, difficulties to remember learning subject, and difficulties to comprehend learning subject. Negative impact on emotional abilities can take form as difficulties of motivating themselves, the appearance anxiety, sadness, anger, frustration, and other negative effects. Physiological negative impact forms include health disorders, decreased endurance, frequent dizziness, lethargy, weakness, and insomnia. Forms of behavioral impact include procrastinating on completion of college assignments, laziness, drug and alcohol abuse, and engaging in excessive and high-risk pleasure-seeking activities [4].

According to Hadiwidjaja [5], a very different pattern of lecturer and student relationships in universities when compared to teacher and student relationships in elementary and secondary school, can also be a cause of stress for students. Lecturers rarely conduct personal dialogue with students due to large number of students in one class. The negative interpersonal relationship between lecturers and students becomes a source of stress for students. The lack of good communication between the two parties makes the interpersonal relationship of lecturers and students negative. Through a good communication process, it can meet the curiosity, needs of self-actualization, needs to convey ideas, thoughts, knowledge, and information reciprocally, and determinants of mental health.

The good relationship between students and lecturers, aims to help students in solving the problems faced, at the time of study. The intertwined relationship between students and lecturers, plays an important role in helping students in lectures. Such good relationships also play a role in decision-making by students over problems faced in college.

The effectiveness of interpersonal relationships can be achieved, if students and lecturers have something in common in interpreting the meaning of the message conveyed in the communication process. Conversely, when communication is ineffective, it can cause tense feelings so that there is a dispute between students and lecturers. This makes the interpersonal relationship of students less harmonious, resulting in stress in students. One source of stress in students, is the disagreement with lecturers. Based on these aspects, the student's interpersonal relationship with the lecturer, related to the stress experienced by the student.

For that, lecturers as educators, must have a sense of empathy. Empathy is the mental state of a person, who can feel the same circumstances, as others feel. According to Ayriza in Gamayanti [6], empathy is an aspect of social prowess that contains three main indicators, tolerance, caring for others, and understanding. Including empathy is not mocking the work of others, comforting others who are grieving, appreciating the excesses of others, forgiving the guilty, listening and not imposing will.

One of the requirements to graduate for students is to complete the final assignment or thesis. The work of final assignments or thesis often makes students depressed. The burden of this course is indeed greater, compared to other courses. Therefore, many students are under

pressure while the student is working on the final assignment. One of the effects is stress. Students who are working on the final task and experiencing stress, should immediately find a solution to handle it. This was done, so that the stress he experienced, did not prevent him from completing the final task on time. Therefore, this research wants to develop a model of empathy communication in final-level students who are stressed on the final task work.

Not a few students are threatened with drop-out sanctions for not completing their study load with a set time. Based on research conducted by Fadillah, A. E. R. [7], at Mulawarman University, 823 students are threatened with being dropped out, because they have not completed their studies, even though the study period is coming to an end. The phenomenon of students being threatened with drop out is also found at Hasanuddin University, there are 370 students who will be dropped out because they have not finished their studies. And this is also the case at UNJ. Based on the research data, there are many students who are unable to complete their studies ideally. Some of them are threatened with dropouts. One of the reasons students are unable to complete their studies, is being unable to complete thesis or final assignments.

Thesis is a scientific essay that on some campuses, must be written by students as a condition of the end of academic education. In the process of drafting the thesis, students will pour the fruit of their minds based on the lectures that have been done into the form of scientific writing. Based on Gamayanti et al researchers [6], many students experience obstacles in compiling thesis, due to many who are unable to write research and scientific work, complicated thesis work processes, difficulty communicating with guidance lecturers, systemic problems in working on thesis, and inability to manage time. Gamayanti et al [6] research found factors that influence students during the thesis process.

Nurhindazah et al [8] also conducted research that found the obstacles faced by students in the process of completing the thesis, can have a negative impact on students. These impacts appear to be negative feelings that arise while working on the thesis. These feelings include the onset of tension, anxiety, stress, frustration, inferiority, and loss of motivation. The squeeze caused students to delay the preparation of the thesis, some even decided not to complete the thesis.

One of the things that can help students to deal with these negative feelings is the social support in the form of empathy. Such social support will result in reduced anxiety, depression, general disorders, and symptoms of body disorders. Social support can be obtained from family, peers, group members, instistusi, and the environment. To provide social support, one must have basic elements of empathy. First, imagination. This imagination is important for self-reasoning as others. Second, there is self-awareness. This awareness is a positive view of one's self and acceptance of self-advantage and deprivation. Third, there is awareness of others. This awareness is the recognition and attention of others, and acceptance of the advantages and disadvantages of others. Fourth, the absence of feelings, desires, ideas, and representations of good action results in others. Fifth, The availability of an aesthetic frame of thought [9].

According to Musfiroh [10], the empathy skills that lecturers must have include empathy fundamentals, profound empathy, and functional empathy. Empathy fundamentals show, understanding and attitudes that are accepting and open, paying attention, hearing, caring, being positive, affirmative approach, and showing enthusiasm. Second, the ability to exchange the meanings of communication through facial expressions, body language and motion, height and distance, and low height of sound.

Profound empathy shows the breadth of lecturers' empathy in learning activities. Develop positive emotions and interactions in the form of pleasant, happy, relaxing, humorous, loving, loving, showing kindness, masking negative emotions, giving time, focusing, physical contact, relaxing, fast behaving, and informal climate. Functional empathy is a direct function in the

learning process of teaching, namely empathy of class groups, building perspective on others in a group by jointly organizing the perspective by using circular settings, patterns, and codes, performing control, discipline, honesty of manners and empathic structure. Third, a mental grouping based on the ability to combine a variety of child typologies, cultural differences, pursuing different groups, and gender differences in one mental situation that empathizes with each other, cares, and respects each other.

The formulation of the problem in this study is two. First, how is the empathy communication model in late-level students who are stressed out in the final assignments of D3 and S1 students? Second, how is the development of empathy communication in final-level students who are stressed out in the final assignments of D3 and S1 students?

The purpose of this research is also two. First, create a model of empathy communication in final-level students who are stressed out in the final assignments of D3 and S1 students. Second, to develop empathy communication in final-level students who are stressed on the final assignments of D3 and S1 students

The findings targeted in this study are a model of empathy communication in final-level students who experience stress in the work of the final task can be explained in the thesis course or the final task of the student's scientific work so as to support the development and development of technological and socio-cultural sciences.

2 Method

The research method used in this study is qualitative methodology. According to Wahab [11], qualitative research is research that examines the quality of relationships, activities, situations, or various materials. Qualitative research emphasizes holistic descriptiveness, which explains in detail the ongoing activities or situations than comparing the effects of certain treatments. Qualitative research also seeks to shed light on people's attitudes or behaviors per person.

Qualitative research emphasizes meaning and bound values, to understand social interactions, develop theories, ensure data correctness, and research developmental history. Therefore, qualitative researchers should have the ability and courage, always maintain networking, have a great curiosity and be open minded.

Qualitative research is a study aimed at understanding social reality. This research wants to see the world from what it is, not the world it should be. So qualitative researchers are researchers who have open minded properties. Researchers are key instruments. Therefore, researchers must have a wide range of theories and insights in order to analyze, and construct more clearly researched objects.

Qualitative research is usually descriptive, and emphasizes processes more than results, and tends to analyze its data in an inductive way. This type of research is descriptive. Research sites are located in two places, namely at Universitas Negeri Jakarta and Univeritas Andalas. The focus of the research is on D3 and undergraduate students who are working on the final task. The research measures in the cauldron research start from identifying the phenomenon to be studied, conducting data analysis, identifying participants in the study, developing analysis, collecting data, and formulating conclusions.

3 Results and Discussion

To create a model of empathy communication in final year students who experience anxiety on the final assignments of D3 and Undergraduate students, researchers have conducted interviews and documentation studies to research informants. Based on the interview, the findings found that the stress that informants experience makes them panic and anxious, so it is a burden on their minds. Here is one of the informant's statements, Arnita (Unand Pharmacy Undergraduate student):

"I'm so panicked and anxious, the mind goes on and like if I take a break or pause from doing thesis, it feels like it's not calm because it feels like something hasn't been done yet, so sometimes I'm not in the mood to do anything."

This is due to the influence of hormones. When a person feels stress, there is a process in the body that causes stress caused by three types of hormones. First, adrenaline hormones. Both hormones are norepinephrine. Third, the hormone cortisol. These three hormones decide on reactions when stressed. In Arnita's case, she became unmotivated from doing anything. Such hormones can suppress the immune system, increase blood pressure and blood sugar, causing acne, obesity and others. In addition to panic and anxiety, many students are also experiencing a bit of trauma. They become worried when they want to make a decision. Here is one of the informant's statements, Willyandi (D3 Student Public Relations UNJ):

"I'm afraid (that) I'm wrong, if I want to make my own decisions or initiatives, even if it's about my final assignment. So if I want to do anything, I ask my friend, 2 or 3 people, so I feel confident."

The biggest factor that causes students stress comes from supervisor. A lot of un-emphatic communication coming from supervisor. Revisions including change of title, while the final task process is halfway through, are factors that make the emphatic communication between the student and the supervisor impossible. Here is an excerpt from one of the informant's statement:

"Often some time when consulting with my supervisor, my work is revised, and I had to change the title, when it's already chapter two. When I asked how to work on the next chapter, he said just do it first, figure out how yourself. I tried to find and follow previous research but in fact it was wrong, so I became worried a lot."

As a result of the already severe stress of working on the thesis, many students don't show themselves again for the supervising process, they even withdrawing from their social circle. When a friend asked him about it, he refused to talk about his thesis. In the end, many of them chose to drop out, or continuing their studies at other universities. During the covid-19 pandemic, the stress is increasing due to the various restriction put of the situation. They can't move freely to do data gathering and the infrastructure they have is also less supportive. As Choirunnisa experienced, her thesis progressed slowly, and she worked on the thesis depending on free wi-fi at the school where she researched.

The average informant is a UNJ student, the majority of them make schools as research site. During this covid-19 pandemic, school activities took place online, thus affecting the progress of thesis. In addition, students who experience stress, during the covid-19 pandemic, also experience more laziness. There are also others who do other non-thesis activities, like teaching or working to finance life in Jakarta. This was because the family's condition required him to work. In addition, they also feel stressed while working on the thesis.

The stress is due to communication problems with lecturers. These communication problems arose because their research methods were considered problematic, and the findings of the study were perceived to be lacking in validation of instruments or media experts. This situation created anxiety and resulting in laziness. Some of informants already finish their exam and defense, but then had a problem unrelated to the thesis process, which then affects the grade of their thesis. And that is enough to stress the student [12].

Many of the students who experienced stress while working on the final task, have been stressed since the initial discussion with their supervisor. The students who did the final task during the covid-19 pandemic feel more stressed. In this covid-19 pandemic, students doing their assignment with more relaxed atmosphere at home. Nevertheless, there is still a particular time where they have online discussions with lecturers and were given a deadline. The deadline makes students feel quite stressed since they think that one-week deadline is too short.

Students said the way they relieve stress is to seek distraction into hobbies. Their hobby mostly is watching movies and reading novels. When this distraction didn't work, they mostly went to a friend to have a conversation. This conversation aimed only to channel their needs to be listened to. Their conversation mostly consists of daily experience. This communication model is felt to be effective enough to relieve stress in working on thesis. Here's one excerpt from the source's statement:

"Because there are friends who I can talk to and gave me advice even if it is just something like 'just take a break, and when you have cooled off' start working on your task again' or 'remember your motivation when you start college'".

The presence of friends who can help during the process of the thesis is considered helpful, as much as helpful as lecturers who can communicate with empathy to the student. Here's a model of empathy communication we developed based on the findings above:

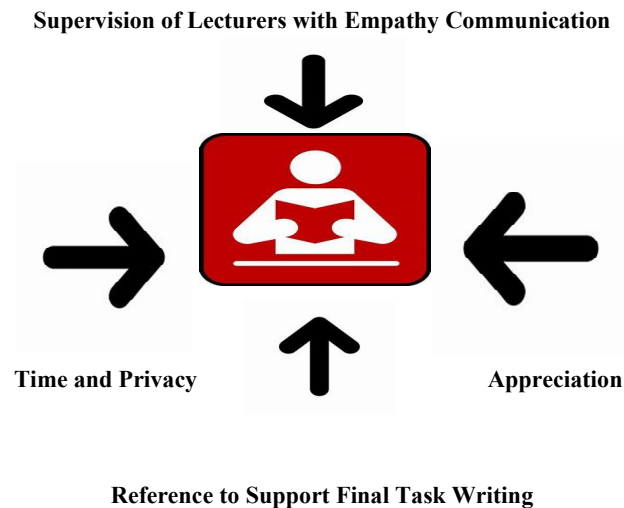


Fig. 1. Empathy Communication Model in Final Year Students Who Experience Stress During Final Task Work

The presence of lecturers who provide direction and supervision with empathy communication is key to this model. In addition, students who are stressed while working on thesis or final assignment also need to get time and privacy in working on the thesis from their environment, as well as the availability of reference resources to support the writing of the final task. Another important factor is the appreciation of his or her friends while working on the thesis. Thus, the model of empathy communication in final year students who experience stress during the work of the final task has four elements, namely: 1) Supervision of the lecturer with empathic communication, 2) Time and Privacy, 3) Reference resources to support the writing of the final task, 4) Appreciation.

There are lecturers supervising the progress of the final task with empathy communication is an important factor that can encourage students to be able to complete the final task. Such empathy communication can take in the form of giving time and privacy to students to work on research in accordance with the research roadmap that students and supervisors have drawn up at the beginning of the process. In addition, support from the campus in providing a reference resource to support the writing of the final task, also felt very helpful. And finally, no matter how little progress is made, with the appreciation, will motivate students to complete the final task.

4 Conclusion

The model of empathy communication in final-year students who experience anxiety during final assignment work is a model created to help final students to complete their thesis on time. The student had to be helped because of stress and anxiety they experienced in the process of working on their thesis. This help is needed to save them from becoming college dropouts, something that is both unwanted and unnecessary. To relieve stress on the final year students, there are four necessary elements: 1) Supervision of the lecturer with empathic communication, 2) Time and Privacy, 3) Reference resource to support the writing of the final assignment, 4) Appreciation. The four elements described had to be offered for final-year students, so that they can complete their thesis and pass their exam and defense. The four elements in this empathy communication model are elements that interact with each other, concerted efforts are required to maximize the result of empathy communication model to help final year student on their final assignment.

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The drawbacks of learn from home: A student perspective

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Abstract. Learn from home is an education world strategy to ensure that the teaching and learning process continues during the global pandemic Covid-19. All levels of education carry out e-learning to answer the challenges of education during periods of physical distancing, including higher education. This study aims to evaluate the online lecture process from a student's perspectives, and also measure students' motivation in participating in e-learning. Through a basic qualitative research design, data collected through online questionnaire distribution techniques to 100 respondents was taken as purposive random sampling and analyzed with analytic induction techniques. The results showed that students assessed the existence of three fundamental weaknesses in the implementation of e-learning, namely the absence of a clear lesson plan, weak time management, and too many assignments given by the lecturer. Other findings show that student motivation is still relatively stable, with the primary objective of broadening horizons. However, if the learning process from home continues to run with these various weaknesses, then the motivation of students to take online lectures decreases dramatically.

Keywords: Learn from home; Covid-19; Higher education; Student perspectives; Motivation

1 Introduction

Learn from home is a common vocabulary during a global coronavirus disease pandemic. Learning from home is a strategic policy adopted by almost all countries affected by the Covid-19 case, including Indonesia. Since the Covid-19 case began to spread, within time, to be exact March 24, 2020, through a Regulation from the Minister of Education and Culture of Republic of Indonesia, learn from home has been officially established as an effort to prevent the spread of disease outbreaks in the learning process. Home learning is intended to keep educational activities going by providing regular and regular learning activities to students [1]. When students return to school, it is expected that their learning motivation will not fade, and the learning material will not be left behind.

Even so, learn from home is still a new experience for most people. This term has never been heard before, even research publications with the keywords learn from home are hard to find. In other words, there is no clear guidance and scientific debate in the context of implementing learning activities at home, especially during the global pandemic. This problem results in different perceptions of educators towards the implementation of learning from home.

Learning in networks or better known as e-learning is a sensible choice taken by the government to implement learning from home. E-learning is a system or concept of education

that utilizes information technology in teaching and learning. E-learning has been widely applied by educational institutions, especially in higher education, and there have been many studies that prove its effectiveness in increasing students' motivation and learning achievement [2], [3]. Furthermore, the progress of ICTs has opened up more significant opportunities to apply e-learning to various fields of science and education [4].

However, previous studies related to the application of e-learning so far are still in the context of normal situations. Covid-19's global pandemic has forced learning activities from home implemented without adequate preparation - never prepared before - not imagined to prepare it. The main actors who face this pressure are educators, both teachers and lecturers. E-learning, which is more prevalent in universities is not necessarily popular among all lecturers. Undiksha e-learning is an Open Source LMS owned by Universitas Pendidikan Ganesha (Undiksha) and can be used by all Undiksha lecturers and students. However, based on research results Utami et.al. [5], e-learning platform owned by Undiksha is still not used by stakeholders effectively. In other words, lecturers and students who use e-learning are still limited—learning from home during the pandemic forced lecturers to learn about e-learning and how to use it.

Many lecturers are radically exposed to culture shock. Without sufficient preparation time, experience, and knowledge, lecturers must provide lectures online. Other challenges are the various restrictions imposed during the Covid-19 pandemic. As a condition of force majeure, these challenges must be accepted and implemented. This new experience will have a significant impact on the learning process at the higher education level, and not a few will cause various weaknesses and losses.

Some researchers have examined the challenges faced by academics in implementing e-learning. One of them, which is significant, is a study conducted by Silahuddin [6], which has succeeded in identifying five e-learning challenges faced by educators in higher education. The five challenges include cultural challenges and learning styles, pedagogical, technological, technical guidance, and time management. The five challenges are stated as limitations in the application of e-learning in higher education. These five challenges will be used as a primary consideration to understand whether students in-home learning also experience these challenges.

Other studies also revealed various weaknesses in the application of e-learning. Jara & Mellar [7] suggested a fundamental weakness in applying e-learning in higher education is the reduction in the intensity of the interpersonal communication dimension between lecturers and students. This weakness will have an impact on decreasing effectiveness in transforming and constructing students' perspectives in understanding a problem. Methodologically this study will also reveal the intensity of interpersonal dimensions felt by students in the case of learning from home. Finally, this study will reveal the student motivation level in the learning process from home. The study used as a reference is the result of El-Seoud et.al. [3], which shows an increase in student motivation to use e-learning.

This study will evaluate the implementation of the learning process from home at the level of higher education from the student version. Similar studies in regular times though still limited to examine the effectiveness of the application of e-learning from the perspective of students. An evaluation of the implementation of learning from home in the student version is needed to build and perfect a learning system from home in the near future. The purpose of this study is to analyze how the implementation of learning from home was carried out by lecturers and measure student motivation in attending online lectures.

2 Method

The research design used a basic qualitative. According to this basic qualitative design, it is intended to produce a deep understanding of learning from home from data collected from students and then analyzed in the form of descriptive narratives. This qualitative design is an approach that is generally used to understand and interpret social phenomena in their natural environment. This type of research is also often useful to further enhance understanding and crystallize research problems developed [8].

The scope of this research is focused in Indonesia, specifically on tertiary education at Universitas Pendidikan Ganesha. The selected subjects in this study were 100 social science students spread evenly in the second, fourth, sixth, and eighth semesters. A sampling of research subjects was done purposively. An online questionnaire is applied for data collection. The main purpose of this questionnaire is to understand the respondents' perspectives, opinions, and experiences about the questions asked. Semi-structured interviews are used to obtain clarification about the personal experiences and respondents' perspectives about the home learning process carried out by the lecturer. In the online questionnaire, respondents' identity and answers are kept confidential.

The data collected in this study are students' perceptions of online lecture preparation, online lecture implementation, and evaluation. The primary data was collected from the results of filling out the online questionnaire. Analytical induction techniques are used to analyze research data. Analytical induction, which is one of the typical data analysis techniques, is carried out with a stringent process in sequence to study the phenomenon under study.

3 Result and Discussion

E-learning, as a manifestation of home learning, has begun immediately from the policies issued by the government. In the process of implementing e-learning, it is believed that there will be variations between one lecturer and another, especially lecturers who are familiar with e-learning and lecturers who are using it for the first time. The e-learning process variations presented as a result of this study are sorted out in terms of preparation, implementation, and assessment, all of which come from student responses. In addition to presenting variations in students' perceptions of the e-learning process during the pandemic, a study related to student motivation was also presented. The motivation shown in this study is related to what is the main motivation of students and how the level of student motivation during learning activities from home. The results of the study are illustrated in the following table.

Table 1. Student Reviews of Lecturer Preparations in Online Lectures

No	Semester	Preparation									
		No lesson plan		Insufficient material		Inappropriate platform		Ignored student's location		Total	
		N	%	N	%	N	%	N	%	N	%
1	II	11	44	0	0	0	0	14	56	25	100
2	IV	10	40	5	20	0	0	10	40	25	100
3	VI	10	40	5	20	5	20	5	20	25	100
4	VIII	15	60	4	16	0	0	6	24	25	100
	Total	46	46	14	14	5	5	35	35	100	100

Table 1 shows the performance of the lecturer in preparing e-learning from the student's perspective. Based on the semester, there are differences in students' assessment of the preparation of lecturers in implementing e-learning. As many as 56% of the youngest students rate that in preparing for lectures, lecturers do not consider the location of students. While the other three batches mostly viewed that lecturers did not prepare a clear learning plan before starting online lectures, namely 40% of fourth and sixth-semester students and the most substantial, 60% of eighth-semester students. Overall, the highest percentage of student assessment of lecturer preparation is the absence of lecture scenarios, which is 46%. The second position with 35% is occupied by factors that neglect students' locations, followed by insufficient lecture material (14%), and the lowest is the use of inappropriate platforms (5%).

Table 2. Student Review of Online Lecture Implementation

No	Semester	Implementation									
		Time consuming		No explanation		Monotonous		Internet data consuming		Total	
		N	%	N	%	N	%	N	%	N	%
1	II	13	52	6	24	0	0	6	24	25	100
2	IV	11	44	3	12	2	8	9	36	25	100
3	VI	5	20	2	8	5	20	13	52	25	100
4	VIII	10	40	2	8	5	20	8	32	25	100
Total		39	39	13	13	12	12	36	36	100	100

Table 2 shows the performance of lecturers in implementing e-learning from the perspective of students. Based on the semester, there are differences in the students' assessment of the lecturers' actions in implementing e-learning. As many as 52% of students in the sixth semester considered that the internet data spent was very large in conducting lectures. While the other three batches mostly viewed that lecturers did not manage their time well, the time for conducting online lectures was very long, and 52% of second-semester students were the most significant, 44% of the fourth-semester, and 40% of eight-semester students. Overall, the highest percentage of student assessments of the stage of conducting online lectures was the length of time required to carry out online lectures, which was 39%. The second position with 36% is occupied by wasteful use of internet data, followed by the absence of explanations from lecturers (13%), and the lowest is a boring class (12%).

Table 3. Student Review of Evaluations in Online Lectures

No	Semester	Evaluation									
		Excessive task		No feed back		Monotonous task		Short working periode		Total	
		N	%	N	%	N	%	N	%	N	%
1	II	20	80	0	0	0	0	5	20	25	100
2	IV	15	60	5	20	0	0	5	20	25	100
3	VI	15	60	2	8	5	20	3	12	25	100
4	VIII	11	44	7	28	5	20	2	8	25	100
Total		61	61	14	14	10	10	15	15	100	100

Table 3 shows the performance of lecturers in evaluating e-learning from the student's perspective. Compactly, most of all students in each semester revealed that the assignments given by lecturers were numerous. This assessment is the most widely expressed by students in the second semester, which is 80%. Overall, the highest percentage of student assessments of

the evaluation stage in online lectures is too many assignments given by lecturers, which is 61%. The second position with 15% is occupied by the short work period, followed by the absence of feedback from lecturers (14%), and the lowest is that lecturers always give the same assignment (10%).

Table 4. Main Motivation of Students in Online Lectures

No	Semester	Main Motivation									
		Widening knowledge		Improving skill		Grades		Stay active		Total	
		N	%	N	%	N	%	N	%	N	%
1	II	13	52	5	20	5	20	2	8	25	100
2	IV	9	36	6	24	7	28	3	12	25	100
3	VI	10	40	4	16	6	24	5	20	25	100
4	VIII	5	20	4	16	4	16	12	48	25	100
	Total	37	37	19	19	22	22	22	22	100	100

Table 4 shows the primary motivations of students in e-learning. Based on the semester, there are differences in student motivation in participating in e-learning. As many as 48% of eight-semester students attend online lectures because they remain active even though they are at home. While the other three batches mostly viewed that the main motivation in online lectures was to broaden their horizons, which 52% of second-semester students as the most massive, 36% of the fourth semester, and 40% of sixth-semester students. Overall, the highest percentage of students' motivation to participate in e-learning is to increase their knowledge, which is 37%. The second position with the same percentage, which is 22%, is occupied by a motivation to get grades and stay active, and the lowest is to have new skills (19%).

Table 5. Level of Student Motivation in Online Lectures

No	Semester	Level of Motivation									
		Motivated		Standard		Frustrated		Desperated		Total	
		N	%	N	%	N	%	N	%	N	%
1	II	2	8	12	48	9	36	2	8	25	100
2	IV	2	8	12	48	10	40	1	4	25	100
3	VI	4	16	13	52	7	28	1	4	25	100
4	VIII	6	24	14	56	5	20	0	0	25	100
	Total	14	14	51	51	31	31	4	4	100	100

Table 5 shows the level of student motivation in online lectures. Concisely, the majority of all students in each semester state that their motivation in attending online lectures is standard. Students most expressed this level of motivation in eight semesters, which amounted to 56%. Overall, the highest percentage of students' motivation to take online lectures is at the standard level, which is 51%. Surprisingly, the second position with 31% is occupied by the level of innovation, followed by a highly motivated level (14%), and the lowest is some students feel depressed (4%).

Based on the results of the study, there are several exciting and surprising phenomena both in terms of student assessment of the online lecture process and in terms of student motivation. First, it will discuss the weaknesses of lecturers in implementing the learning process from home. Second, it will discuss the factors that encourage students to take part in online learning.

The weakness of lecturers in implementing e-learning from the perspective of students has started from the preparation stage, which continues at the implementation stage and leads to the evaluation process. In terms of preparation, the principal lecturer is seen as not being able to

design the full e-learning procedure. Without a precise learning scenario, students do not know how to start learning, start discussions, and also how to do the assignments given by the lecturer. Learning seems to run spontaneously and impress without a clear direction. In contrast to previous studies, a detailed learning plan design is the initial foundation that must be prepared before carrying out online learning [9]. An interesting finding is that lecturers do not consider the student's place of residence before determining the e-learning platform to be used. During the Covid-19 pandemic, students were required to learn from home and were not free to leave the house. While in some places where students come from, the internet connection is limited, as well as the electricity network. Not all students can access the platform used by lecturers, because most of them live in rural areas, and some even live in the interior. This condition certainly cannot be compared to previous research, which has found an effective strategy for implementing e-learning in remote areas [10], [11]. In this period of physical restrictions, many public places (which have internet access) have been closed, and it is also highly recommended to avoid crowds to prevent the spread of disease outbreaks. Besides, in preparing for online lectures, lecturers have not provided much material or learning references. Also, some lecturers use social media as an online lecture platform. According to Gon & Rawekar [12], this can be done effectively, and most lecturers only have ordinary conversations. This condition will later have an impact on student readiness and potentially disrupt the implementation of online lectures.

From the online lecture implementation, the main lecturer is considered not able to manage the time of the online class efficiently. Inadequate preparation, and without adequate experience, lead to online lectures running at a slow tempo, and seemingly waiting for each other to discuss or even discuss becomes biased. So much time is needed to carry out online lectures for just one meeting. Though based on Almarabeh & Mohammad [2] research, e-learning will create effectiveness and efficiency in learning. Nevertheless, once again, the condition of this force Majeure does not give sufficient time for lecturers to learn to manage online classes before taking action. Other deficiencies that have been identified are the use of internet data, both to download assignments or upload assignments that have been made by students. Sixth-semester students most felt this case. They are required to upload a practice teaching (microteaching) video that is almost 30 minutes each week. Although there is a data package from campus, it is considered far from enough.

On the other hand, parents' limited income makes it difficult for students to buy internet data. Besides, in conducting online lectures, few lecturers provide explanations or participate in discussions, so the implementation of online lectures also feels boring. Referring to the study of Al-Samarraie et al. [13], lecturers' active participation is crucial in the implementation of e-learning. This condition will eventually impact student understanding and potentially hinder students from achieving high scores at the learning evaluation stage.

Finally, in terms of evaluation of learning, the main lecturer is considered to have given too many assignments. The form of assignment most favored by lecturers is making papers, making essays, or answering quizzes. Giving assignments is normal, but giving assignments at every meeting is something that is felt by students as unrealistic. Add more, the duration of the assignment is considered very short. Students are given one week of work time to make a paper or essay, while those who spend more energy and thought are answering quiz questions in 15 seconds per question.

Contrary to these findings, assignments, and quizzes in e-learning is the variations that students most look forward [7]. However, too frequent assignments and too short work hours make the task becomes a frightening specter for students. Besides, in the evaluation process, lecturers rarely give feedback on assignments that have been collected by students. Lecturers

also only give the same type of assignment from time to time. They reflected on the research of King et.al. [14], stating that the provision of fast feedback and variations in the form of quizzes is the central stimulus in e-learning. However, this phenomenon of online assignment is considered illogical and unrealistic, especially during the Covid-19 pandemic. This condition will have an impact on lecture output.

One of the online lecture outputs collected in this study is student motivation. Based on the research results, the main motivation of students in attending online lectures is to broaden their insights and knowledge, specifically, in the course material related to the global pandemic Covid-19. Other motivations that can be expressed are to get grades, stay active, and improve skills. By pursuing online lectures in earnest, students expect to do assignments or answer questions correctly. Staying at home keeps students from having much activity, and taking online lectures is one of those activities that can keep them energetic, or at least there is something to do, whereas the skills coveted by students through online lectures are to improve their computing experience and mastery of digital technology. The motivation of these students is similar to the research conducted by El-Seoud et al. [3], which states that in addition to grades, students are also motivated to gain new skills from the online college process.

Furthermore, these students' motivation can be divided into four levels: motivated, standardized, frustrated, and depressed. Although most student motivation is at the standard level, many students experience frustration in the second place. The frustration experienced by students is related to the number of assignments given by the lecturer. Even so, there is a small percentage of students feeling depressed. This problem must be taken seriously. Depression felt by students related to limited internet access, lack of internet data, and lack of time make some students feel they left behind in learning. This condition needs to be taken seriously because it will negatively impact students' enthusiasm to continue their studies after the pandemic period ends. Student motivation is seen as the frontline in maintaining the existence of student learning [15].

4 Conclusion

This research has revealed how home learning works from the student's perspective. Based on student perceptions, the implementation of e-learning during the global pandemic has three main weaknesses. First, in the preparation stage, the lecturer has not prepared a holistic lesson plan. Second, in the implementation phase, lecturers have not been able to manage online class organizations efficiently, so a lot of time is wasted. Third, in the evaluation phase, the intensity of the assignment is very high. These three weaknesses indirectly affect student motivation in attending online lectures. Although most of the students' motivation is maintained, some students experience frustration, even some of them claim to be depressed. This condition will threaten the sustainability of students' studies. This research has limitations, which is only done in the higher education level. Further research is needed that covers all levels of education. Further research is also needed to examine individually online learning strategies during the global pandemic. Furthermore, it is necessary to develop particular policies that regulate distance education patterns that relate to geographical conditions, socio-economic, and student culture. As well as preparing the teaching staff to be more professional in implementing online learning during the Covid-19 pandemic.

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