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International Conference and Call for Papers "Scientific Publication and Local Cultural Development"

Raja Ampat, Papua Barat, November 10-12, 2017

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PREFACE

Praise being said to Allah Almighty God for all the grace and guidance that has been given to us all, so the Proceedings of the 15th ADRI 2017 International Conference Rata Ampat, Papua Barat, November 10-12, 2017 can be realized. Proceedings contains a number of articles and research papers from lecturers, teachers, students, researchers and / or observer of the development of science and technology.

Hopefully, these proceedings may give benefit to us all, for the development of science, technology, arts, culture, and sports. In addition, is also expected to be a reference for the nation and state-building efforts so that science and technology become a strong pillar in the face of the ASEAN Economic Community.

Lastly, there is no ivory that is not cracked. We are sorry if there are things that are less pleasing.

Thanks you very much.

Raja Ampat, November 10, 2017. Publisher Manager of Perkumpulan Ahli & Dosen Republik Indonesia (ADRI),

Andi Mursidi

Table Of Contents

Title	Page
The Profile of Hormones Estrogen and Progesterone In Mice Model Ovariektomi In Therapy With Flour Bones of Fish Madidihang Ahmad Talib	1
The Correlation between Characteristics, Knowledge, and Motivation of Couples in Childbearing Age with the Early Detection of Cervical Cancer in Ulin General Hospital Banjarmasin Anggrita Sari, Dede Mahdiyah, Yayu Puji Rahayu, and Adriana	13
Palimbo	
Community Based Fishery Governance in the Bay of Blongko, North Sulawesi, Indonesia: Towards Devolution and an Emerging Participatory Culture.	23
Astrid Meilasari-Sugiana and Jumintono	
Pharmacist's Legal Responsibility of Doctor' S Prescription Medicine In Patient's Services	45
Ayih Sutarih and Yan Atika Widiasari Activity Of Internatonal Trade With Letter of Credit Payment Method	63
Cindawati	71
Protection to Mandatory Licensee in State and Society Matters under the New Patent Law Dian Narwastuty and Gabriella Hanna	71
Effect of Entrepreneurship, Social Capital And Marketing Communications to Increase The Sales of Motorcycle Products in Mataram	89
City	
Meiyanti Widyaningrum, Didin Hadi Saputra, and Moh.Rusmayadi The Utilization of Vegetable Waste Fermentation on Fat Percentage of Sei Putih Sheep (Hair Sheep)	96
Dody Rispa P. Ginting, Hasnudi, Iskandar Sembiring, and Harapin	
Hafid	
The Tradition Law in Marriage of Dayak Ngaju Tribe	101
Effrata	
The Model of Improvement For Madrasah Aliyah Competitiveness	111
Through The Design of Credit Based on Curriculum (Case Study in Madrasah Aliyah Fast Java)	
(Case Study in Madrasah Aliyah East Java) Eko Supriyanto	
Government's Policy on The Assistant of Pharmaceutical Health	123
EndangSutrisno and Akhmad Aniq Barlian	123
Cultural Transformation on Java Women's Leader In Indonesia Esti Ismawati	134
Relationship of Regional Representative Council With State Institutions	139
in The System of Constitutional In Indonesia	
Evi Purnama Wati and Ardiana Hidayah	1.40
Abdi Dalem Women: Between Private Life and the Palace	149
Guntur Arie Wibowo, Aulia Rahman, and Bachtiar Akob Carcass Growth and Developmental Characteristic of Bali Bull And	154
Heifer	137

Nina Yolanda	
Courtesy In A Movie Called Saturday With A Father From Adhitya	317
Mulya	
Nini Ibrahim	
Effect of Mutation and Career Development on Performance through Work	329
Motivation at the Class I Airport of Juwata Tarakan	
Novi Karya Achmad and Ana Sriekaningsih	
Wimba learning model (based on visuospatial) for science learning in 7th	341
grade students	
Purwati K Suprapto and Emay Rahmayani	
Politics Law of Legal Rights of The Government And Local Governments	348
in The Law Number 32 in 2009 Concerning The Protection And	
Management of The Environment	
Rakhmat Nopliardy, and Nurul Listiyani	
Notary Public in Regulatory Framework in Indonesia	362
Ria Trisnomurti	302
Models of Language Teaching and Humanizing Education	367
Rosida Tiurma Manurung	307
The Social Consequences of Farming Programs in Indonesia	378
Rosmawati, Harifuddin Halim, and Rasyidah Zainuddin	370
· ·	385
Potentials of Regional Owned Enterprises in West Papua Development	303
from Liquidity Perspective	
Sarah Usman, and Mona Permatasari Mokodompit	200
Mine Mining Problem In The Village Village (A Review of Ecotology on	389
Gold Mining Practices by Villagers of Bawan)	
Sarmauli	400
Effect of Variations Throat Length on Ejector Performance	408
Makmur Saini, Sattar Yunus, Rusdi Nur, and Ibrahim	
Once Again about LMKN (Review On the Lembaga Manajemen	411
Kolektif Nasional and Its Position and Fuction)	
Dian Narwastuty	
The Government Accounting Standard Implementation Effectiveness and	436
the Quality of Local Government Financial Statement	
Simson Werimon, and Mona Permatasari Mokodompit	
The Effect of Madrasah Development, Work Culture and Self-Learning	440
on Pedagogy Competence of Teachers' Performance of Madrasah Aliyah	
Negeri (Man) at The Northern Coast of Jakarta	
Sintha Wahjusaputri	
Learning Outcomes Of Children Age 0-6 Years And Nutritions Of	447
Parents In Paud Kasih Ibu In Lamper	
(Case Study of Independence of children of PAUD)	
Siti Zaenab	
Dayak Group Program In The Central Kalimantan Province	459
Siun Jarias and Tresia Kristiana	
The Social Construction of Learning Participating In The Class (Study of	463
"STUDI MASYARAKAT INDONESIA" Lecture at Civic Departement	
of FKIP UPRI Makassar)	
Syamsu Kamaruddin, Harifuddin Halim, and Rasyidah Zainuddin	
Behavior Of Collapse Of Normal Quality Concrete Beam With	470
Confinement On Pressure Area	.,0
Tahan	
·	

Concept Of Environmentally Friendly Residential Buildings By	477
Considering Room Lighting System	
Taufik Dwi Laksono, and Dody Wahyudi	
Potential Acceptance Tax Receiving In The City Of Palangka Raya	487
Provinsi Kalimantan Central	
Tresia Kristiana	
The Growth and Yield of Shallots (Allium ascalonicum L.) Grown on	494
Soils Previously Treated with Flooding and Ameliorants at Brebes	
Regency	
Ubad Badrudin, Syakiroh Jazilah, and Budi Prakoso	
Revitalization Of Unity In Diversity Values And Local Wisdom Based	498
On Learning Society Post Social Conflict In Ternate	
Umar M. Sadjim	
Prediction of Yellowfin Tuna Fishing Ground in Wastern Halmahera	509
Waters Province of North Moluccas	
Umar Tangke, John W. Karuwal, Achmar Mallawa, and Mukti	
Zainuddin	
Inovasi BUMN di era k-economy (Strategy for Increasing Performance	518
through Organizational Learning and Innovation in State Owned	
Enterprise (SOE) in Indonesia)	
Urip Sedyowidodo, and Holila Hatta	
Islamic Culture Impact Of Increasing Satisfaction And Performance Of	544
Employees: Study Of Educational Institutions Sabillilah Sampang	
Yusnidar	

The Profile of Hormones Estrogen and Progesterone In Mice Model Ovariektomi In Therapy With Flour Bones of Fish Madidihang

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Abstract

Hormone estrogen and progesterone is one of its compounds a steroid in characterization by a different behaviour. Estrogen functions in accordance with sex hormones women and act as main hormone in women for progesterone normally produced by men and women. The purpose of this research is to know the hormones estrogen and progestron in mice models ovariektomi in therapy using flour deproteinasi madidihang bony fishes, non deproteinasi and calcium carbonate as a control. Research methodology used to research this is the method his experiments with Kit *ELISA* readers with a wavelength 450 nm. This research result indicates that therapy flour bones of fish madidihang non deproteinasi with doses 1600 mg/kg BB/day on the day 30^{th} can provide the best result that is $119.35~\mu g/mL$ blood to remodeling the vertebræ in mice model ovariektomi

Keywords: hormones estrogen and progesterone, mice ovariektomi model, flour bones of fish madidihang

I. INTRODUCTION

Hormone estrogen and progesterone is a compound of a steroid in characterization by a different behaviour. Hormone estrogen is one of hormone mostly produced by the sex woman. However, men also has of these hormones in proportion is quite limited. These hormones take full responsibility in the development of reproductive organs and the emergence of secondary sex in women, besides assist some metabolism process in the body.

Progesterone is a hormone from the steroid that affects the menstrual cycle women, pregnancy and embriogenesis. Progesterone could be classified as hormone progestogen group, and is hormone progestogen which is much found naturally. Progesterone category in a hormone C-21 that helps in pregnancy and the embryos. Estrogen help activation double receptors g-protein and help in the development of secondary sex characteristics woman and help in setting the menstrual cycle. On the other hand progesterone produced in ovaries and during pregnancy produced in the placenta. It is important to note in this context that additional resources progesterone is dairy product. At the time the womb progesterone in milk naturally tend to be high

hence that product to be a source of additional progesterone. In fact progesterone play an important role in prepares the uterus for implantation if pregnancy does not occur .One of excess important estrogen is of its use in medicine osteoporosis.

One of the models in experiments used for therapy osteoporosis is use the model mice ovariektomi. Model ovariektomi done by means of mice operated on and was conducted the release of the ovary in accordance with research¹. A method chosen for therapeutic mice ovariekomi is by using treatment flour bones of fish madidihang deprotenasi, non deproteinasi and calcium carbonate².

The process of making flour bone with deproteinasi treatment uses some kind of organic solvents while with treatment non deproteinasi not using solvent but water use. While treatment calcium carbonate used as control for compared with both the treatment are using flour fish madidihang bone. Physically calcium carbonate shaped powder or of mikrokristal smooth white and odorless .The calcium carbonate will soluble slowly in the stomach and react with hydrochloric acid, carbon dioxide and water³. Granting doses of therapy flour fish madidihang bones and calcium carbonate you would do it with terraced dose on mice ovariektomi model.

II. MATERIALS AND METHODS

An instrument used for research phase two s the mice, sonde stomach, spuit size 2 cc. While an instrument used to fixation tissue composed of object glasses, etelen, tweezers, scissors, scalpel, an artery clamp. The microtome, the object glass, glass cover, the microtome cut frozen, microtube, sentrifuge, pipet, tube reaction, *ELISA* Readers with a wavelength 450 nm, While material used consisting of a chief one used to research phase two are animals try mice female galur wistar that has been in ovariektomi, material feed formulation who were given drinking water is implemented on an ad libitum and flour bones of fish madidihang with doses (0, 400, 800, and 1600 mg/g bb/days. (1) *paraformaldehid* 0,2% dalam *phosphate buffer saline* (PBS) 0,1 M pH 7,4 (2) normal *buffer* formalin 10%, 30%, 50%, 70%, 80%, 90%, alkohol absolut, xyline, bahan pewarnaan HE. For dissection use anesthesia ketamine, a disinfectant alcohol 70 %, thread of catgut, thread silk.While for the purpose of making preparat histology used (1) *paraformaldehid* 0,2% dalam *phosphate buffer saline* (PBS) 0,1 M pH 7,4 (2) normal *buffer* formalin 10%, 30%, 50%, 70%, 80%, 90%, alcohol absolut,

xyline material. For examination profile of hormones estrogen and progesterone of pbstween, solution PBS-BSA 1%, 100 μL, antibodies secondary.

III. RESULT AND DISCUSSION

Profile hormone mice ovariektomi The profile of estrogen

Analysis of hormones estrogen measurement profile in mice model ovariektomi with doses (0, 400, 800 and 1600 mg/kg bb/day), experiment with treatment use flour bones of fish madidihang deproteinasi, non deproteinasi and CaCO₃ shows that bigger therapy dose of flour bones of fish madidihang used the more also the process remodeling the resulting that could affect the levels of hormones estrogen

Estrogen as deficiency that causes a loss of the quickly for menopause, estrogen prevent loses bone ovariektomi caused by a reduction turnover. A supplement estrogen prevented by losing the spine especially in the vertebrae lumbar and metaphyses proximal tibial in mice⁴.

Osteoporosis is metabolic disease most commonly called disease of the bones. The most common kind of osteoporosis is losing the associated with deficient in the hormone ovary when menopause .The scene osteoporosis post menopaus and fractures associated has become global health problems in the last few days. Estrogen deficiency has been regarded as the important osteoporosis, naturally occurring at as she had menopause

The measurement result best get ke-30 day with a dose 1600 mg/kg bb/days non deproteinasi; 119,35 μ g/mL blood; followed by deproteinasi 101,92 μ g/mL blood and CaCO₃ with the lowest 73,21 μ g/mL blood. While to dose 800 mg/kg bb/days the best parameter deproteinasi 86,91 μ g/mL blood; followed by non deproteinasi 84,78 μ g/mL blood serum and the lowest is caco3 worth 73,94 μ g/mL blood serum.

The process of remodeling bones that the hormone profile estrogen increases the rising time and high doses given. During the therapy happened activity the formation of bone great. At the beginning of growth, growth happened at longitudinal faster than the process deposition mineral⁵. The measurement profile of hormones estrogen mice ovariektomi received therapy flour bones of fish madidihang for 30 days.

Experiments showed that hormone replacement therapy (HTR) prevent porous the in women at the beginning and end postmenopausal. Studies have shown that observational hrt associated with 30-50 % reduction of the hip, spinal, and wrist when fracture. Although HRT

has been proven efficacious in preventing porous bone undesirable for many women because side effects.

For that reason, have to look for is not only to reduce pain, but also has minimal side effects. A bone of a fish flour has any reported a high Ca and P can be applied to therapy osteoporosis. The increasing number of osteoclast and erosion cavity detected by examination histology indicated that the bone resorption is a major factor underlying osteoporosis observed in mice ovariektomi. In the other study estrogen deficiency linked to accelerate the remodeling the where bone resorption osteoclast beyond that osteoblast anabolic activity.

Previous studies reported that IL-1, TNF-a and, increase in women healthy premenopause undergo ovariektomi and reach highest level 8 weeks after ovariektomi, and change profile cytokines related to the bone resorption. In this researc, malondial dehyde (MDA) significantly increased in mice diovariektomi increased oxidative stress in deficient estrogen-minc. Has shown that the free radical intervening in bone resorption, promoting differentiation osteoklastik in such a way that bone resorption increases with oxidative stress. Increase oxidative stress can be associated with loss of estrogen antioxidant effect.

An increase in osteoklastik in our research might have been responsible for the increased production of reactive oxygen species. One of the most important destructiveness that effect on a network peroksidasi of fat .Fat peroksidasi can be evaluated with the measurement of malondialdehid, which also serves as a measure for osteoclast activity. Hus the oxidative examined is stress who contributed osteoporosis observed in mice ovariektomi .Loss of architecture normal trabeculæ the cancellous with the widening of the chambers bone marrow (200x). Besides estrogen, metabolism of calcium play a role in the turn of the significant, and calcium deficiency cause deposition the disturbed. The data research shows that ovariektomi cause hipokalsemia significant in mice ovariektomi

Research previously reported that rat ovariektomi can resulting in interference balance calcium who can also has also contributed to ovariektomi-induced osteoporosis. Next menopause associated with a reduction in the absorption of calcium the intestines.

Absorption of calcium has been associated with a reduction in circulating 1,25-dihydroxy vitamin D, and gastrointestinal resistance to the 1,25-dihydroxy vitamin D. This is shown in humans lost estrogen and effects end organ 1, 25-dihidroksi the absorption of vitamin d in the intestines.

Menopause associated with increased excretion of calcium the kidneys. Estradiol work in the kidney to increase the reabsorption of tubules the kidneys calcium. Hence, changes in level estradiol was related to changes in expression many proteins involved in distal tubules reabsorption of calcium. One of the reasons impossible to repair bone that is undergoing osteoporosis attributable to high levels of a monounsaturated fatty acid, reported can affect mineral bone density. Profile hormone estrogen can be presented in Table 1 the following.

Table 1. Profile hormone estrogen in mice ovariektomi who are therapy flour bones of fish madidihang

Estrogen	Group mice	Levels of estrogen in the blood serum rat (µg/mL blood)			
G	•	Deproteinasi	Non deproteinasi	CaCO ₃	
	0	$54.29 \pm 0.95^{\circ}$	$18.03 \pm 0.90^{\text{hi}}$	$36.69 \pm 0.81^{\rm f}$	
Day to 0	400	63.56 ± 0.97^{a}	63.59 ± 1.45^{a}	59.41 ± 0.26^{b}	
Day to - 0	800	18.67 ± 1.36^{h}	17.73 ± 0.53^{hi}	16.60 ± 0.43^{i}	
	1600	25.37 ± 0.73^{g}	45.84 ± 0.88^d	42.25 ± 0.87^{e}	
	0	$45.59 \pm 1.35^{\rm f}$	42.46 ± 1.05^{g}	18.58 ± 0.65^{k}	
Dov to 10	400	63.06 ± 0.15^{d}	$27.37 \pm 1.14^{\rm h}$	14.70 ± 1.19^{1}	
Day to-10	800	$70.57 \pm 0.57^{\rm b}$	25.75 ± 0.71^{i}	24.16 ± 0.84^{j}	
	1600	75.14 ± 0.67^{a}	64.57 ± 0.67^{c}	49.79 ± 0.58^{e}	
	0	77.88 ± 0.89^{c}	76.48 ± 0.37^{d}	72.25 ± 0.26^{e}	
Day to 20	400	87.81 ± 0.90^{b}	$77.90 \pm 0.50^{\circ}$	77.03 ± 0.54^{cd}	
Day to-20	800	87.93 ± 0.87^{b}	77.67 ± 0.28^{cd}	77.67 ± 1.06^{cd}	
	1600	89.97 ± 0.63^{a}	87.88 ± 0.96^{b}	73.10 ± 0.49^{e}	
	0	95.48 ± 6.56^{c}	97.37 ± 0.47^{bc}	77.51 ± 2.26^{e}	
Day to 30	400	94.83 ± 6.14^{c}	97.70 ± 1.11^{bc}	83.03 ± 0.44^{d}	
Day to-30	800	86.91 ± 0.97^{d}	84.78 ± 0.81^{d}	73.94 ± 1.76^{e}	
	1600	101.92 ± 0.96^{b}	119.35 ± 0.50^{a}	73.21 ± 0.57^{e}	

Information: Figures on the same line and followed letters superscript different (a, b) show results markedly dissimilar (p<0,05)

Hormone estrogen is regulator potential to function of cells, the formation and peresorbsi bone⁶. The influence of estrogen also able to maintain mass the by pressing resorbsi and spur the formation of bone⁷. Table 1 shows that the measurement result the hormone estrogen mice diovariektomi on three special treatment, deproteinasi, non deproteinasi, caco3, starting from control, doses 400, 800 and 1600 mg/g bb/days. Statistically markedly dissimilar (p<0,05) between doses 0, 400, 800 and 1600 mg/g bb per day.

Research about levels of estrogen in mice normal ranged from 132-140 $\mu g/ml$ blood. As well as lower levels of estrogen in the blood serum rodents caused by the

process of ovariektomi that causes levels of estrogen decline because of the ovary that so far producing hormone estrogen have detachable by the process ovariektomi⁸.

Model ovariektomi can be lowered hormone levels of estrogen this is because the ovary as the main producer of hormone estrogen is no longer functioning perfectly so that levels of estrogen to the mouse model ovariektomi will decline significantly. The decline in levels of estrogen resulting in interference with the balance between the destroyer cell bone (osteoclast) and a cell in the form of a bone (osteoblast).

According to ovariektomi caused a decline in the hormone estrogen followed by a drop the hormone progesterone¹⁰. This is different from research that the results of the analysis estrogen mice for two month are not there are differences between hormone estrogen and control but in the provision of flour tempe with isoflavon doses of 4 mg/200 g bb/day there was an increase in levels of estrogen higher, but the results are not statistically markedly dissimilar compared to other groups (p<0,05)⁸.

According to reported that levels of estrogen in women who were given suplementasi premenopouse isovlavon shows no real changes in hormone estrogen endogenous¹¹. Hormone estrogen is one of inhibitor that serves do in bone resorption of calcium, work on the kidney to bone resorption of bone and calcium in the kidney to reabsorbsi calcium in kidney tubules and calcium absorption in the duodenum¹².

Estrogen play an important role in the process remodeling bone. In women pascamenopause reduced hormone estrogen has resulted in the osteoporosis¹³. Estrogen its synthesis used to address osteoporosis has adverse side effects the emergence of cancer¹⁴. Osteoporosis most often affect woman pascamenopouse so that put him be significant risk to suffer farktur¹⁵.

Loss of steroid sex in women after menopouse trigger acceleration turn over the namely domination resopsi the that exceeds formation bone .Balance negative calcium will support loss of bone, increase fragilitas bone and be the risk of fracture ¹⁶. The decline in estrogen can cause loss of mass the invidu after menopause.

Hormone estrogen apart from its role in absorption ca intestinal ¹⁷ also improve the reabsorption of tubules ca through the kidney ¹⁸. Fracture is a general problem that occurring during the time in the aftermath of menopause woman, that production hormone estrogen declines with age. Hormone estrogen play an important role in regulations metabolism of calcium in the body particularly those involving bone mineral density.

Estrogen deficiency play an essential function to events osteoporosis and disease chronicle other relating to the menopause .Although therapy estrogen can overcome and prevent porous the but on the other side the therapy increases the risk of cancer disease ¹⁹. Estrogen is a factor that be potential sources of revenue to metabolism bone density which includes the formation of bone (bone formation) and demolition of bone (bone resorption).

Mice with a model ovariektomi, can cause a decline in hormone estrogen, along with a decline in calcium in the body. According to estrogen is inhibitor resorption of calcium in the bones of potential because they be able to support the secretion and increases the production of kalsitonin and decrease secretion of parathyroid hormone²⁰.

Turunnya produksi hormone estrogen dapat menggagalkan osteoblas mendeposit jaringan matriks (osteoid). Pada kondisi tertentu jika terjadi defisiensi estrogen maka akan menyebabkan terjadinya osteoklastogenesis yang dapat meningkat dan berlanjut dengan kehilangan tulang. Hal tersebut dapat menyebabkan defisiensi estrogen dan akan terjadi peningkatan produksi dari IL-1,IL-6, dan TNF-α.

The hormone estrogen production to thwart osteoblast deposit the matrix (osteoid). On certain conditions case of estrogen deficiency will cause the osteoklastogenesis that can be inflated and continues to lose bone. It can cause estrogen deficiency and will increase production of IL-1, IL-6, dan TNF- α .

Estrogen also has a role stimulate expression of osteoprotegerin (OPG) and transforming growth factor- β (TGF- β) by cells osteoblast and cells stroma, so that estrogen serves hinder absorption of bone by means of fasten or stimulate apoptosis cells osteoclast^{21}. The decline in hormone estrogen will cause bone resorption is interrupted^{22}. The decline in calcium impact on the decline in estrogen and will cause an increase of PTH , the increase in activity of the parathyroid glands can increase absorbs salts calcium from bones , and went into blood and levels of calcium in the bone decreased.

Estrogen play an important role in the process of homeostatis, namely a supporting the secretion kalsitonin as inhibitor resorbsi bone and can increase levels of 1.25 dihidrosikolekalsiferol that serves to increase the absorption of calcium the intestines, as well as anabolic have leverage against bone²⁰.

Reported that mice panhisterektomi who received the supplement 1,25-dihidroksivitamin D³ other than having the concentration of estrogen tend to be low

although no different with mice without significant D^3 1,25-dihidroksivitamin supplements, higher consumption ca can increase the excretion of ca in feces and urine²³.

Also reported that estrogen react directly to the duodenum to stimulate absorption ca in transseluler or through transport active which is marked by increasing media absorption ca in transseluler as transient receptor potential-vanilloid (TRPV5 dan TRPV6), transport proteins Ca kalbindin-D-9k, and pumps Ca plasma membrane Ca²⁺-ATPase (PMCA1b)²⁴. The decline in estrogen will increase the excretion of ca through the kidney²⁴. The analysis of retention ca show that supplements kalsitriol has not been affecting the retention Ca although tends to be higher than with mice ovariektomi without a supplement kalsitriol.

In mice experienced ovariektomi and only fed with standard without suplementasi calcium that it enables animals suffer hipokalsemia because the absorption calcium in the intestines also declined. Calcium high intake without an with increased intake phosphorus would cause the ratio of calcium and phosphorus unbalanced and low intake phosphorus will stimulate 1,25 dihdroksikolekalsoferol to improve absorption of calcium so parathyroid hormone will trigger hiperkalsiuria and hipofosfaturia

Profile Progesterone Hormone

The measurement result profile hormone progesterone in mice model ovariektomi with doses (0, 400, 800 dan 1600 mg/kg bb/days), but use flour bones of fish madidihang by boiling water, acetic acid and CaCO₃ show that the more great a dose flour bone that is used the big the process remodeling progesterone levels in the blood serum mice produced so can increase the hormone estrogen

Profil hormon progesteron pada serum darah tikus yang terbaik adalah pada dosis 1600 mg/kg BB/hari dengan perebusan air dengan nilai 85,80 μ g/mL darah; untuk perebusan asam asetat 82,34 μ g/mL serum darah dan dengan kalsium karbonat 37,71 μ g/mL darah. Sedangkan untuk dosis 800 mg/kg BB/hari nilai tertinggi adalah dengan perebusan air 79,46 μ g/mL dan disusul oleh asam asetat 79,34 dan terendah adalah dengan CaCO₃ 78,88 μ g/mL.

Profile hormone progesterone in the blood serum mice the best is on doses 1600 mg per kilogram bb per day by boiling water with value μ g/mL blood; to boiling acetic acid 82,34 μ g/mL the blood serum and with calcium carbonate 37 ,71 μ g/mL. While to

dose 800 mg per kilogram bb/days the highest score is to boiling water 79,46 μ g/mL and followed by acetic acid 79,34 and the lowest is to CaCO₃ 78,88 μ g/mL.

The result was statistically exert real (p<0,05) between doses 0, 400, 800 and 1600 mg/g bb/days. The result analysis on the day ke-20 on a dose 1600 mg/kg bb/days the hormone progesterone have significantly declined but increased back in the day ke-30. The increase was influenced by therapy dose of flour bones of fish madidihang with a dose 1600 mg/kg bb/days deproteinasi and non deproteinasi.

The decline in profile hormone progesterone because the ovary as the primary producer hormone progesterone was no longer functioned perfectly. The process ovariektomi can lead to tissue damage especially to a bone so as to restore damage will have intake calcium strong will.

Penurunan kadar progesteron juga diduga karena ovarium sebagai penghasil hormon progesteron belum berfungsi secara normal ketika diterapi dengan menggunakan dosis rendah. Proses remodeling memerlukan dosis tinggi dan waktu yang cukup disertai kondisi tikus yang prima dan tidak dalam keadaan stres. Untuk mempermudah proses remodeling hormon progestron diperlukan dosis tinggi 1600 mg/kg BB/hari. Profil hormon estrogen dan progesteron dapat disajikan pada Tabel 2 berikut.

The decline in levels of progesterone also believed to be due to the ovary as hormone progesterone producer has not function normally when diterapi by the use of low doses. The process of remodeling need higher doses and enough time accompanied the condition of the mouse which fitness and not in a state of stress. To make it easy for the process of remodeling progestron hormone necessary high doses 1600 mg/kg bb/days. The profile of hormones estrogen and progesterone can be presented in Table 2 the following.

Table 2. Profile progestrogen hormone mice ovariektomi received therapy flour bones of fish madidihang and calcium carbonate

Progesteron	Group mice	Progestrogen levels in the blood serum (µg/mL of blood)		
- G	F	Deproteinasi	Non Deproteinasi	CaCO ₃
	0	21.78 ± 0.27^{d}	7.72 ± 0.28^{g}	$14.61 \pm 0.48^{\rm f}$
Day to 0	400	16.99 ± 0.99^{e}	$15.03 \pm 0.18^{\rm f}$	$15.67 \pm 1.02^{\rm f}$
Day to- 0	800	7.91 ± 0.54^{g}	8.05 ± 0.68^{g}	7.82 ± 0.62^{g}
	1600	87.08 ± 0.70^{a}	43.82 ± 0.87^{c}	76.92 ± 0.15^{b}
	0	19.85 ± 0.89^{h}	74.76 ± 1.01^{b}	86.67 ± 0.17^{a}
Day 45, 10	400	20.20 ± 0.59^h	19.81 ± 0.86^{h}	20.03 ± 0.79^{h}
Day to-10	800	$45.94 \pm 0.90^{\rm f}$	39.99 ± 0.32^g	40.08 ± 0.74^{g}
	1600	63.87 ± 1.09^{c}	56.46 ± 0.72^{e}	59.82 ± 0.40^{d}
Day to-20	0	86.53 ± 0.07^{b}	39.92 ± 0.46^{e}	12.94 ± 0.93^{h}
	400	75.02 ± 0.29^{c}	94.13 ± 0.38^{a}	69.71 ± 0.63^{d}
	800	15.77 ± 1.22^{g}	$21.20 \pm 0.62^{\rm f}$	15.10 ± 0.10^{g}
	1600	$75.79 \pm 1.05^{\circ}$	75.76 ± 0.70^{c}	74.55 ± 0.58^{c}
	0	$47.64 \pm 1.21^{\rm f}$	75.53 ± 0.91^{d}	19.13 ± 0.69^{h}
Day to-30	400	70.77 ± 0.77^{e}	78.88 ± 0.51^{c}	74.46 ± 0.39^d
	800	79.21 ± 0.54^{c}	79.46 ± 0.77^{c}	78.88 ± 0.60^{c}
	1600	82.34 ± 0.95^{b}	85.80 ± 0.85^{a}	37.71 ± 1.05^{g}

Information: Figures on the same line and followed letters superscript different (a, b) show results markedly dissimilar (p<0,05)

According to the act of ovariektomi caused a decline in the hormone estrogen followed by a drop the hormone progesterone. Hormone progesterone affect the collagen the skin and the shortages cause negative impact on the skin .The skin in woman who be in menopause become thinner , relax and lost its elasticity so causing the production of collagen decline , the function of the oil declining and cause the skin become dry²⁵.

CONCLUSION

- 1. Profile hormone estrogen and progesteron on the model of mice ovariektomi give a different starting from to 0-30 days.
- 2. This research result indicates that therapy flour bones of fish madidihang non deproteinasi with doses 1600 mg/kg bb/days on the day 30th can provide the best result that is 119.35 μg/mL blood to remodeling the vertebræ mice ovariektomi.

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The Correlation between Characteristics, Knowledge, and Motivation of Couples in Childbearing Age with the Early Detection of Cervical Cancer in Ulin General Hospital Banjarmasin

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Background: Cervical cancer is a malignant tumor that grows in the cervix and often attacks women. In Indonesia, cervical cancer is the number one killer of all cancers. So early detection is very important. The incidence of cancer from year to year has been increasing significantly. On the contrary, the coverage of Pap smear test has been decreasing.

Aims: To determine the correlation of characteristics (age, education, employment), knowledge and motivation and early detection of cervical cancer in couples of childbearing age in patients of Ulin General Hospital Banjarmasin.

Methods: This type of research was studied used a cross-sectional design and correlational analysis. The population is all couples of childbearing age who visit in obstetrics policlinic in Ulin General Hospital Banjarmasin. The sampling method was done by nonprobability sampling with the sample size of 66 people. Analysis using the Spearman rank correlation test with 95% confidence value.

Results: Results find no correlation between age and early detection of cervical cancer (p=0,264> α =0,05), a correlation between education and early detection of cervical cancer (p=0,001< α =0,05), a correlation between employment with early detection of cervical cancer (p=0,003< α =0,05), no correlation between knowledge with the early detection of cervical cancer (p=0,425> α =0,05),), no correlation between motivation with the early detection of cervical cancer (p=0,264> α =0,05).

Keywords: Cervical Cancer, Early Detection, Knowledge, Motivation.

INTRODUCTION

The health defined WHO is the state of complete physical, mental and social well-being, and not merely the absence of disease or infirmity, reproductive health addresses the reproductive processes, functions, and system at all stages of life [1]. One of the concerns faced in reproductive health is reproductive system cancers such as cervical cancer.

Cervical cancer is a malignant tumor that grows in the neck of the womb (cervix). The lowest part of the neck of the uterus attached to the top of the vagina. Cervical cancer can occur in women aged 35-55 years. Cervical cancer is a global health problem, according to data from the World Health Organization (WHO), cervical cancer is the number two cause of death by cancer in the world. Every two minutes a woman dies from the disease [2,3]. In Indonesia, cervical cancer has become the number one killer of all cancers. Cervical cancer is the second most common cancer found in women aged 20-55 years Regardless of age and background, every woman is at risk for diseases caused by Human Papillomavirus (HPV). Even more, this cancer frequently infects and kills women of childbearing age (30-50 years). Given the high-risk factors for this disease, women should undergo screening or early detection. In Indonesia, the screening and early detection program have only obtained 5% coverage [4]. This causes the incidence of cervical cancer to remain high in Indonesia From the preliminary

This causes the incidence of cervical cancer to remain high in Indonesia From the preliminary study conducted in the obstetrics policlinic of Ulin General Hospital Banjarmasin that the incidence of cervical cancer has been increasing from year to year. Data from the year 2012 has shown as many as 101 cases of cervical cancer, this figure increased in 2013 with 127 incidences of cervical cancer and continue to rise with 169 cases in 2014. This is not consistent with the number of women who underwent Pap smear examination which from year to year has been decreasing. In the year 2013 women who checked PAP Smear are only 67 people and dropped to 47 in 2014. Data on VIA screening is not available in Obstetrics Policlinic of Ulin General Hospital Banjarmasin.

METHODS/DESIGN

The study used a cross-sectional design and correlational analysis to discover the statistical relationships between age, education, employment knowledge, motivation with early detection of cervical cancer in couples of childbearing age in Ulin General Hospital Banjarmasin. The population in this study is all couples of childbearing age in obstetrics policlinic of Ulin General Hospital. And the samples taken are 66 respondents. Data were obtained by questionnaire. The results were tabulated and correlational analysis generated for

the purpose of exploring linkages between variables and the early detection of cervical cancer. The sampling method was done by nonprobability sampling with analysis using the Spearman rank correlation test with 95% confidence value.

RESULTS AND DISCUSSION

AgeDistribution of respondents based on age groups in Obstetrics Policlinic RSUD Ulin Banjarmasin.

Age group	F	%	
< 20 years old	0	0	
20-35 years old	44	66,67	
>35 years old	22	33,33	
Total	66	100	

Based on results of the study it is found that the majority of respondents who came to visit are in the age of 20-35 years old as many as 44 respondents (66.67%), while the remaining 22 respondents (33.33%) were >35 years old.

Cervical cancer often infects women of childbearing age or at the age of 20-35 years [5]. At that age, women are usually diagnosed with carcinoma in situ (CIS). This poses a greater risk of cervical cancer if not given therapy. Even though 35% of cervical cancer is found in women aged >35 years old, this may be because of the late detection so that the cancer is found at an already advanced stage. This is caused by the reluctance of women to do checkups, while early detection is very important in preventing cervical cancer [6].

EducationDistribution of respondents based on level of education.

Education	F	%
High	18	27,28
Moderate	28	42,42
Low	20	30,30
Total	66	100

Education affects the learning process, the higher a person's education the easier it is for the person to comprehend information [7]. This is consistent with results of the research which shows that the majority of respondents of reproductive age are highly educated (27,28%). However, a person with low education does not always mean they also have little knowledge. It is proven that the majority of respondents are moderately educated (42.42%) and the remaining (30.30%) has low education.

This is consistent with riset which explained that in general the higher the education the easier it is for a person to receive information. However, the increase of knowledge is not merely caused by the formal education a person receives, but it also can be obtained from non-formal education [10].

Employment

Distribution of respondents based on employment.

Employment	F	%
Employed	22	33,33
Unemployed	44	66,67
Total	66	100

Results of the study showed that the majority of women in this study are unemployed (66.67%). This is because a person who does not work will have more time to pay attention to their health than the ones who work. Unfortunately, the free time is not utilized for the early detection of cervical cancer because not all of them are concerned with their health.

Of the 11 women (33.33%) who work, most of them work at a private company and the remaining work as civil servants. According to riset about, a person who works will have a more extensive knowledge than someone who is unemployed. While knowledge is not only influenced by occupation but can also be influenced by environmental as well as sociocultural factors. A certain environment can effect the development and behavior of individuals or groups. [10]

Knowledge

Distribution of respondents based on knowledge about early detection of cervical cancer

Knowledge	F	%	
High	22	33,33	
Moderate	38	57,58	
Low	6	9,09	
Total	66	100	

The majority respondents (57.58%) have moderate knowledge. This is because the majority of respondents do not know the meaning and benefits of Pap smear test. They lack information on the early detection of cervical cancer because they rarely try to find information through media [15].

Other causes why only a small proportion of respondents have good knowledge is due to their inactiveness, inactive to ask, inactive to follow information, education and communication (IEC) sessions, inactive to seek information through media [10].

Motivation

The majority of respondents have moderate motivation (66.67%). This is because respondents lack the desire to do the early detection of cervical cancer. Lack of self-encouragement to perform detection of cervical cancer because of their friends and families does not do so either, this environmental factor may also affect a person's motivation [8].

33.33% of respondents has high motivation, this is because they are aware that early detection of cervical cancer it is important to prevent cervical cancer and that there is a need for them to always maintain the health. We also encourage respondents to take Visual Inspection of Acetic Acid (VIA) and Pap smear tests too. Besides that, the story of someone else's experience who has been affected by cervical cancer may also encourage a person to try and avoid cancer and take arly detection of cervical cancer [13].

Results of the study showed that in average the majority 25 respondents has not done early detection of cervical cancer (75.76%), while only eight people have done an early detection of cervical cancer. This is because a person's lack of knowledge on the importance of early detection of cervical cancer, the fear, the embarrassment, and cost factor since VIA and Pap Smear test is relative expensive, there is no will or awareness of respondents for the early detection of cancer. As well as the environment of respondents in which most of their family and friends also have never taken VIA or Pap smear tests.

Correlation between age and early detection of cervical cancer

Results showed out of the 44 respondents age 20-35 years old, as much as 36 (81.82%) did not take early detection of cervical cancer tests. Meanwhile, for respondents aged> 35 years most of them (63.64%) also did not do early detection of cervical cancer tests.

This may be because age is not the sole criteria or causal factor for the early detection of cervical cancer by VIA or pap smear tests. However, there are several factors that affect a person's age in the early detection of cervical cancer. Among them is a lack of awareness or self-willingness to take early detection by VIA screening and Pap smear test. Besides that, respondents are reluctant to check their health because they feel they have no health complaints, they fear of finding abnormalities, they feel embarrassed and that they assume early detection of cervical cancer is only important for old women which are more at risk to have cancer [13].

This is consistent with the riset which states that age is one of the ways to measure emotional maturity in thinking and decision making. But at a certain age, the ability to store and remember information may be decreased [12]. The lack of ability to think causes a lack of motivation to do something.

Spearman Rank correlation test results showed that there was no significant relationship between age and early detection of cervical cancer in Ulin General Hospital Banjarmasin. This means that the age of a person is in fact not a basis for early detection. It is evident that the majority of respondents in the range of 20-35 years old have not undergone any form of early detection for cervical cancer. These findings are consistent with research conducted [3], which states that there is no significant relationship between age groups with pap smear tests with p $(0.92) > \alpha (0.05)$.

Correlation between education and early detection of cervical cancer.

Education means the guidance of someone to someone else in order to help them understand. The higher one's education, the higher their ability to process information and the more knowledge they have. In the contrary, if a person has a low level of education, it may hinder the development of a person's attitude towards reception, information and values that are newly introduced. [6]

Results of the study showed that out of 10 respondents who are highly educated, most of them (60%) has done a form of early detection for cervical cancer. while of the 28 respondents who are moderately educated, the majority 24 (85.72%) has not done any measure to detect cervical cancer. And from all 18 respondents (100%) who has low education, none of them has ever taken a form of early detection for cervical cancer. Low education may hinder a person's ability to receive information and values that are introduced such as the importance of early detection for cervical cancer by VIA (Visual Inspection Acetic Acid) screening and Pap smear tests. Other than that, education can affect a person, including behavior or lifestyle as well as one's motivation to participate in the development of health.

Results of statistical analysis using Spearman Rank correlation test show that there is a significant relationship between education and early detection of cervical cancer in Ulin General Hospital Banjarmasin. This means that a person's level of education a person will affect the motivation for the early detection of cervical cancer. This is consistent with research conducted [11]. States that education affects significantly to the motivation to do Pap smear test where p $(0.01) < \alpha (0.05)$.

Correlation between employment and early detection of cervical cancer.

Based on the study results it is shown that out of 22 respondents who are employed, many of them (54.55%) has done a form of early detection for cervical cancer. While the 44 respondents who are unemployed, (90.91%) have never done any form of cervical cancer detection.

This may be because a woman who is unemployed has more free time. However, the time is not benefited for the early detection of cervical cancer since not all of them are concerned to maintaining their health. The cost factor also prevents them to take VIA and Pap smear screening. Other than that, environmental factors also play a role in the motivation of early cancer detection, especially when many of their friends and families also did not take any form of cervical cancer detection.

From the results of statistical analysis using Spearman Rank correlation test, it is found that there was a significant relationship between employment with the early detection of cervical cancer in Ulin General Hospital Banjarmasin. This means that the activity of a person influences the motivation or desire to make early detection of cervical cancer. This research is also consistent with the research conducted by Klug which explained that there is no significant relationship between Participation, motivation, knowledge and employed about of pap smear test with the p-value $(0.445) < \alpha(0.05)$; RP = 0.704, meaning that a pap smear test 0.7 times less likely to occur in respondents who are unemployed as compared with respondents who are employed.

Correlation between knowledge and early detection of cervical cancer.

Results of the study showed that out of 22 respondents with high levels of knowledge, many of them (63.64%) has not done early detection of cervical cancer. From the 38 respondents who have a moderate level of knowledge, the majority (84.22%) also has not done early detection of cervical cancer. While from the 6 respondents with low level of knowledge only 44 (66.67%) of them did not take early detection of cervical cancer.

This could be due to lack of knowledge and information obtained by these respondents on early detection of cancer from health personnels, inactiveness to seek information from the media or inactiveness to participate in various IEC sessions. This causes respondents to lack knowledge and understanding about the importance of early detection of cervical cancer. Curiosity is not a major factor that affects the knowledge, but there are still other factors. Factors that affect knowledge are education, occupation, age and culture. Wong said is explained that knowledge is one of the factors that affect a person's behavior. Knowledge is the most important part for the formation of a person's behavior, for example early detection of cervical cancer by VIA and Pap smear screening [14].

Meanwhile, results of statistical analysis with Spearman Rank correlation test showed otherwise, it is found that there was no significant relationship between knowledge and early detection of cervical cancer in Ulin General Hospital Banjarmasin. This means that not

everyone who has good knowledge will have the motivation for early detection of cervical cancer, and vice versa.

In addition to knowledge there are two other factors, namely predisposing factors that refer to the attitudes and socio-cultural beliefs in health. Whereareas, in practice many has reported the ignorant attitude of the community who is still unaware about the importance of cervical cancer prevention. Besides that, the fear to undergo examination and the assumption of the public about the cost of VIA and Pap smear tests which are very expensive. Then there is also reinforcing factors, in this case, healthcare workers who should be able to provide information using IEC. Counseling/IEC is still rarely done and only to the stage of knowing, but not understanding let alone analyzing and applying, so that still many people has not applied early detection of cervical cancer [11].

So it is recommended that health personnel give out more counseling/IEC on cervical cancer, not only instructing the community to do early detection, but to put more emphasis on information about the dangers of cervical cancer, symptoms, causes, prevention, and treatment. This strategy may be able to increase the awareness of the public about the importance of cervical cancer screening. The finding in this study is not consistent with the research conducted by Nurhasanah in Banda Aceh. In the study showed that there is a relationship between knowledge and the motivation to do Pap smear in Banda Aceh general hospital. [6]

Correlation between motivation and early detection of cervical cancer.

Motivation is an important factor that encourages a person to be more concerned with their health by participating in health programs, including a program of early detection of cervical cancer through VIA and Pap smear screening. According to Klug motivation is defined as the individual's personal circumstances which encourage an individual to undertake certain activities in order to achieve a goal [13]. Results of the study showed that out of 22 respondents with high motivation, most of them (63.6%) have not undergone early detection of cervical cancer. While out of the 44 respondents with a moderate level of motivation, 36 of them (54.5) also has not done cervical cancer detection.

This is because of the high sense of embarrassment, anxiety, and reluctance to be examined caused by the lack of knowledge on early detection of cervical cancer, and the fear of results still hinder the public to do early detection of cervical cancer. This should be encouraged with socialization or counseling about the importance of early detection of cervical cancer in order to motivate the public in taking early detection of cervical cancer [10, 12].

Statistical analysis results showed that there was no significant relationship between motivation and early detection of cervical cancer in Ulin General Hospital Banjarmasin. This is due to lack of knowledge which affects one's motivation to do early detection of cervical cancer. In addition, the lack of interest and awareness for the early detection of cervical cancer, meanwhile we know that early detection is very crucial in preventing cervical cancer. Motivation is closely related with how the behavior is initiated, supported, reinforced, directed, stopped and also the type of subjective reaction produced. Motivation is the desire to do something which determines the ability to act in order to satisfy the needs of an individual [5, 8].

Things that affect motivation are psychological and mental factors, heredity, environment, maturity age, intrinsic factors (knowledge, education, and employment), facilities (infrastructure), social culture and the media used. Environmental factors affect motivation because of all the conditions that come from internal and external which influences the development and behavior of an individual and groups [15].

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Community Based Fishery Governance in the Bay of Blongko, North Sulawesi, Indonesia: Towards Devolution and an Emerging Participatory Culture.

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ABSTRACT

This paper focused on community dynamics and collective action for sustainable natural resource governance in decentralized Indonesia. The research was an ethno-methodology research in which in-depth interview and participant observation were used for data collection. Data analysis was carried out by examining the distribution of narratives provided by the respondents, and by carrying out a thematic analysis in which emerging themes were used to produce a complex and coherent narrative of the discourse found within the case study site. The case study in the village of Blongko within the North Sulawesi Province suggested a rebuttal of Hardin's Tragedy of the Commons.

Natural resource governance in modern Indonesia is marked by the tension between the centralized policy strategy of the Suharto period and the reactive strategy of Post-Suharto decentralization. To some extent, decentralization led to devolution of power and opportunities for local resource users to make consequential decisions over the natural resources upon which they depend. Nonetheless, this approach rested upon the capacity of communities to reach a consensus untainted by local politics, commercial imperatives and traditional power structures. Moreover, decentralization had not given the majority strategic and structural decision making power. Power disparity could lead to contentions, unfettered competition, open access and resource over-utilization.

In the case Blongko Bay's marine and fishery resources in Minahasa, North Sulawesi, there were social institutions and local rules that came into play and the people honored to protect the resource on behalf of the community. These social institutions took the form of neighborly ties, collective identity, reciprocity and social and ecological responsibilities. Blongko's marine and fishery resources were not free access but governed by local and informal rules to maintain its benefits for the good of the community. The community was determining access and making decisions about management on behalf of them all. Individuals evolved behavior which commensurate with their responsibilities, leading to innovative power structures which were more locally sensitive and environmentally appropriate. Barriers and enablers for sustainable marine and fishery governance need to emerge from local contexts; they could not emerge as a consequence of top down devolution alone. Moreover, no preparation of local communities could be made to assume the unintentional consequences of complex power relations.

Keywords: power structure, devolution, participation, open access, common governance, contending ideology, identity validation, social inclusion.

1. Introduction

Indonesia's population reached 210 million in 2000, with a growth rate of 1.8% per annum. Approximately 41 million people, or 22% of the population, live in or near coastal areas (BPS 2000: 5). Half of these are dependent on local coastal resources for their livelihood. Marine related activities account for 20% of total Gross Domestic Product (GDP) and 19% of non-oil and gas GDP. Moreover. the coastal areas provide employment and income for about 16 million people or 24% of the national labor force (Bappeda 1998: 11). The extensive reef system in the deep clear seas off Sulawesi is among the richest in species of corals, fish and other reef organisms (Barber 2002: 14; Balitbangda 2003: 34 - 36). Seven thousand species of marine and freshwater fish are the major source of protein for the Indonesian people (Balitbangda 2003: 36). In 2012, Indonesia's fishery production reached approximately 8.9 million tons. In-land and marine catch accounted for about 5.8 million tons, whereas aquaculture production accounted for 3.1 million tons and seaweed for 6.5 million tons. About 95 percent of fishery production comes from artisanal fishermen. In 2012, around 6.4 million people were engaged in inland and marine fishing and fish farming. The marine fishing fleet comprised 620,830 vessels in 2012, with 28 percent of non-powered boats and 39 percent of outboard engine. An additional 184,900 vessels (of which 23 percent had engine) composed the fleet operating in inland waters (Bappeda 1998: 12). Destructive fishing through the use of dynamite and cyanide are common and can damage coral reefs in various ways including the burial and destruction of the corals themselves. Damage and destruction of the coral reefs lead to a decline in the productivity of harvestable reef resources and a decline in aesthetic value (Ketchum 1972: 13).

During the Suharto era (1967 – 1998), natural resource governance in Indonesia was marked by exploitation. Suharto's regime emphasized development that was primarily based on centralized and top down decision-making to ensure political stability and economic growth (Resosudarmo 2006). Despite efforts to decentralize towards the end of the regime, their initiatives were marked by asymmetrical access to strategic and structural power. This undermined local democracy, curtailed community participation and led to uncontrolled exploitation of the country's natural resources (Siswanto 2005). To promote social inclusion and sustainable natural resource governance, during the post-Suharto era (from 1998) the Government of Indonesia (GOI) adopted principles of community based natural resource governance which focused more on resource allocation decision making at the village, district and regency levels. The regency government, along with the district management and local user communities, were given the right to manage Indonesia's natural resources (Satria 2002).

This article discusses a later phase of USAID's community based marine sanctuary program in the Bay of Blongko, Minahasa Regency, North Sulawesi Province. The program was the government-endorsed fishery resource conservation scheme initiated by USAID through the establishment of its marine sanctuary in Blongko village within the Bay of Blongko. In the case of Blongko Bay, subsequent to USAID's departure, USAID's initiatives for protecting Blongko's fishery resources led to imposed identities, power imbalance and unfair monopoly of the fishery resources by local village elites who were assigned to assume the monitoring and enforcement of the marine sanctuary by USAID officials. Coupled with destructive fishing practices by local village elites, overexploitation of local fishery resources and material loss became inevitable. This led to the emergence of contending identity and social movement for altering previous patterns of fishery extraction and allocation. A contending organization called 'Blongko's Marine Sanctuary Protection Group' was formed to sustain the momentum for social change, social inclusion and resource protection. Though initially regarded as controversial and highly political, the organization, whose aim was to establish clearly defined user rights for safeguarding local fishery resources, eventually endowed community members with pride, identity and platforms for fishery conservation. Presently Blongko's fishery resources are collectively managed and conserved by the multiple resource users across the landscape.



Figure 1: Map of the Indonesian archipelago

2. Research Methods

Using ethnography and qualitative inquiry, the research is a social inquiry of fishery governance in the village of Blongko within Blongko Bay, North Sulawesi, Indonesia. A number of reasons existed for selecting the village of Blongko in North Sulawesi. At the outset the village suggests government and local community support in the governance of local fishery resources. As well, the field site in North Sulawesi is chosen due to the presence of USAID and government initiated coastal resource management programs. Inquiries and discussions of the site are performed to understand the dynamics and complexities associated with the above community based coastal resource governance schemes. As the research examines the "rules" for constructing social reality and common sense within the field settings, including how these rules are applied, maintained and transformed in the face of power relations, the use of ethnography is important. Whereas qualitative inquiry is adopted to enrich knowledge of the field settings and provide a "thick description of the specifics" (Geertz 1973: 17). The research holds a number of interpretive assumptions (Harmon 1986; Lee 1998). The research assumes the absence of a single perspective and the presence of multiple and incomplete subjectively derived realities which coexist. As well, the research assumes complex interactions and interdependence between the researcher and the subjects and phenomena being studied. In addition, there is a correlation between the subjects' perspectives and the dynamic patterns of reciprocity and power relations found within the social and ecological landscape. Lastly, the research assumes that through reflection and a heightened learning capacity groups and individuals have social and political opportunities for protecting common resources. The case study approach is incorporated to acquire in-depth, detailed and complex understanding of people in their natural settings while providing an inclusive picture of the myriad social, cultural and political elements which constitute the social and ecological landscape.

Data collection was conducted through participant observations, in-depth and biographical interviews, and the compilation of secondary data in relation to government policies, programs and projects in North Sulawesi, Indonesia. Informants were selected through purposive sampling. In purposive sampling the issues and contentions which arose at the field sites are used to determine the social subjects that were invited for interviews. Prior to selecting the informants, the researcher observed the various natural resource management practices within the field site and noted the issues and contentions which surfaced. Afterwards, the researcher noted the scope and extent of the issues and identified the individuals that are to be the research informants. Taking account the need to perform triangulation, the researcher invited individuals from various groups and background for indepth interviews. In general, the selection of informants is based on the extent of environmental issues which emerge within the locality, the extent of the research subjects' involvements in coastal resource governance, the implications which policies, programs and projects have within the field site, and lastly on the need to triangulate so as to ensure adequate representation of community user

groups. The categories of research informants who were invited to participate in North Sulawesi, along with their numbers and reasons for each category, are depicted in Figure 3. The results of the study are now presented in three major sections. Secondary data was obtained from government departments, donor agencies, NGOs, government consultants and academics directly through private meetings, and indirectly through internet publications and university and private libraries. There was a need to understand the perspectives and interests of the officers involved in the planning and implementation of natural resource governance policies, programs and projects (Cornwall 1994).

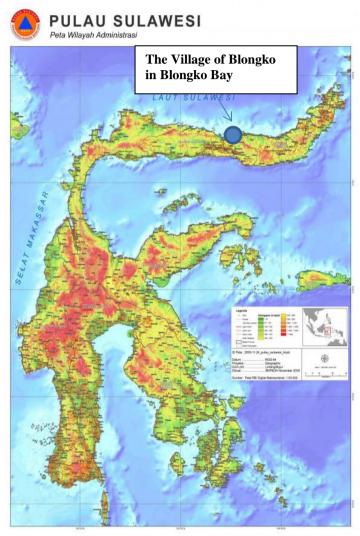


Figure 2: The island of Sulawesi and the village of Blongko

A pilot study in North Sulawesi was conducted from August 2004 until October 2004 for acquiring network and connection within the field site and obtaining rudimentary data involving the topography of the site and the natural resource management programs and projects held within the site. Data collection in North Sulawesi was conducted in six months from July 2005 until December 2005. The researcher later returned to the field site for four months from May 2010 until August 2010. An issue related to the timing was that the year 2004 was the last year for USAID's program in Blongko, hence the inquiry was that of a post program inquiry. The following analytical sequences are used for analyzing and assessing every narrative and/or text contained within the primary data (Fetterman 1989; Neuwman 2003). First, the texts obtained from the interviews and the daily notes taken by the researcher are coded. The coding process involves the categorizing of texts into key ideas to explain what happens within the texts. Next, data and contexts across interviews are compared to accentuate and explain the specific and unique. The illustrative method is then applied to determine the core categories and their sub-dimensions and to integrate ideas into hypotheses between core categories.

Research informants	Reasons	Research informants	Reasons
USAID representatives (2 informants)	Aid government officials in facilitating conflict resolution among the fishermen.	Village officials (3 informants)	The forefront personnel in promoting and implementing new initiatives in villages.
Project consultants, researchers and academicians (2 informants)	Aid the regency planning board in planning its annual coastal zone management programs and projects.	Community leaders from fishery and religious groups (5 informants)	The status quo in Blongko who are respected and aspired to by villagers.
Members of the house of representatives (2 informants)	Approves the selection and funding of policies, programs and projects.	Migrant laboring fishermen and migrant farm laborers. (5 informants)	Targeted by the fishery policies, programs and projects for improved sustainability.
District head (1 informant)	The forefront personnel responsible for managing issues and projects within the villages.	Non migrant in-land fishermen (5 informants)	Decision makers and owners of boats targeted by projects.
The provincial planning board (2 informants)	Coordinates coastal zone development policies across the regencies.	Fish merchants and capital lenders (3 informants)	Middle class at the forefront to induce initiatives and change.
The regency spatial planning board (1 informant)	Collaborates with donor agencies and government departments for developing infrastructure and managing land use within villages.	The regency planning board (1 informant)	Plans and approves the selection and funding of policies, programs and projects forwarded by various regency government sectors.
The regency marine and fishery resource department (2 informants)	Plans, implements and funds fishery and aquaculture development projects and fishery management projects.	Housewives and women fish traders (5 informants)	Play key roles in household decision making & targeted by development projects.

Table 1: Research informants in North Sulawesi

Subsequently, through repeated iterations the researcher moves from vague ideas and concrete details in the data to complex and comprehensive analyses of the issues. Lastly, whilst contextualizing data within the complexity and dynamics of its environment, the researcher discerned thoughts and/or behavior patterns by comparing, contrasting and sorting the various categories which emerged from the data.

3. Village level marine sanctuary organization and devolution

During the late 1990s indigenous uprisings, resistance from the provincial and regency government, and the demand for regional independence by separatist movements all contributed to Suharto's downfall (Thorburn 2001). The challenges of natural resource governance during the post-Suharto era required the government to address all of these issues (Bebbington et al. 2006). This led to a new era of rapid and wide ranging changes to Indonesia's social and political configurations. A major achievement during the Post Suharto era was the promulgation of Law No 22/1999 on Regional Autonomy in which decentralization gradually developed from deconcentration and delegation to devolution, and contribution of indigenous groups and their territories in fishery governance was recognized (Siswanto 2005). The Act was further supplemented with Ministerial Decree No. 5/1999 which stipulates the procedure for resolving conflicts over natural resource use and indigenous rights (Benda-Beckmann 2001). In 2014 during Susilo Bambang Yudhoyono's presidential term, Ministerial Decree No 34/2014 was enacted by the Ministry of Maritime Affairs and Fishery to address and reinforce the roles of indigenous groups and community members in governing the country's coral islands and coastal areas. Furthermore, the implementation of Ministerial Decree No 40/2014 stipulates that community empowerment is necessary for initiating and maintaining indigenous customs and laws in the sustainable governance of fishery and coastal resources. The adoption of these laws reinforced the government's commitment to collective management at the regency and community level. Consequently, the regency government, acting as an autonomous entity, had the authority to work with community members for sustainable governance of Indonesia's natural resources. Coupled with international pressure to acknowledge indigenous rights and to devolve

natural resource governance to community user groups, the GOI adopted community based natural resource governance in which local user communities are given the rights to decide and enforce natural resource allocation at the village level - provided that it is in line with regency initiatives and national directives (Moeliono 2006).

A common practice of the GOI during the post Suharto era involved promoting and implementing community based fishery governance within the country's geographical pockets and along its coasts with international donor agencies as its partner. USAID became one of the GOI's major partners to promote fishermen's participation in the sustainable governance of the country's fishery resources. A common form of the GOI's community based fishery governance involved the marine sanctuary conservation scheme in which the provincial government acts as the protector and advisor, the regency government as the overseer, and the village government as the supervisor and enforcing agency. A village, namely the village of Blongko, was incorporated into USAID's Marine Sanctuary Conservation Program in Minahasa Regency, North Sulawesi Province from the year 1998 - 2003. The village of Blongko became the sole pilot project site for USAID's Coastal Resource Management Program (CRMP) within the Blongko Bay area in South Minahasa Regency. USAID's Coastal Resource Management Program incorporated the Marine Sanctuary Conservation Program which will be analyzed and discussed in this paper. The consumable fish found within the Bay of Blongko included, among others, skipjack tuna (*katsuwonus palamis*), eastern little tuna (*euthynnus affinis*), yellowfin tuna (*thunnus albacares*), anchovies (*atherinidae*) and silversides (*clupeidae*).

The Blongko inlet in the Regency of South Minahasa was an inlet utilized by eleven villages, each with a population of more or less 1,300 inhabitants. In each of these eleven villages almost 2/3 of the population comprised of fishermen who earned their livelihoods from the Bay of Blongko. With regard to Blongko's social landscape, there were three main ethnicities in Blongko, namely Minahasans from the Province of North Sulawesi, Sangirs from the island of Sangihe-Talaud to the North of Sulawesi and Gorontaloans from the Province of Gorontalo in the island of Sulawesi. The Minahasans were mostly farmers and/or farm laborers who inhabited the plains and the hills; the Sangirs were mainly fishermen and seasonal farm laborers who inhabited the coasts; and the Gorontaloans were usually farmers and farm laborers living on Blongko's southern border. Much of the land in the village was cultivated by the coconut plantation company that was endowed with user rights by the regency government and the village officials and elites. A small number of Minahasans in Blongko owned the land that was given to them by their ancestors while landless Minahasans and Gorontaloans worked as laborers for the plantation company and for the Minahasan landowners. Many of the landless Sangirs settled on coastal land and claimed to own the land they inhabited. Nonetheless the ownership of their land was still being disputed with the Minahasans. The majority of the population is Sangir, with Minahasans being the second majority and Gorontaloans the minority. The Minahasans, Sangirs and the Gorontaloans each occupied a social and physical space that was separate and distinct from one another. The village had a number of environmental issues with regard to fishing. The quantity and quality of marine and fishery resources in the bay plummeted due to overutilization and destructive fishing by fishermen within and outside the village. Dynamites, bottom trawling and the use of rakes are commonplace, resulting in the destruction of the coral and nurseries which served as breeding grounds for fish and other marine organisms.

The objectives of USAID's Integrated Coastal Zone (ICZM) program in the village of Blongko can be divided into three main categories: (i) to promote environmental awareness and action for the sustainable governance of Blongko's coastal resources, primarily its marine and fishery resources, (ii) to foster local economic development within the village, and (iii) to institute social inclusion, consensus and collective action in the use, allocation and distribution of local coastal resources through the village level government (USAID 1998: 5 - 30). USAID officials, along with the provincial and regency government, initiated the village level marine sanctuary and ecotourism scheme in Blongko. According to officials, the marine sanctuary, equipped with its boating and snorkeling activities, would become a major tourist attraction (USAID 1999: 11 - 18). In addition, officials also initiated the land rehabilitation project in which villagers were advised to plant environmentally friendly products such as corn, lentils, soybeans and dry rice along Blongko's hills to prevent erosion and flooding (USAID 1999: 19 - 24). Moreover, to stimulate participation in the sustainable governance of Blongko's fishery resources, USAID and government officials proposed improving local livelihoods by initiating projects which increased Blongko's commercial and trade activities. One example was the formation of Blongko's women's cooperative for accelerating the fish trade in Blongko through collaborations with the local banks, the fish merchants from outside the village and the regency's department of trade for marketing local fish produce. Another was the donation of funds and machines to fishermen for improving their boats. USAID and government officials expect devolution, participation and social inclusion to follow naturally from the implementation of Integrated Coastal

Zone Management initiatives. This would effectively link across the horizontal and vertical levels to ensure ecosystem security, regional integration and social cohesion. This involved questions of scale across time and space and the effort to integrate different management practices. Consequently, each level had the authority and responsibility to plan, coordinate and monitor the sustainable and equitable governance of coastal resources within their prevailing jurisdictions. Highlights of the policies and regulations initiated by USAID and government officials at the provincial, regency and village levels are illustrated below.

Articles	Contents of Provincial Government Regulation No 38/2003
Section I - III Articles 2 - 8	The need to promote integrated community based coastal zone management.
Section IV Articles 9 - 11	The rights and responsibilities of provincial, regency and village government in promoting participatory, inclusive and integrated coastal zone management policies and programs towards improved sustainability and equity.
Section V - VII Articles 12 - 20	The rights and responsibilities of community members, NGOs and universities in decision making over the integrated management of the coastal zone.
Section VIII Articles 21 - 24	The rights and responsibilities of the Provincial Integrated Coastal Zone Management Board in performing coordination for the planning, implementation, monitoring and evaluation of coastal zone policies, programs and projects across the regencies in North Sulawesi.
Section IX - XIII Articles 25 - 41	The need for provincial, regency and village government to monitor, enforce, fund and continue the policies and programs initiated by USAID officials.
Section XIV Articles 42 - 43	The rights and responsibilities of village heads in resolving conflicts within the village.
Section XV Articles 44 - 48	The rights and responsibilities of government officials in resolving conflicts and prosecuting offenders.
Articles	Contents of Regency Government Regulation No 02/2002
Section I - III Articles 2 - 7	The importance of sustainable and equitable governance of the coastal zone through integrated management across different sectors and departments, through integrated land use planning, through community participation and acknowledgement of indigenous customs, and through transparency and accountability in coastal resource use, distribution and management.
Section IV - V Articles 8 - 10	The rights and responsibilities of the Regency's Marine and Fishery Resource Department and the coastal communities in coordinating with other institutions and in initiating, supporting and developing policies and programs for the sustainable and equitable management of the coastal zones.
Section V Article 11 -	The rights and responsibilities of the Regency Integrated Coastal Zone Management Board or ICZM Board in coordinating activities and monitoring and evaluating policies and programs for the management of the coastal zones.
Section VI-IX Article 13 - 22	The rights and responsibilities of community members and village government in planning and implementing policies and plans for the sustainable and equitable management of the coastal zone through community participation, integrated land use planning and the formation of marine sanctuaries.
Section X Articles 23-25	The rights and responsibilities of indigenous groups in retaining their indigenous practice and laws and in monitoring and evaluating policies and programs implemented within the village level.
Section XI Articles 26-30	The rights of community members in acquiring information and education in relation to sustainable and equitable coastal resource use, distribution and management.
Section XIII Article 34	Should the private sector be involved in the utilization, allocation and distribution of local coastal resources, it has the responsibility of providing collateral in the form of bank deposits or monetary capital to the village government, the ICZM Board and the regency government in anticipation of the need to sustain the quality of the environment and the welfare of the community members.

Sections XIV-XV Articles 35-36	The regency government's responsibility in providing funding for continuing, replicating, monitoring and evaluating the policies and programs initiated by USAID officials on an annual basis.
Section XV Article 36	The rights and responsibilities of village officials, government officials and law enforcement officials in monitoring and enforcing the laws, and prosecuting and sanctioning violators in the presence of environmental destruction.
Section XVI Articles 37 - 39	Conflicts over the use, distribution and management of coastal resources should be conducted in a communitarian and convivial manner with the aid of village and government officials. Community members are entitled to perform litigation measures and "class action" (2002: 16) against entrepreneurial activities which led to the destruction of the environment.
Articles	Decrees within Village Regulation No 04/2004A/KD-DB/XI/99
Section I - II Articles 1 - 4	The establishment of the village marine sanctuary which consisted of two zones, namely the core zone in which no activity was allowed and the auxiliary zone in which research, monitoring and the passing of lightless boats were allowed.
Section III Articles 5	The village level marine sanctuary and coastal zone management boards were formed and maintained by village officials and community members to ensure the sustainability of the marine, fishery and coastal resources within the village.
Section III Article 5	The rights and responsibilities of the officials within the village level marine sanctuary management board encompassed planning and managing the marine sanctuary for the welfare of both the environment and the community, prosecuting offenders and confiscating equipment used by violators, and granting permissions over activities that are to be held within the marine sanctuary (e.g. research, monitoring, leisure, etc).
Section III Article 5	The rights and responsibilities of the officials within the village level coastal zone management board encompassed ensuring the sustainable and equitable management of the catchment and forest areas in Blongko, promoting reforestation and land rehabilitation programs, granting permissions over activities held within the catchment and forest areas (e.g. logging, farming, the cutting of mature grown trees, etc), and confiscating equipment used in destructive land use practice.
Section IV-V Article 6	The rights and responsibilities of community members encompassed planning, ensuring and monitoring sustainable fishing and land use practice, and reporting violators to the officials within the boards.
Section VI Articles 8 - 10	Activities prohibited within the core zone of the marine sanctuary included crossing, trespassing, operating boats with lights, fishing, marine resource extraction, stepping on corals, sand and stone mining, mangrove logging and log removal. Activities prohibited within the auxiliary zone included operating boats with lights and capturing the marine and fishery resources. Beyond the auxiliary zone, the marine and fishery resources within Blongko Bay are to be sustainably managed through village level regulations encompassing (i) the areas that are allowed for sustainable extraction and the individuals that are provided with the permits to fish within the designated areas, (ii) the various areas of the bay with an open and closed season, (iii) the marine and fish organisms that are allowed to be captured, and (iv) the fishing methods that are allowed in Blongko Bay.
Section VII Article 11	Four different sanctions apply to violators of the marine sanctuary regulations. The first instance of violation will be met with a letter of apology from violators and the surrender of the marine and fishery resources that were previously extracted from the marine sanctuary (e.g. corals, stones, sand, mangrove, crabs, etc). The second instance of violation by the same person will be met with the confiscation of destructive fishing and farming equipment by village officials and community members, and the need to pay fines to the village government and community members. The third instance of violation will be met with community service along with other sanctions to be devised by village officials and community members in accordance to the severity of the violation. The fourth instance of violation will be met with prosecution from law enforcement officials such as the police and the court.

Table 2: Regulations and decrees for USAID's integrated coastal zone management program

USAID and government officials established the village level Integrated Coastal Zone Management (ICZM) Board to facilitate the planning and implementation of its ICZM projects in Blongko. The village level ICZM Board was headed by the village head, its secretary and treasurer. The board consisted of three sub-divisions, namely: (i) coastal resource (including land resource) and public infrastructure division, (ii) livelihood and welfare improvement division, and (iii) marine sanctuary division (USAID 1999: 28). According to USAID officials, the formation of the village level ICZM Board, equipped with its Marine Sanctuary Management Board, was required for facilitating

commonality, enabling consensus and ensuring credible commitment. The Integrated Coastal Zone Management Board functioned as an umbrella organization for the Marine Sanctuary Management Board which was responsible for ensuring the sustainable governance of Blongko's marine and fishery resources. The establishment of the village marine sanctuary consisted of two zones, namely the core zone in which no activity was allowed and the auxiliary zone in which research, monitoring and the passing of lightless boats were allowed. Activities prohibited within the core zone of the marine sanctuary included crossing, trespassing, operating boats with lights, fishing, marine resource extraction, stepping on corals, sand and stone mining, mangrove logging and log removal. Activities prohibited within the auxiliary zone included operating boats with lights and capturing the marine and fishery resources. Beyond the auxiliary zone, the marine and fishery resources within Blongko Bay were to be sustainably managed through village level regulations encompassing (i) the areas that were allowed for sustainable extraction and the individuals that were provided with the permits to fish within the designated areas successively, (ii) the various areas of the bay with an open and closed season, (iii) the marine and fish organisms that were allowed for capture, and (iv) the fishing methods that were allowed in Blongko Bay. Four different sanctions apply to violators of the marine sanctuary regulations. The first instance of violation were met with a letter of apology from violators and the surrender of the marine and fishery resources that were previously extracted from the marine sanctuary (e.g. corals, stones, sand, mangrove, crabs, etc). The second instance of violation by the same person were met with the confiscation of destructive fishing and farming equipment by village officials and community members, and the need to pay fines to the village government and community members. The third instance of violation was met with community service along with other sanctions to be devised by village officials and community members in accordance to the severity of the violation. The fourth instance of violation was met with prosecution from law enforcement officials such as the police and the court. Moreover, the formation of Blongko's ICZM Board was intended to facilitate various levels of participation in the governance of local coastal resources. Other perceived aims of the ICZM Board included research and development and the generation and dissemination of knowledge (USAID 1999: 30; USAID 2003: 13).

Major issues in the village level marine sanctuary organization

Blongko's Marine Sanctuary Management Board faced a number of conflicts that were historically rooted within Blongko's traditional power structure. These perceived issues took the form of appropriation of local identity, misuse of power and social exclusion, capture by commercial imperatives and overemphasis on regulatory measures. The members of Blongko's Marine Sanctuary Management Board came from diverse background and social status, and among them were Minahasan landowners, Gorontaloan landless farmers, large 'pajeko' boat owners from Pakuure, small boat owners from Sangihe-Talaud residing in Blongko, laboring fishermen and fish merchants residing in Blongko and its surrounding areas. The majority of the villagers and a large number of the board members felt they were unrepresented in decision making, excluded in the monitoring process of fishery extraction and allocation, and omitted from participating in local economic development programs such as USAID's ecotourism initiatives and the joint effort to market and diversify Blongko's local fishery products. Hence, the common management of Indonesia's coastal resources requires redefining devolution to incorporate a more complex concept of divided and layered sovereignty without "loss of control and self-determination for those who agree to delegate some of their decision making power and judiciary rights to a more encompassing level" (Etzioni 2004: 172).

Issue 1) Misuse of authority and social exclusion

Some government officials were genuinely concerned about the depletion and degradation of Indonesia's natural resources. They saw the need for protection through collective governance and co-management. This, according to officials, can be facilitated through consensus and joint decision making in policy and program formulation (Ostrom, 1990). Consensus ensued across the various levels of governance and with communities through *MUSRENBANG* or Consensual Development Planning. Government officials advocated social inclusion by aligning and aggregating diverse needs and interests through *MUSRENBANG* (Kurian 2000). Social inclusion in policy and program planning, when coupled with decentralized public administration system and devolution of authority, was envisioned to encourage the socially cohesive implementation of policies and programs at the grass root level. Furthermore, the Post-Suharto decentralized administration considered social inclusion and political stability through institutions such as *MUSRENBANG* to be vital in achieving sustainable development goals (Rohdewohld 1995). Nonetheless, consensual development planning,

decentralized public administration system and devolution of authority to local entities did not automatically promote ecological sensibility, social responsiveness and political participation for collective action and the protection of public needs. In the presence of USAID and government and village officials, regulations over the extraction and allocation of Blongko's fishery resources were consented through meetings and discussions with community user groups. As well, the village officials, along with community members who participated in the marine sanctuary management program, were given the rights and responsibilities to monitor and enforce the regulations for the collective good. Subsequent to the formation of the village's ICZM Board and the regulations for managing Blongko's marine sanctuary, USAID and government officials intended to distance themselves from the program with the hope that local villagers would govern themselves and continue the marine sanctuary management program for the good of the village and the environment.

USAID carried with them a template for governing Blongko's marine and fishery resources. In its attempt to promote sustainable marine and fishery governance in Blongko, USAID and government officials incorporated a model which combined teaching and learning, economic development and sustainable natural resource governance initiatives. The model adopted by USAID and government officials was universalized as opposed to being localized, and this led to the disengagement of local identities. Although villagers were invited to make social and ecological profiles of the village and to determine the programs and projects to be incorporated into the ICZM program, the program's predetermined goals and interests functioned to streamline and homogenize the existing complex and multifaceted coastal resource governance practices found within the village of Blongko. A villager and bricklayer named Mr. MRTNS stated:

The USAID extension officers had good intentions and cared a lot about the villagers, nevertheless, the projects came to a stall because the projects were hard to implement.

Moreover, the combination of a universalized model of natural resource governance and the village head's tyranny in decision making with regard to marine and fishery extraction and allocation encouraged selective engagement among the villagers. This resulted in the substitution of one form of power to another without any real devolution of authority and responsibility. A village official, Mr. GNRT, claimed that in the past Blongko's village head and village level government represented the donor agency's interests, working to attain predetermined targets:

The organization that managed the ICZM program and the marine sanctuary project in Blongko was created and sustained solely by the former village head and his close companions who were also in the village planning board. Nobody else was involved. This ICZM program had their own targets to fill, whether it's the marine sanctuary, the forest or the organizations that were created. The organization's there and the plans and schedules were there in order for the funding from America to be available.

In the light of differing perspectives and contentions, USAID and government officials saw the need to reinforce the agreed upon regulations governing Blongko's marine and fishery resources. Moreover, extension agents also saw the need to educate and monitor villagers in order that they internalize qualities such as transparency, accountability and commitment for safeguarding public needs. USAID and government officials assumed that the villagers did not previously have these values. This was facilitated through project accountability meetings conducted in the presence of other community members.

Moreover, in order to promote and maintain these values there were perceived needs for incessant negotiations and adjustments in village level policies and programs through transparent meetings within Blongko's institutions. Nevertheless, the fragmentation and disconnection within the process of negotiation and consensus building further reinforced the dominant discourse, masked its imposition and subverted other forms of perception. In managing the program and enforcing the regulations for ensuring sustainable marine and fishery extraction, village officials used the language of the common good but were acting for private interests. Compounded by the institutionalized nature of Blongko's marine and fishery governance schemes, the devolution of authority and responsibility to local user groups was very limited and a lack of participation prevailed. Moreover, the case of Blongko also suggested that the social construction underlying the governance of Blongko's marine sanctuary was created by the village officials and elites as opposed to that of emerging from the community members' engagement with local natural resources. This is illustrated by the following comment made by a farmer and fisherman in Blongko, Mr. ABDLH:

We did not get involved in the marine sanctuary, we were invited to meetings and we came to meetings and listened to what the marine sanctuary was all about, but we did not want to get involved in the administration matters because the village head and village officials were the ones handling that and we had to respect them.

Hence, community members could only engage in the marine sanctuary management program and the governance of Blongko's marine and fishery resources through the village officials and elites.

Issue 2) Appropriation of local identity

In determining the priorities to be incorporated into the ICZM program, the intricacies of social relations were relegated to the background and local identities across scales were appropriated. Mr. FR, a senior government official from North Sulawesi's Marine and Fishery Resource Department, made clear his awareness of USAID's ICZM program:

We already have tons of coastal zone laws and institutions made by JICA, JBIC, CIDA, etcetera, and then USAID made their own laws and institutions without even wanting to know those other things which already existed. Every donor agency thought they had to make their own laws and institutions on top of those that were already present. If they wanted to go ahead that's perfectly fine, but the government around here and the villagers would definitely not continue their line of work after they left. ICZM was a crumbling program and it had been crumbling long before they left. We were all just rubber stamps here. They collaborated with the House of Representatives to make Coastal Zone Management laws and regulations without consulting us and then expected us to support and fund their cause.

This suggested that although the ICZM program had been approved by the national government and the People's Representative Council in North Sulawesi, (to a certain extent) Mr. FR refused to acknowledge the program. The social landscape underlying Indonesia's natural resource governance consisted of multiple layers of social constructs and practices whose depths and dimensions were not always accessible to planners and policy makers. This often led to misalignments and disconnections across scales. In determining the priorities to be incorporated into Blongko's ICZM program, USAID officials adopted knowledge which differed significantly from those of villagers and community members. Mr. DJK, a senior government official from the Regency Planning Board in Minahasa noted the following:

If we see from the working mechanism of the program, the donor agency or USAID was actually doing the job by themselves on their own without the involvement of the government. They required us just to support them, meaning that we should acknowledge their presence, but they held themselves responsible. Our involvement was only limited to being a partner, we felt the activities were positive, so we were involved, although, almost all of the planning aspects or the more technical aspects were already determined beforehand because they were plans and experiences that originated from outside Indonesia.

Moreover, while the ideas were generated locally, they must 'fit' the overall template that USAID provided as preconditions and categories for programs and projects. Hence, tension arose due to the need to massage and fit the projects within the criteria outlined by USAID for maintaining potential funding. This was unavoidable since the funding and authority for the programs and projects came from USAID and the national government.

During the implementation of the ICZM program, tension sprung between the need to enforce USAID's 'best practice' formula and the need to adopt local knowledge anchored within local dynamics. Ms. KSMDI, a USAID official, remarked the following subsequent to her departure from Blongko:

There was the institution for it, the management, implementation and monitoring plans, we had already initiated and developed that, but they did not automatically want to adjust themselves to the agreements they had made, hence we really must look at the substantive matters over and we must look at the way they think, which substantively involved their everyday needs.

Village life was romanticized by USAID officials as that of being simple, mono-dimensional and benevolently egalitarian. The 'best practice' formula adopted by USAID and government officials was

linear in nature; the preferred outputs had been predetermined beforehand and accomplishing the expected outputs required securing a series of successive steps under 'contained' circumstances. Through the instrumental use of knowledge, the 'best practice' formula was used to determine actions that were to be taken.

Issue 3) Capture by commercial imperatives

During the Suharto and Post Suharto era, the indicators of rural development encompassed local infrastructure development and the stimulation of trade and commercial activities through capital acquisition and micro-credit schemes (Resosudarmo 2006: 1 - 5). Local villagers came to associate USAID's presence with aid projects for local infrastructure development and micro-credit disbursement as opposed to the sustainable governance of local marine and fishery resources through the marine sanctuary initiatives. This, when coupled by the appropriation of local identity, the misuse of authority and the emergence of social exclusion could lead to capture by commercial imperatives and natural resource overutilization. The seemingly inclusive and egalitarian consensual process over coastal resource governance led to an emphasis on reporting. Some villagers thought the USAID officials were simply ticking boxes on their list and this led to a disinterest for participating USAID's marine sanctuary management program and reinforced the rights and authority of local village authorities and elites. Consequently, the power of Blongko's elites grew and expanded. The above was described by Mr. KPNA, a farmer and fisherman in Blongko subsequent to USAID's departure:

The people in the village were never involved in management decisions over the marine sanctuary and the reforestation programs, it was always just them [the former village head and elites] and we were never invited. People here didn't want to get involved in things like that because there was no room for us to get involved. We didn't want to get involved because we didn't want to be blamed for things that we didn't intend to do. The villagers in the marine sanctuary board told us not to do this and that, not to cut the mangroves and the trees, but they themselves cut it to make firewood and boats, and they themselves captured all the fish with dynamites, large nets and rakes destroying the corals in the marine sanctuary. We did not want to tell them that they were setting bad examples because they thought they owned the village by being village officials and elites. People here were afraid to say things because they would say we were dissenters, so we chose to just go on with our own business and let them do theirs.

USAID's formula for collective action and inclusive governance did not necessary lead to the same urgency for protecting common needs. In fact, recriminations began after the perceived misuse of power and authority by village officials and elites in managing the marine sanctuary and in extracting and allocating local marine and fishery resources. Simultaneous to USAID' presence in Blongko, numerous government projects entered the village. These projects included, among others, the construction of public latrines, the development of roads and electricity, funding and capital disbursement for local fisherman groups, the delivery of low interest micro-financing schemes for local fishing and farming cooperatives, and the establishment of a marine eco-tourism park. Community user groups perceived the presence of rampant collusion and corruption among village officials and elites when managing these projects. This led to mistrust, contentions, as well as passive and active resistance among villagers who felt cheated and excluded from the projects. A former village official named ERK noted the following:

There was mistrust towards us as the manager of the projects in Blongko. They [the villagers] stated that we stole the project money, that we used the project money for our own purposes, that we did not allow others to fish in the bay, and that we cut and sold the mangroves, etc. They came to my house and said they would burn my house to the point that I sent my wife and children away from the village. What they did not understand was that project money was not that easy to acquire and that we did not even have the money in our hands. I tried to explain that to them in meetings but they just would not believe me. And then afterwards they retaliated against us and destroyed the marine sanctuary and used destructive fishing methods when fishing in the bay. There was nothing we could do but sit and watch. It was chaos. It was such a pity because hard work was involved in making that marine sanctuary.

This suggested the villagers' anger and the incapacity of local government entities to establish order and governance in times of dissonance, great demands and utilitarian interests. Mr. LPH, a fisherman, noted the following concerning the Marine Sanctuary Management Board:

The officials and village people who were involved in USAID's program had a lot of money and they used the money to buy new appliances and even motorcycles. Moreover, they gave out permits to their family members to fish in the marine sanctuary and to fish in the areas surrounding the marine sanctuary even if they were not allowed to do so and even if it was not their turn. And the fish there was really good, they [the elite's family members] could make a lot of money from the fish there and they shared the profits with the former village officials. But, they did not allow us to fish there.

By giving out permits and implementing profit sharing initiatives from the capture and trade of local marine and fishery resources, village officials encouraged a utilitarian attachment to the landscape. As a result, fishermen who were also Blongko's elites converged and aligned with the social construction promoted by village officials, leading to the further detrimental commodification and commercialization of the local marine and fishery resources. During the implementation of USAID's program it was indiscernible whether the complex characteristic of local culture which maintained ideas about collective action and sustainable commons was acknowledged or understood. This was likely to be for a variety of reasons, for example, local people had different perceptions, interests and timelines in mind for management than the USAID programs that were targeted by outcomes and milestones.

Issue 4) Overemphasis on regulatory measures

USAID officials correlated the sustainable governance of coastal resources with several variables. The first was the conservation of the marine, fishery, mangroves and coastal land through collective action. The second was the community members' adherence to statutes and regulations that were collectively drafted by villagers and USAID and government officials for the villagers' utilitarian needs. The third was the presence of village institutions for creating and enforcing agreed upon statutes towards the sustainable use of local marine, fishery and coastal resources. Ms. KSMDI, a USAID extension officer, noted the following:

I take the form of understanding from their perspective and make them understand that the marine sanctuary is a form of zone to earn interest, hence it is a form of a piggy bank, that if we save and put our money in the bank, the fish will come out, and we will use the interest, or the fish in this case, for our daily food...and then we synchronize it with their concept, understanding and language, and then from there on we also influence the villagers to slowly understand the need for a marine sanctuary for their common future...we will also have to promote an understanding that the marine sanctuary will enhance the working of the ecosystem which the community depends upon for their livelihood through the institutions and regulations that we develop in the village...this institution and regulations, managed by the villagers and equipped with its management decision-agreement letter, will promote environmental awareness and local participation for ensuring the continuation of Blongko's marine sanctuary.

To maintain ideas about the common good, collective action and marine and fishery resource protection there was the need to understand emerging governance practices and venture into the delicate and complex characteristics of local culture. When participating in government policies and programs, villagers aligned to the bits and pieces which pertained to their needs and interests while jettisoning others.

4. Engendering mobilization and power sharing

In the case of Blongko, the perceived civil inequity was important for mobilizing community members and forming new alliances towards social change. Community mobilization in Blongko required groups of influential community members to: (i) be sufficiently alienated enough to be fundamentally critical, (ii) be educated enough to be able to create counter symbols, counter ideologies and contending identities, (iii) command enough communication, networking and organizational skills to serve as part of the controlling overlayer of the transforming movement, (iv)

accumulate sufficient knowledge and analysis to be able to evolve appropriate political strategies, and lastly (v) be able to prevent personal and apolitical deflections from prevailing (Etzioni 1968:539). In Blongko, the formation of new groups and alliances started with informal gatherings: a number of neighbors in the same residential block getting together every weekend in the current village head's home to chat (i.e. the present village head is a young men of 32 years of age). With the passing of time, the people in the gathering grew in number. The gathering was then transformed into a bible study group (elevated status) as people started to bring and read the bible and held scholarly discussions of the bible in the gathering. Hence, the gathering became even more prestigious to others within and outside the village due to its scholarly discussion of the bible. The name of the group gradually changed from that of weekly gathering to that of bible study group. As time passed, this bible study group began to invite priests from nearby villages and towns, enhancing its status and position within the village and its surrounding. In addition, the present village head was a member of the Indonesian Democratic Party (PDIP) at the provincial and regency level, and he often invited influential members of the party to join the discussion. Moreover, government officials at the regency level and fish merchants from the regency's capital Amurang also came and joined the bible study group providing further reinforcements and momentum. As more people joined, the objective also expanded from scholarly bible studies to that of protecting marginalized community members and promoting democracy, participation and social inclusion within the village. With the passing of time, a new discourse on common good and collective action emerged and the need to protect Blongko's marine and fishery resources resurfaced and reverberated across Blongko's younger generations and marginalized members. This attracted more community members from within and outside the village to join, and ultimately even those who were non-Christians (e.g. Moslems) also joined the discussion which pertained to their needs and interests.

Subsequent to the village election and the change in Blongko's village head and under the leadership of the current village head, the bible study group members (i) established a counter ideology when it decided to unify Blongko's diversity and reform the rights underlying its coastal resource extraction and allocation, (ii) launched a counter symbol when it revived and redrew the marine sanctuary management initiated by USAID and (iii) formed a contending identity when they established Blongko's "Marine Sanctuary Protection Group". This effort at reviving and renewing the marine sanctuary was perceived by the villagers as a symbol of civic participation and the emergence of clean government. Community members perceived the move as a benign initiative for social incorporation and for promoting coastal resource governance that is both socially viable and ecologically sustainable. The organization eventually endowed community members with pride. identity and platform for the equitable and sustainable extraction of local marine and fishery resources. Overtime, through Blongko's 'Marine Sanctuary Protection Group' social institutions and local rules came into play and the people were committed to protect Blongko's marine and fishery resources on behalf of the community. These social institutions took the form of kinship ties, collective identity, symbolic reciprocity, social responsibility and ecological sensibility. The marine and fishery resources in Blongko were not free access but governed by formal and informal rules to maintain its benefits for the good of the community. The community, through the village representatives, determined the access and made decisions about management on behalf of them all. Community members acted in a way that benefited the overall good even when they were avowing individual rights, leading to innovative power structures that were locally sensitive and environmentally appropriate. Among others, the rules which came into play and were socially 'enforced' by community members encompassed (i) the areas which were allowed for sustainable marine and fishery extraction and the various individuals who were allowed to fish within the designated areas, (ii) the various areas of the bay with an open and closed season, (iii) the marine and fish organisms that were allowed for capture, and (iv) the fishing methods that were allowed in Blongko Bay. The legitimacy acquired by the current village head as the leading government and political figure in Blongko, when coupled with reinforcements by party leaders, religious figures, government officials and fish merchants from outside the vicinity, became the platform and catalyst for restructuring allocation rights underlying Blongko's marine and fishery resources.

In the case of Blongko, the bible study group and the 'Marine Sanctuary Protection Group' in time became a platform for establishing political strategies to alter the local power structure. To Blongko's young men and women, the bible study group became the center of a grass root political movement to overthrow the former despotic village head and end coastal resource monopoly by previous village officials. In the presence of party leaders, regency government officials and leading fish merchants, young and influential community members advocated the older generations from the previous government to support their cause and elect their preferred candidate, Mr. GNRT, as Blongko's next village head. The movement to depose the previous village head in the subsequent

election resonated and gained momentum within and outside the village due to the significant roles played by the bible study group and the 'Marine Sanctuary Protection Group' headed by Mr. GNRT. This resulted in a land slide win favoring Mr. GNRT, the present village head, during the subsequent village election. In the case of Blongko, civic mobilizations, surging momentums and contending identities would all lack harness, reinforcements and sustenance without the involvement of party leaders, religious figures, government officials and fish merchants from outside the locality in protecting Blongko's social, political and environmental interests. Moreover, in time a number of fish merchants from Blongko's surrounding areas refused to purchase fish from groups and individuals who were considered 'impious' by a majority of the community members in Blongko. In his account of the events prior to his administration, the present village head, Mr. GNRT, stated the following:

We cannot just let the former village officials do whatever they wanted to us, I personally believe that as the village head I would have to provide an opportunity for the people to voice their needs and concerns and to facilitate an opportunity where the people can govern and build this village together with the village officials. That was why I decided to initiate meetings and discussions with the other villagers who did care about the village during the former village head's reign. I had to do that because no one else would do that, and we did not want the cycle to repeat itself during the next village election. I think my effort paid off because people, although disillusioned over the former village officials, were afraid to voice their concerns in the past and so they started coming to these bible groups and social discussions which I initiated, and started to believe that together we could make a change in the village, that together we could make a difference and build the village in which everyone is involved and everyone is concerned over the wellbeing of the people in the village, including the marine and coastal resources that are available in Blongko.

The present village head associated his ascendancy with civil action for equity and justice. In the case of Blongko, the formation of contending groups harnessed and stimulated social and political changes. Moreover, affiliations and social mobilizations with contending groups became appealing to community members since alignment with these groups generated social and psychological rewards in the form of recognition, validation and differentiation. Mr. LPR, a fisherman in Blongko, noted that "the present village head has a way of making people feel good about themselves so people want to get involved in village matters and in natural resource conservation". There was contingent emergence and dissipation of multiple management regimes in Blongko's marine and fishery resource governance and, to a certain extent this created a space for the distribution and sharing of power among wider community user groups and officials within the village government. The use of power by community members, along with the need to involve higher level authority, depended on the pace of change, perceived urgency and timing.

5. Collective action and sustainable fishery governance

To promote collective action and connect local action towards the sustainable governance of the country's marine and fishery resources, the Government of Indonesia (GOI) along with USAID adopted three noteworthy measures. The first was the replication of foreign natural resource governance model across Indonesian regencies and provinces. The replication of marine sanctuaries, parks and protected areas and ecotourism sites were among some of the GOI's preferred models. The second was the promulgation of nested institutions and regulations across the various levels of government for consensual decision making over user rights. The third was the utilitarian commodification of local marine and fishery resources for improving social welfare and engendering political stability. These were perceived to promote inclusion, integration and social cohesion across the social and ecological landscape. In the case of Blongko, community user groups had diverse perspectives on how the local marine and fishery resources were to be managed. Promoting sustainable fishery governance entailed knowledge of multiple management practices and how they played out across time and space. Devolution, participation and change could never occur outside its historical context, and socially viable and ecologically sustainable initiatives were neither arbitrary nor dictated. Social and political changes resulted from group dynamics as opposed to the evolution of social and political systems. In the case of Blongko, social and political changes occurred in a multidimensional setting as opposed to a mono-directional and linear setting. To promote the sustainable governance of Blongko's marine and fishery resources, there was the need to look into the utilization of the numerous coastal resources in Blongko and understand how these influenced the various perspectives which emerged for managing Blongko's marine and fishery resources. The former and present village heads, the community members and the officials perceived the fishery resources and their functions differently.

In the case of Blongko, social dissonance led to gaps in participation and fragmentation in policy implementation. Nevertheless, the case study site also suggested platforms for alignments and convergence among resource users which were triggered by a perceived common future and common identity. These platforms in turn precipitated behavior for protecting collectivities and the local marine and fishery resources. In the case of Blongko, government officials were connected to the local marine and fishery resources and to other user groups within the landscape through policy and program objectives, the fishermen and community members through collective needs and common identity and imagination, and the various groups across local villages through kinship ties, reciprocal engagements and symbolic reciprocity. Hence, an individual's commitment to nature and the common was very personal and precipitated by one's identity, imagination and social constraints. Etzioni (2004: 24) noted that the above platforms can lead to the rise of community of communities. The concept of community of communities lends itself to social, psychological and political ties among resources users. In the case of Indonesia, these ties not only stimulated civic participation and social inclusion in the sustainable governance of the country's natural resources, they also precipitated social cohesion and political integration across the landscapes.

6. Conclusion and Recommendations

Findings from North Sulawesi suggested that facilitating responsiveness and participation for protecting common resources required creating a new social and political space which provided a sense of importance and identity to community user groups. At the heart of this was the need to engage resource users through identity, imagination and social reciprocity in collective natural resource protection. Active engagement of this nature led to the creation of space for reflection and change, therefore stimulating groups and individuals to be more responsive in assuming responsibility for protecting the social and ecological landscape. Hence, the user groups' sense of importance, recognition and obligation to act for the collective good would motivate them to perform extraordinary actions. Findings suggested that facilitating participation and inclusion in natural resource protection required extending beyond utilitarianism and into the social, political and psychological. Social engagements and group attachments to the social and ecological landscape extended beyond the utilitarian and policy measures found within intervention approaches. Moreover, findings suggested that planned changes within policy measures were most likely to result in highly restrictive environments, whereas social, psychological and political engagements were most likely to result in new spaces for empowerment and incorporation. In the case of North Sulawesi, proposal for action to secure active participation and group inclusion centered on the extent to which social and political changes were actively secured. In Blongko changes occured due to individual willingness and social structural forces: hence there was the need to understand how structure and agency mutually interacted. Therefore, in speaking of devolution and change for improved sustainability we are obliged to take up the matter of agency and structure within a context dependent setting.

This inquiry on community dynamics and fishery governance yield the following implications for government and natural resource management agencies. At the outset, intervention approach for promoting participation and inclusion in natural resource governance requires venturing into the network of exchange and reciprocity within local settings. Hence, it is important to identify the individual resource users and the network and symbolic resources which help define their existence and roles in the community. Moreover, in planning and implementing intervention policies it is important for government agencies to understand how struggles, resistance and adaptations shape the constraints and enablers for participation in strategic and structural decision making relating to natural resource governance. Secondly, promoting sustainable natural resource governance requires venturing into novel and possible social and political spaces. These social and political spaces are often 'absent', nevertheless when created and purported by social institutions, these new spaces can alter the incentive-disincentive scheme and incorporate social and ecological agendas into everyday community life. The case study site suggests that the preconditions for creating new social and political spaces include forming new alliances, establishing contending organizations and stimulating incentives and rewards which appeal to the imagination and identity. Lastly, in the light of the need to promote good governance and accountability there is the need to institute sound intervention approaches. Establishing sound intervention policies and programs require securing flexibility and adaptive management capacity through negotiations and brokering. Negotiations and brokering are important for responding to dynamic and complex issues in natural resource governance. Through negotiations and brokering communication is fostered and alignments of the various user groups are facilitated, thus capable of instilling a governance structure akin to Etzioni's vision of community of

communities. This can encourage loyalty to higher levels of governance without undermining devolution and social institutions for natural resource protection within decentralized collectivities.

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PHARMACIST'S LEGAL RESPONSIBILITY OF DOCTOR'S PRESCRIPTION MEDICINE IN PATIENT'S SERVICES

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Abstract

The prescription is a written request by the doctor to the pharmacist to prepare and deliver the medicine to the patient. Currently prescription medicine can be purchased easily in pharmacies even without a doctor's prescription. The attendance level of pharmacists is very important in performing pharmaceutical services to patients, because in addition to getthe medicine the patient is also entitled to get education and information about the rules and how to use for the purchased medicine. One of the factors that can lead to medication error in health services is when there is negligence from the pharmacist in serving, dispensing and giving medicine to the patient.

This research method employs normative-empirical jurisdiction and primary data as main data is supported by secondary data, as well as qualitative analysis and research object in the form of legal responsibility of pharmacist in pharmacies in Tegal.

From the results of the study, the form of legal accountability of pharmacists to the doctor's prescription services in pharmacies in Tegal is very important. From some errors in medicine services in pharmacies in Tegal include: the lack of attendance of pharmacists so there is less education and information in compounding less attention to dosage, and still sell hard medicines without a prescription that is harmless to patients. Thus in his duty, a pharmacist must meet the ethics, must also comply the rules applicable to the accountability of both civil law, criminal law and administrative law.

As for research suggestions where pharmacists should be careful in performing prescription services. Pharmacists must be present in working hours to convey education and information to patients clearly and correctly, even if the pharmacist does not come, there should be a pharmacist's co-worker.

Keywords: Pharmacist, Medication Error, Legal Responsibility.

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A.Research Background

Law Number 36/2009 about Health, Article 108 managed phamacist's profession role, that is the making, including the control of pharmacy's stock quality, security, stock, storage, and distribution of the medicine, management of medicine, medicine service of doctor's prescruption, medicine's information service and medicine's development and traditional medicine. Pharmacist's role in giving service to society is called pharmaceutical service. Pharmaceutical service, according to Decree of Minister of Health Number 102/2004 about Pharmaceutical Service Standard in Pharmacy, today the orientation has shifted from medicine to patient that refers to medicine's management as comodity into comprehensive service, in order to improve the patient's qyality life, so that a phatmacist must improve his knowledge, skills, and behaviour in order to do direct interaction with patient. That interaction forms for example, giving information, monitoring of medicine use in order to know whether the goal is achieved and documented well³.

The change of pharmaceutical service from medicine management as commodity to comprehensive service (pharmaceutical care) is not only as medicine manager but also in wider meaning including the giving of information to support the correct and rational medicine use, monitoring of medicine use to see the goal, and the possibility of mistake in medication. It can be said that a pharmacist's role is doing pharmaceutical care which one of the main goals is to improve patient's life quality.

Minister of Health Decree Number 35/2014 about Pharmaceutical Service Standard in Pharmacy revised Minister of Health Decree Number 1027/2014 about Pharmaceutical Service in Pharmacy, and gave more detailed role of pharmacy that is clinic pharmaceutical service, and managerial such as pharmacy stock management, health tools and disposable medical material. In Government Decree Number 51/2009 about Pharmaceutical Works, Article 21 paragraph 2 mentioned that the one who is allowed to serve medicine didtribution based on doctor's prescription is a pharmacist. This article implicitly stated that a pharmacist must always be present in

³ Aryo Bogadenta, *Manajemen Pengelolaan Apotek*, Yogyakarta, AD-Medika, 2012, hlm.70.

pharmacy to give pharmaceutical service, one of them is giving medicine as prescribed. A phatmacist, in this case, must have competency (knowledge and skills in doing pharmaceutical service), commitment and care. The fact is the pharmacies when giving prescribed medicine, it is nit done by the pharmacist but by pharmaceutical technical worker⁴.

The decision of medicine use always has consideration of benefit and risk. The goal of pharmacotherapy is to get outside clinic that is responsible to improve patient's quality life with minimum risk. To achieved that goal, it needs a change of pharmaceutical service paradigm that direct to pharmaceutical care. Focus of pharmaceutical service shifts from awareness of medicine (medicine oriented) to optimal service of individual patient about medicine use (patient oriented)⁵.

To create pharmaceutical care with minimum risk to patient and medical worker, we need to implement risk management. Risk management is basic part from a pharmacist's responsibility. In the attempt of risk management, pharmacy conventional practice has reduced medicine's cost, but it has not overcome problem related to medicine use. The development of pharmaceutical technology that created new medicines also need attention for the possibility of risk happened to patient. Report from IOM (*Institute of Medicine*) 1999 explicitly stated that at least 44.000 even 98.000 patients died in hospital in a year as the result of medical errors that actually can be avoided⁶.

According to *Peta Nasional Insiden Keselamatan Pasien* report (PERSI Conggress, Sep 2007), mistakes in giving medicines are in the first position (24.8%) of 10 biggest incidents reported. If we observe further, in process of medicine use that includes prescribing, transcribing, dispensing dan administering, dispensing are in the first position. That is why pasient's safety is one of important parts in risk service in hospital besides financial risk, property risk, professional risk, or environment risk service in risk management. World accreditation institution The Joint Commission on Accreditation of Healthcare Organizations (JCAHO) required patient's safety

⁴Ibid, hlm 67.

⁵ Loc.Cit.

⁶ Loc.Cit.

activities in the form of identification and evaluation, should be done to reduce injured risk and the lost of patient, hospital workers, visitor and the organization itself.

According to analysis of risk event in process of pharmaceutical service, adverse medicine events, medication errors and adverse medicine reaction are in the main group in patient's safety that need system approach to manage, related to the complexity of events relation between "to err is human" and complex pharmacotherapy process. Other factor that affects the medicine risk is complex multifactors and multiprofessions; type of medical service, type and number of medicine given to one patient, environment factor, working responsibility, employee's competency, leadership, etc.

System approach has goal to minimize the risk and promote safety effort of medicine use including health tools. In broaden perspective, the ways that can be done are analysis of system used, detection of error, trend analysis as the basic of system approach. Safety system coverage of pharmaceutical service are selection, storage, ordering & transcribing, preparing & dispensing, administration, monitoring.

Program Nasional Keselamatan Pasien Rumah Sakit (National Hospital Patient's Safety Program) supported by PERSI or Persatuan Rumah Sakit Indonesia (Indonesian Hospital Association) decided 7 ways of patient's safety management. Reporting volunteerily is basic data to do evaluation in reaching goals. Incident report in pharmaceutical service is estimated to describe 10% of the real errors. To ensure that system runs appropriate with the goals needed for the accurate data, that is gained through incident report. The bravery to report self mistake is not easy, moreover if it is related to someone's punishment.

Cultural approach does not blame free culture, it is proven more effective to increase report compared to rewards and punishment. To direct intervention and monitoring to the available data, analysis method is needed such as Simple Analysis Method for light risk, Root Cause Analysis for moderate risk and Failure Mode Error Analysis for high risk or prevention.

Many organization approaching methods as the effort to decrease medical error that if it is described based on the order, the biggest effectivity impacts are forcing function & constraints, automation & computer / CPOE, standard and protocol, check list & double check system, rules and policy, education and information, and be more careful-vigilant. The intervention to minimize incident is not perfect without prevention. To make prevention effective, we need to aware of its coverage: current knowledge prescribing (CPE, access to DI, consultation), review all existing pharmacotherapy by pharmacist, professional worker who familiar with medicine system (formulary, DUE, abbreviation, alert medicine), complete medicine order, and care for ensure clear and unambiguous instruction. The prevention will be more effective if it is done with other medical workers (multidiscipline) related to medicine, especially doctors and nurses. It need to be considered that errors can be in the form of latent errors, for example because of policy, infrastructure, cost, SOP, working environment and active errors such as ignorance, careless, break the rules intentionally, and in general active errors are rooted from latent errors (policy decision maker)⁷.

Pharmacist is in the strategic position to minimize medication errors, viewed from the relation with other medical worker and medication process. The contribution that possible are by increasing report, giving medicine information to patient and other medical worker, improving patient medication progress, improving quality and safety of patient at home. Data that can be described are decreasing of seriousness level of children patient (46%), increasing incident with almost injured status (from 9% to 8-51%) and increasing of incident report for twice or six times higher. (effect of pharmacist-led pediatrics medication safety team on medication-error reporting)⁸.

⁷Sri Siswati, *Etika Dan Hukum Kesehatan Dalam Perspektif Undang- Undang Kesehatan*, Jakarta, PT Raja Grafindo Persada, 2013.hlm 30.

⁸ Am J Health-Sist Pharm, 2007, Vol. 64:1422-26.

B. Formulation of the Problem

What are the legal foundation and legal responsibility of pharmacist in serving patient in Mitra Mina Pharmacy and Tiga Utama Pharmacy in Tegal?

C. Theoritical Foundation

Hans Kelsen described theory about responsibility in law as a concept related to law responsibility is a concept of liability. Someone is considered responsible for cetain action is that he can be given sanction in case of contradictive action. Normally, in one case, sanction given to the deliquent is because of his own act that makes the person responsible⁹.

According to Hans Kelsen legal duty is norm of positive law that order the individual by applying sanction for his action or vice versa¹⁰. An individual legally must behave in certain ways. Individu given sanction is considered responsible or legally responsible for the violation¹¹. Furthermore Hans Kelsen¹² stated that failure to do carefulness obligated by law is called negligence and mistake usually considered as one of culpa, eventhough it is not as hard as the mistake fulfilled because of anticipating and desiring, with or without bad intention, dangerous result. Next Hans Kelsen divided responsible into:

- a) Individual responsibility is an individu responsible of his own violation:
- b) Collective responsibility means that an individu responsible for the violation done by other people;

⁹Hans Kelsen, *Teori Hans Kelsen Tentang Hukum* (terjemahan Jimly Asshiddiqie-M. Ali Safa'at), Jakarta, Konstitusi Press, 2012 hlm. 56.

⁹ Ibid, hlm.83

¹⁰ Hans Kelsen, *Teori Hukum Murni*, (terjemahan Raisul Mutaqien, Nuansa & Nusamedia), Bandung, 2006, hlm.132-140.

¹¹Ibid. hlm.136.

¹² Loc.Cit.

- Responsibility based on the mistake means that an individu is responsible for the violation he did intentionally and predicted with the goals that create lost;
- d) Absolute responsibility that means an individu is responsible for the violation he did unintentionally and unpredicted.

Indonesia as country that adopt Continental European law system, knows many legal responsibility, as follow¹³:

- a. Responsibility with mistake (intention and ignorance) as mentioned in Article 1365 of Indonesian Civil Code.
- b. Responsibility with mistake, especially ignorance, as mentioned in Article 1366 of Indonesian Civil Code.
- c. Absolute responsibility (without mistake) in very limited meaning is found in Article 1376 of Indonesian Civil Code.

According Black's Law Dictionary, liability has three meanings, such as 14:

- a. It is one duty bound to law or justice to do something;
- b. Condition become responsible for lost or actual;
- c. Condition that creates duty to do action soon or in the future.

Responsibility has meaning the skillful condition to duty responsibility for his action. Responsibility meaning mus have these factors¹⁵:

- a. Smart skill according to law that cover people and law firm. Someone is considered skillful because that man is mature and have clear mind.
- b. Duty's responsibility for responsibility means something that must be done, must not be done, so the it is the obligation. While,

¹³ Munir Fuady, *Perbuatan Melawan Hukum Pendekatan Kontemporer*, Bandung, Citra Aditya Bakti, 2002, hlm.10.

¹⁴ Lamintang, Dasar-Dasar Pidana Indonesia, Bandung, Citra Aditya Bakti, 1997, hlm 34.

¹⁵ Nusye Ki Jayanti, *Hukum Medik*, Jakarta, Fakultas Kedokteran Universitas Indonesia, 2004, hlm.120.

c. Action element means everything must be done.

So, responsibility is smart condition according to law whether it is a person or law firm, and able to carry responsibility to all that need to be done. Pharmacist practice is not a job that can be done by every person, but it only can be done by certain group of professional pharmacist that has competency and meet the standard and has permission from authorative institution, and work according to standard and professionalism decided by profession organization¹⁶.

By seeing the definitions above, it can be concluded that with or without malpractice it is not determine by the result, but based on the process. One unwanted bad result actually can be caused by some possibilities, which are ¹⁷:

- 1. Result of the disease's process, does not related to medical treatment done by the doctor;
- 2. Result of avoidable risk, that is unforeseeable risk, or foreseeable risk but it is acceptable, as described above;
- 3. Result of medical ignorance;
- 4. Result of intention.

That is why one prejudice of pharmacist malpractice, must be observed and analyzed first to make sure whether or not malpractice is done, except if there is fact proved the presence of ignorance that is *res ipsa loquitur* (the thing speaks for itself). As a professional in medicine, pharmacist's action must be based on carefulness in doing the function and responsibility, because carelessness in doing action resulted in endangering patient's life, this is described from carefulness principle¹⁸.

About the decisison of one action is called as criminal action, Indonesian Criminal Code follow the principle that every criminal action must be defined as it by rules of law that is known as honesty principle that has goal to know how honest the

¹⁶ Ibid, hlm.120.

¹⁷Loc.Cit

¹⁸ Teguh Prasetyo, *Hukum Pidana*, Jakarta, PT. Raja Grafindo, 2010, hlm 67.

pharmacist in facing action that break the law in this case is malpractice by patient that cause death. Honesty principle is one of impotant principle to build patient's trust to doctor (pharmacist). According to this honesty principle, doctor (pharmacist) must give help suitable with patient, which is suitable with his profession standard¹⁹.

D.Research Method

This research used normative law research method, using normative case study in the form of legal behaviour product, for example review the laws. The main review is law that can be conceptualized as nomr or rules in society and become guideline of every person's behaviour. So, nirmative law research focus on positive law inventory, law principles and doctrine, law findings in in concreto case, law system, synchronization level, law comparation and history²⁰. According to that description by using normative law research method to describe pharmacist's responsibility and legal protection.

In the research of law, there are some approaches. With those approaches, researcher will get information from many aspects about issue that is tried to get the answer. The approach method in this research is statue approach²¹.

G. Legal Foundation and Pharmacist's Legal Responsibility in Serving Patients in Mitra Mina Pharmacy and Tiga Utama Pharmacy in Tegal

Medical effort is every activity to keep and improve health, in order to create optimal health degree for society. Health effort is held with maintenance approach, health improvement (promotive), prevention, healing (curative) and rehabilitation (rehabilitation) that is done thoroughly, integrated, and continuously. This health effort concept become the guide and manual for all medical worker and helath service facilities in Indonesia as stated in Law Number 36/2009 about Health.

¹⁹ Ibid, hlm 56.

²⁰ Abdul Kadir Muhammad, *Hukum dan Penelitian Hukum*, Bandung, PT.Citra Aditya Bakti, 2004, hlm.52.

²¹ Peter Mahmud Marzuki, *Penelitian Hukum*, Jakarta, Kencana, 2008, hlm. 29.

One of medical efforts that can be done in disease's healing is going to doctor to check his health, and then doctor will diagnose the disease and give prescription of the medicine to heal the disease. The health service facillity that can be visited by patient are clinic, community health center, and hospital, while to get the medicine prescribed, patient can come to pharmacy.

According to Minister of Health Decree Number 35/2014 about pharmaceutical Service Standard in Pharmacy, pharmaceutical service standard is the guideline used as the guidance for pharmaceutical worker in doing pharmaceutical service. Pharmaceutical service is a direct and resposibility service to patient related to pharmacy's stock with the intention to get the exact result for improving patient's quality life.

Indonesian Pharmacist Association hopes that society will receive better health service with the presence of Indonesian Pharmacist Competency Standard that has been made. Pharmacist is one of health workers that connected directly to patient. In fact, the pharmacist often does not present in his working place. Level of pharmacist's presence and practice of pharmaceutical service in pharmacy shows the positive significant relationship that means the improvement in phamacist's presence will improve pharmaceutical practice.

Government Decree Number 51/2009 about Pharmaceutical Work, in Article 1 paragraph 13 defines that pharmacy is pharmaceutical service facility where pharmaceutical practice is done by pharmacist. Next, in Article 1 paragraph 11 it is stated that pharmaceutical service facility is facility that is used to perform pharmaceutical service, which are pharmacy, hospital's pharmacy unit, community health center, clinic, medicinestore, or joint practice. By the presence of pharmaceutical service facility, patient can visit thlse places to get good health service.

The relationship between doctor and pharmacist is that doctor knows patient's disease after examine the patient and the write the prescription for thr pharmacist, so the pharmacist knows about it, it means that pharmacist must prepare the medicine. Relationship between doctor and pharmacist is just about the

distribution of the medicine, it must appropriate with doctor's prescription and then will be prepared by the pharmacist himslef²².

Some factors that can affect that relationship are²³:

a. Participant's characteristic

Partucipant's characteristic is demography factors such as educatiob and age, for example young doctor that is educated since the beginning to coordinate in interdiscipline team might be easier to receive doctor-phatmacist relationship.

b. Contextual characteristic

Contextual characteristic is patient's condition, type of practice (solo or joint practice), distance of practice, number of interaction, will define how intensive the relationship will be.

c. Exchange characteristic

Exchange characteristic is professional characteristic, open and two way attraction professionally, balance coordination, performance scoring, conflict and the resolution.

Medicine is needed by patient that can be used to get health for his life span. Patient can use the medicine available in pharmacy and medicinestore to consume based on the prescription given by doctor. As the consequence of that changing orientation, pharmacist is challeged to do diret interaction with patient. The form of that interaction is giving information, monitorinh medicine user to know the final result is suitable with hope.

Types of medicine can be classified into²⁴:

a. Over the counter medicine is the medicine that can be bought without doctor's prescruption. It means the medicine is light and not the

²² Hasil Wawancara dengan Ketua Ikatan Apoteker Indonesia Cabang Tegal, tanggal 20 Maret 2017.

²³ Hasil Wawancara dengan Sullies Ikawati Apoteker di Kota Tegal, tanggal 23 Maret 2017.

²⁴ Hasil Wawancara dengan Suharjo sebagai Kepala Dinas Kesehatan Kota Tegal, tanggal 27 Maret 2017.

medicine "bodrex" with the sign of black circle with green color inside.

- b. Limited over the counter medicine is the medicine that can be bought freely in the pharmacy or medicinestore but the patient must know hiw to use it or often use it, for example "paratusin", influenza medicine, etc., with the sign of black circle with blue color inside.
- c. Prescription medicine is medicine that must be bought using doctor's prescription, because that medicine cannot be used lightly or patient cannot use it. This medicine is signed by black circle with red colour inside.

The form of mixture medicine and factory medicine is very different. This is caused by the mixture medicine is medicine from pharmacist after he mixes some medicine while factory medicine is medicine from pharmaceutical company that is placed in medicinestore or pharmacy for community.

A pharmacist can use his tools to mix medicine in order to provide medicine for patient. Mixture medicine is a mixture of some medicine that resulted in form of powder and then placed into a capsule. Next is the example of medicine that is mixed and result in powder form. The type of medicine mixture aret²⁵:

a. Blender Mixture

Blender mixture can be used when the volume of the medicine is very big, or the medicine has hard coat that make it difficult to break.

b. Pounded Mixture

Pounded mixture is very slow and consume many time. The quality of pounded mixture is the same as blender mixture.

c. Solution Mixture (mix with water)

Solution mixture is done by mixing water and powder and result in the form of syrup.

The finding of this research in two locations in Tegal are:

²⁵ Ibid.

a. In Mitra Mina Sehat Pharmacy Tegal

- Phatmacist is not always present in pharmacy because the pharmacist
 not only works in pharmacy but also works in educational world. It
 affected patient service. Patient who come to pharmacy seldom meet
 the pharmacist and is only served by pharmacist's assisstant. Whereas
 if the patient come to bought medicine gruped into narcotics or
 psychotropic, the prescription must be served directly by the
 pharmacist;
- 2. In Mitra Mina Sehat Pharmacy Tegal, there is purchase of prescription medicine without doctor's prescription with the information given is not optimal. The information given is limited to information stated in medicine package, this is caused because mostly the pharmacist's assisstant who give the medicine. The information given and education to pasien is important to be done;
- 3. In doing medicine mixture, pharmacist sometimes does not pay attention to the weight of the medicine that will be mixed into powder. This is afarid to be caused the overdose.

b. In Tiga Utama Pharmacy Tegal

The pharmacist present everyday in Tiga Utama Pharmacy Tegal, but without exact time. It is caused by the pharmacist also works outside the pharmacy, so the service is usually done by pharmacist's assisstant. In Tiga Utama Pharmacy Tegal there is purchase of prescription medicine without doctor's prescription with the information given is not optimal. This is because the one who give the medicine is pharmacist's assisstant even though the pharmacist has giving knowledge and socialization to the assisstant how to give information and give medicine well and correctly to patient. The pharmacist must be able to communicate with other health worker, including doctor in giving medicibr information, including new medicine or medicine withdrawn in the market.

If we study the findings above, the pharmacist broke the rules because he receive the purchase of prescription medicine without doctor's prescription because he is pushed to fulfil the turnover by the head the pharmacy. In cerrain case, there is still the purchase of prescription medicine without doctor's prescruption, a pharmacist does not realize and obey the rules. So, it can be said that pharmacist's awareness and obidience of Minister of Health Decree Number 633/Ph/b/1962 about List of Prescription Medicine, that medicines include into prescription edicine such as antibiotics, antidiabetics, hormonal medicine, cannot be bought without doctor's prescription is low.

Phatmacist's responsible as pharmacy manager in prescription service must be done by the pharmacist to give and prepare instruction in the prescription, along with medicine information service needed by patient. Government Decree Number 51/2009 about Pharmaceutical Work, Arricle 21 paragraph 2 stated that medicine given and service based on dictor's prescription is done by pharmacist. In Article 14 of Minister of Health Decree Number 1332/2002 about Ethic and Permission of Pharmacy, it is stated that prescription service is fully pharmacist's responsibility as pharmacy manager. There is obligation for pharmacist to be present in pharmacy to do pharmaceutical service such as doctor's prescription service and fully responsible for mistake and ignorance done by him or other who is under his responsibility. The pharmacist as pharmacy manager is seldom to be present to give prescription service in pharmacy to give prescription service.

Minister of Health Decree Number 1332/2002 about Changing of Minister of Health Decree Number 922/1993 about Rules and Procedure of The Giving of Pharmacy's Permission, Article 19 stated:

- 1) If the pharmacist cannot do his work in the time when the pharmacy are open, pharmacy manager pharmacist must appoint associate pharmacist.
- 2) If pharmacy manager pharmacist and associate pharmacist cannot do their job, pharmacy manager pharmacist appoints substitute pharmacist. Article 5 stated that

if the pharmacy manager pharmacist cannot do his job more than 2 years continuously, pharmacy permission with the pharmacist's name will be withdrawn.

The responsibility of associate pharmacist based on Article 20 of Government Decree Number 51/2009 about Pharmaceutical Work, pharmacist is helped by associate pharmacist and/or pharmaceutical technical worker. Associate pharmacist is pharmacist who work in pharmacy beside pharmacy manager pharmacist and/or replace him in certain hours of pharmacy open time. So, associate pharmacist's function and role in pharmaceutical service is to replace him if he cannot come when the pharmacy is open.

Associate pharmacist appointed must have Pharmacist Practice Permit. Associate pharmacist is responsibility for pharmaceutical service during he replaced pharmacy manager pharmacist. Apotekel. If associate pharmacist in doing pharmaceutical service makes mistake and ignorance so pharmacy manager pharmacist is also responsible for the activity done by associate pharmacist.

Duty and obligation of a pharmacist as health service in pharmacy are: responsible for the making process of medicine eventhough it is made by pharmacist assisstant, the presence in workung place is managed by Health Law, must be present in working place during the pharmacy are open, must explain to patuent about content of medicine bought and this explanation cannot be represented by assistant or pharmacy worker, and must keep the secrecy of patient prescription.

According to Government Decree Number 51/2009 Article 21 paragraph 2, it is stated that the giving and service of prescribed medicine is done by pharmacist. Indirectly a pharmacist must be present to give pharmaceutical service for patient recovery.

Responsibility in managing pharmacy is not different from other responsibility, a pharmacist in doing his duty is bound by pharmacist ethics that is almost the same as medical ethics. This is meant for a pharmacist to obey the ethics among them. A pharmacsit in doing his duty, besides obey the ethics also must obey the existing laws, civil, criminal or administrative law.

Medicine service activity done by pharmacist in giving service to patient to give medicine information that must be given accurately, factually, recently, easy to understand, ethically, and wisely. Medicine information is every data or objective knowledge, decribed scientifically, and documented that covered pharmacology, toxicology, and pharmacoteraphy. Medicine information covered indicaton, dosage and consumption time, side effect and harmful reaction, contra indication, medicine reaction, and medication toxicity symptom. According to administrative law, if a pharmacist is proven doing mistake, the permit of pharmacy manager is withdrawn for certain time

Medicine information service given is aimed to give education to patient so the recovery of patient is achieved. Education is society empowerment activity by giving knowledge about medicine and medication and making decision with patient after getting information to achieve optimal medication. Education process is patient's rights as stated by Law Number 36/2009 about Health in law norm article 7 that every person has rights to get balanced and responsible information and education about health.

Responsibility has meaning of smart condition to responsibility burden for all result of his action. Responsibility meaning must have the elements of 26 :

- a. Sklls, according to law that cover people and law firm, someone is considered skillful because that person is mature and has clear mind;
- b. Duty's responsibility, it means something that must be done, must not be done, so it is a must or obligation;
- c. Action, it means everything that must be done.

According to the explanation above, it can be concluded that parmacist's responsibility are²⁷:

- a. Performing his function that appropriate with his educational knowledge;
- b. Appropriate with competency and certain standard;

60

²⁶ M. Hatta, *Hukum Kesehatan & Sengketa Medik*, Yogyakarta, Liberty, 2013, hlm 44.

²⁷Ibid, hlm 45.

- c. Having permit from authorized institution;
- d. Working that appropriate with profession standard.

H. Conclusion and Recommendation

1. Conclution

Legal foundation related to pharmaceutical worker is Minister of Health Decree Number 35/2014 about Pharmaceutical Service Standard in Pharmacy and Government Decree Number 51/2009 about Pharmaceutical Service, and on the other side, weak law enforcement resulted in deviation by pharmacist in doing his responsibility. Pharmacy manager pharmacist's responsibility as professional is to obey the law is in the form of civil law responsibility, criminal law responsibility, administrative law responsibility and pharmacist ethic code.

2. Recommendation

A pharmacist must watch carefully every doctor's prescription that comes to the pharmacy in order to keep the patient's safety and security in consume medicine so the pharmacist is more careful in doing his job and must be active in informing to patient about dosage, consumption rules of every medicine so patient will not make mistake in consuming medicine.

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ACTIVITY OF INTERNATONAL TRADE WITH LETTER OF CREDIT PAYMENT METHOD

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ABSTRACT: The purpose of this research is to describe and analyze the activity of foreign trade transaction with letter of credit payment method. Method which is used in this research is with normative juridical method. The result of the research: Usability and roles of letter of credit in the foreign trade are: to facilitate the settlement of payment of export transaction, secure the funds provided by the importer to pay for goods and guarantee the completeness of the shipment document. Basically there are three main things that must be known to all parties, both of importers, exporters and banks or related parties are: the flow of goods delivery, the flow of documents and the flow of remittances or payment. The function of the bank s an intermediary of foreign payments: in foreign trade activities or international trade both from export and import.

Keywords: foreign trade activity, letter of credit

A. PRELIMINARY

Documentary letter of credit in the beginning is not open by bank, but by the traders. Therefore, it is known with the name Merchants letter of credit which later developed into Bank letter of credit

Merchant letter of credit contain meaning that: the bank simply did not bind himself to beneficiary in opening the credit. Buyer is directly binding himself to seller to pay through the bank. In this case the bank not bound into seller, it is only forward the notification letter from the buyer to the seller that: for the seller have opened a credit on the bank. And will be paid if the seller issuing money orders over the buyer by submitting certain documents. In this form the seller invisible gets a guarantee from the buyer or from the bank that the payment is will really done. Between the buyer and the seller in the relationship Merchants letter of credit, element of trust each other and honestly is a main condition. Most of the seller is feeling safe only because there is a reality that: the buyer about the payment is get help from the bank. If the buyer not a good person both economic level, of course bank will refuse to give those help. Whereas Banker letter of credit is the buyer have involved the bank bound to the seller. The statement from the buyer that he will pay to the seller through the bank has been strengthened by the bank. In this meaning the bank has been bound himself to beneficiary (seller). In the regulation internationally is not same as in the beginning of payment ways. Known like documentary letter of credit, the beginning is not open by bank, but by traders. Therefore, it is known with name Merchants letter of credit which later developed become Bank letter of credit

Documentary letter of credit in progress, ways of payment is bank is given a role to arrange a transaction of payment. All of the things which is related with payment of transaction is arranged by the bank, concerning documents must be submitted to the related bank. Next progress is" the buyer who open the credit, upon the mandate of the buyer". The meaning in the form like this now called letter of credit. Therefore, the incidence by using bank service which called letter of credit because of the presence of a sense of distrust, between the buyer and the seller which cross the boundaries of the state that the buyer will pay number of agreed prices at the appointed time and the seller will send the goods as agreed. Payment method with

¹ Siswanto Sutojo, *membiayai Perdagangan Ekspor Impor*, Jakarta : Damar Mulia Pustaka, 2001, p 36

documentary credit which is also known letter of credit is to fulfill the desire of exporter and importer in international transaction as below²:

- 1. The seller desire to get a guarantee product is paid, besides that the payment received before owned of the goods is sent.
- 2. In the buyer party (importer) desire that the goods which they bought can be received in numbers, condition and schedule which has been agreed in the sales contract. And they're desire to didn't pay first before the goods is received, minimally they get guarantee will receive the goods that they ordered.

Both of two desires which seem contradictory can be met in the documentary credit or letter of credit payment method. Later revised at 993 become Uniform Custom and practice for documentary credits or UCP 600 which is still valid until today. Therefore, the writer interesting to researching with the formulation below:

B. Problem Formulation

- 1. Why the activity of foreign trading with the letter of credit payment method?
- 2. What is the function of the bank in the activity of foreign trading with the letter of credit payment method?
- 3. How the exporter which is need financial by not waiting when the payment from the foreign buyer?

C. Research of Methodology

This research is use normative juridical method.

D. Purpose of the Research

To explain and analyzing activity of the foreign trading with letter of credit payment method.

E. Discussion

Letter of Credit (L/C) is a payment tool and therefore a balance of rights and obligations of the parties in the letter of credit (L/C) must be maintained fairly and openly. Justice and openness in the implementation of Letter of Credit is a must because the core of L/C the realization of payment the amount of money worth as L/C. Because of that a balance of the right and the obligations of the parties in the letter of credit must be defended. The rights and the obligations each of parties is in accordance with the agreement based on the contract which is agreed all the parties, the amount of the payment which will realized as replacement of goods delivery, from receiver to applicant. Implementation of the rights and the obligations is realized with refereeing to each party agreements based on the contract. As well as the payment of fees in order the implementation the rights and the obligations. This is appropriate with the principle of contract freedom⁴ as in Indonesia regulated in Article 1338 Code of Civil Law.

² Huala Adolf, *Dasar-dasar Hukum Kontrak Internasioanal*, Bandung: Refika Aditama, 2007, p. 27

³ UCP 600 (Uniform Customs and practice for documentary credit 600)

⁴ Dagmar Coester-waljten, Constitutional Asects of Party Autonomy and its Limits- The Prospective Of Law Stephen Grundman & Wolfgang Kerber & Stephen Weatherill, *Party Autonomy and The role of Information in The internal Market*, Walter de Gruyter, 2001,p.41

The principle of contract freedom⁵ valid for L/C because L/C is a contract which is means the parties can arrange by themselves some clause in the L/C appropriate with their agreed in the sales contract and for the things out of the clause, subject to UCP and not subject to UCP. Assertion of both parties in the L/C is valid as a law for them.

As an international contract L/C born based on regulation from UCP 600⁶ (Uniform Customs and practice for documentary credit 600) which is internationally valid, or based on agreement between issuing bank and receiver. And in realizing L/C as international contract both because UCP regulation or because agreement of one thing must be fulfilled that is: there is agreement of receiver which is realized in the form of submission by the recipient at the issuing bank. Issuing bank and receiver are legally bound since submission of the L/C documents from receiver to the issuing bank. As a means of payment L/C is paid by issuing bank to receiver which is submitting the documents of L/C from receiver to the issuing bank.

International trading transaction who made the payment of item prices by documentary collection, i.e. through the use of a document called money orders (bill of exchange). In this case the importer must pay the price of the goods after shipping documents arrived at the importer bank. Payment of those price goods exchanged with shipping documents, manifest (bill of lading) which is related. That's why without payment of the price goods, shipping documents will not granted by the bank. Without shipping document, manifest (bill of lading) in his hand, the importer can't take the related import goods. In practical there are two kinds of bill of exchange, there are clean bills and documentary bills. As the meanings of clean bills is bill of exchange which is no need other supportive documents. So don't need for example ownership document of those goods, like manifest (bill of lading). While other form is what is called as documentary bills, this kind of form is which is commonly practiced in this case is money order (bill of exchange) must be strengthened by other supportive documents, such as ownership documents of the goods or manifest. Letter credit or L/C is an international way of payment which is exporter receiving the payment without waiting for the news from abroad after the goods and the documents sent abroad to the buyer.

Letter of Credit (L/C)⁷ is: payment promise to pay from issuing bank to receiver which is the payment only can be done by issuing bank, if the receiver submitting the documents to the issuing bank which appropriate with the condition of (L/C). The function of the bank as a mediator foreign payment: in activity of foreign trading or international trading both from export or import evidently the function of the bank is very important, especially the function as mediator in the field of technical implementation of foreign payments. To implementing the mediator duty in the international trade transaction concerned, a bank can't work alone. Therefore those banks should to make correspondence relationship with foreign banks especially with primary bank (first class bank) i.e.: banks which are in the banking world and international trading no more doubted the bonafidity and financial morals.

Therefore the foreign banks, is likes agent from related banks. Then the relationship In question often known as Agency arrangement which regulate about ways of completion in respect of the interest of the respective banks. Those regulation need to held so the double traffic trade which relating the interests of both of their respective customers could be done easily and quickly. This is where the important function of the bank as a mediator in the foreign payment. Besides to accelerates and ease the implementation.

^{,&}lt;sup>5</sup> Yunwei Fu, *Freedom of Contract in The EU and China*. Journal of International Commercial Law and Tecnology, Vol.8, No.4 (2013), p. 274.

⁶ UCP 600⁶ (Uniform Customs and practice for documentary credit 600)

⁷ "The Uniform Customs and Practice For Documentary Credits, 2007 Revision, ICC Publication No. 600 (UCP) are rules to any documentary (credit) (including, to the extent to which they may be applicable, any standby letter of credi) when the text of the credit expressly indicates that it is subject to the rules. There are binding on all parties thereto unless expressly modified or excluded by the credit."

Correspondence relationship that is so means there is services usage from foreign bank, also can give benefit for the banks who was pointed as correspondence bank.

In order to including, good correspondence relationship, so it is needed some item of facilities/tools which called: control documents. This control document is meant to supervisory that relationship of both of the two related banks is really legal or authentic. It is so important in the assessment and test against the documents which is used in the transaction of the two of related banks. As for all sorts of control documents consists of:

- 1. List of authorized signatures (signature of authorized officials published in a book), thus the signatures is listed in the documents such as: letter of credit, bankers draft/cheques, mil transfer, debit and credit advices and other letter/document can be matched with the signature on that book.
- 2. List of term and conditions (published in the form of book or circular which is in it containing tariff or costs about interest of debit and credit of an account, transfer fee and reimbursement, documentary collection fee, L/C forwarding fee, confirmation of L/C, the change of L/C). From this book can be matched fees charged by that bank of foreign correspondence according to the ones listed therein.
- 3. Test key arrangement (agreement between the bank about usage of words or test numbers). Telegram connection between the banks in delivery order or announcement. For one of or both of parties containing a risk. Generally must be guaranteed the certainty and the truth. That guarantee usually consists of words or numbers with a meaning which is secretly. Which is the arranged depend on various kinds depend on the content of the telegram or the news. Those words or numbers named test words or test cyhers. While approval between those banks about usage of test words or test numbers called: test key arrangement. This guidance contains instruction the way to arrange test number a received telegram. Test key which used in the telegram connection s owned by one of the bank only.
- 4. Codes. In order to save the news which is delivered by wire/telegram express/telex, it is also for saving the cost. There are several banks whose send the codes which is will used by them for certain transaction, for example: opening of L/C, telegraphic transfer. If those banks have a password it is also can be done based on the password on this book.
- 5. Specimen. Securities. As a saving action, several of foreign banks there are also who send for example: securities such as letter of credit, bank money order, cheque (banker drafts/banker cheques), international money order, traveler cheque.⁸

By those samples expected will heightening related bank awareness, against a possibility of the existence of fake documents that are widely circulated. Correspondence bank usually designated by our banks after considering the factors as below:

- 1. The extent of export and import activities which is done by related customers.
- 2. Moral and financial from the related correspondence bank.
- 3. The large amount of credit facilities which possible to given by correspondence bank in case there is confirmed L/C or over draft against L/C.
- 4. General description about capability service from the related correspondence bank.

Letter of credit is a payment contract, while the basic contract is "sales contract" with respect to the separateness between letter of credit and basic contract there is a theory which named absolute payment theory, this theory is based on American and England court ruling. By issuing letter of credit it is mean that the buyer has fulfilled his obligations based on sales contract, to pay the seller and based on L/C. The

⁸ Soepriyo Andhibroto, Letter of Credit dalam Teori dan Praktek, Semarang, Dahara Prize, 1989, p.33

seller only has rights to get the payment through issuing bank and can't sue the payment to the buyer. Because of L/C is considered an absolute payment.

For the seller interest (exporter) in order the goods is delivered after the price is paid, while the buyer (importer) have a vested interest in the price is paid after the goods received. Then the payment system is required by documentary credit. In this case a payment is done through the bank as a mediator, without waiting for the goods arrived first or the document arrived. This obligation is done with the importer obligations to open letter of credit (L/C) in the bank of the state where the buyer (importer) live, to then by the bank forwarded to the bank of the seller (exporter) state. Payment system by this L/C nowadays is widely accepted among international trading traffic.

The usage and role of L/C in the international trading is to make easy export transaction repayment, to save the cost which is provided by importer to pay the goods and guarantee completeness of shipping document.

Basically there are three main things that should to known all the parties both of importer, exporter and bank or related party that is: goods delivery flow, documents delivery flow and money deliver or the payment. As for the documents which are usually uses are:

- 1. Financial document, money order (bill of exchange/draft)
- 2. Shipping document, manifest/bill of lading. Supporting documents:

Trade invoice is a document which is made by the seller and addressed to buyer which is have function as information or legal statement about the goods that on sale, containing: date of invoice, date of delivery, amount that the buyer must pay, numbers and details of the goods, price per unit, terms of delivery (FOB, CF, CIF), shipping name, port of loading of goods, port of goods destination (commercial invoice).

Certificate or supporting document from the invoice which is explaining the correctly and detail about content of every single pack of goods and how the goods packed (packing list and specification).

Packing list and specification (packing details in generally) is used for export goods which is packed by crate or carton which mention the contents of each crate or carton.

Document or shipping detail

Certificate or document which is explains about the good weight such as: bruto, cutting, netto with details of scales, size of each crate or packing shipped. This certificate is use for importer.

- a. To determine the weight of the goods
- b. Prepare everything for implementation of freight transport from the origin port to determined destination port (certificate of weight)

Certificate of quality, this document explain the quality of the product which exported.

Checking certificate is a document which issued by third party which is independent and by the importer requirement which purposed to make sure that the goods which delivered by supplier, both of quality or amount is guaranteed and match with mail order.

Things that need to be considered in the checking certificate are:

- a. Name of surveyor
- b. Description and amount of goods
- c. Other information which is relate with L/C
- d. Signature of surveyor company's officials ⁹

Certificate of information which state the origin of the goods that exported, this information letter can issued by exporter and become attachment of commercial invoice or issued by third party and usually chambers of commerce shall be listed the complete description of goods which exported, signed by the

⁹ Ramlan Ginting, Letter of Credit Tinjauan Aspek Hukum dan Bisnis, Jakarta: Penerbit Salemba empat, 2002,p. 18

officials of chambers of commerce ad stamped. The function is for determine import duty for the goods that imported

(certificate of origin)

Certificate of origin, this document is informing the state of origin of the goods which exported. Main purpose from this document is to gain the rights for levy of customs duties for imported products in the state of importer or to prove that the product is produced in the state of exporter. This document is important because to determine the entry fee in the state if importer. It is required by custom duty in the state of importer to make easy the levies of import duty and statistical purposes. This document should be containing complete description about the products which exported, by attached invoice which is passed consul of importer state which exist in the exporting country. This passing is given against the information which contained in the invoice which is given by the seller/beneficiary to them. Thus it happen the consular invoice, this invoice mention name and nationality from the ship which is carrying those goods, port of charge, and port of destination.

Certificate of origin is an information letter of the origin of the goods which is one of the functions is to determine import duty for the goods that imported. This document can be issued by the government or exporter.

Certificate of origin is stated about origin of the goods which confirms that the goods that exported are really produced from the country of exporter or from certain country as the requested by L/C. In Indonesia the issuer of this document usually by the government in this case is Ministry of Industry and Trade, or association of businessman for example KADIN (Chambers of Trade and Industry).

Insurance Certificate is an information letter which is given the insurance party that explaining that the certain goods has been held closing insurance (insurance certificate) first sheet from this letter will be made a shipping document, as an evidence that the goods has been insurance.

Example: Case illustration

Short Term Financing Guaranteed Commodities

Shipments or Bill of Lading serves as a sign of ownership of shipped goods. Therefore, if the exporter is pressed for funding needs and can not wait for payment from overseas buyers.

For example, the Negotiable Bill of Lading case, exporters can "negotiate" the bill of lading of goods they export to a bank or non-bank financial institution at a discount (lower price of L / C due to reduced deposit interest). Exporters who negotiate the bill of lading delegate ownership of the goods to a bank or non-bank financial institution, which provides loans or purchases the shipment documents. Thus the bank has ownership rights over the exported goods. The subsequent fund disbursement process is the Bank or the non-Bank Financial Institution concerned submitting bill of lading, draft exporter (draft) and other documents to the importer. Then means of payment with Letter of Credit (L / C) issuing bank, provided that the L / C importer pays or accepts draft receipt of bill of lading and other documents. Furthermore, importers remove goods from the port. If for any reason on the importer is unwilling to pay or approve a draft (draft), a Bank or a non-Bank Financial Institution that buys or provides a guarantee of negotiable bill of lading can collect goods from the port and sell them on the free market. If the amount of the proceeds is not sufficient to cover the loan amount, they may or may not charge the remainder to the exporter. This depends on the terms of the bill of lading guarantee agreement that has been agreed by both parties previously. 10

¹⁰ Tjarsim Adisasmita, Menangami Trnsaksi Ekspor Berdasarkan Letter of Credit, PT. Puja Almasar Lestari Consultant (Palcons) Jakarta, 2007, p 162

F. CONCLUSION

Foreign trading activity with letter of credit payment method:

- 1. The usage and role of L/C in the foreign trading is: to make easy export transaction repayment, saving funds which is provided by importer to pay the goods and guarantee completeness of shipping documents. Basically there are three main things which should known all the parties both of importer, exporter and bank nor other related party that is: goods delivery flow, documents delivery flow and remittance or the payments.
- 2. Bank function as a mediator of foreign payment: in the activity of foreign trading or international trading both of export or import.
- 3. If the exporter needs the funds needed, exporter can "sell" mail delivery to bank or non-bank financial institution with discount price: with short-term financing guarantee commodity. The exporter who sell shipping mail transferring the ownership to the bank which gives the loan or purchasing of delivery document. The next funding disbursement process is the related bank or non-bank financial institution delivery shipping document, exporter draft and other documents to the importer.

G. Greeting Note

We thanked to the local government and central government in Indonesia. Thank you for the principal and subject which participated in the study which we're appreciates. The declaration of interest conflict: there is no author interest. Funding: This study did not receive donor grants.

The author contribution:

Cindawati: conceptual research, data collection, draft, manuscript review, interpreting of the result.

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Protection to Mandatory Licensee in State and Society Matters under the New Patent

Law

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Background:

The development of patents has now come to a massive stage. These developments make the

development of the economy to grow because it involves the use of patents and other

economic benefits. Therefore, we need a form of protection, especially the patent licensee

holder. Any act proven to match violations of intellectual property rules should be punished in

accordance with the provisions in the field of intellectual property.

Writing Methodology:

This paper uses qualitative deskriftive methods that propose common phenomena regarding

the new rules of patent. This method is enriched by interview approach. The data used is the

primary data in the form of sharper-invitation around intellectual property and secondary data

in the form of books about intellectual property. Writing purpose: The purpose of this paper

is to analyze any issues in the case of protection of patent holders whose rights would be

subtracted by the new Patent law. The new Patent Law should provide a solution for patent

holders not to be harmed.

Findings:

The finding of this study is that patent licensee holders are not yet protected and should be

protected through improvement of the 93rd incident with a deadline of 3 months.

Keywords: Mandatory License, Mandatory License Holder, Patent, protection, State

interest

71

A. Background

In modern times today is characterized by developments in various technologies that have been more advanced. Everyone can utilize the existing technology with ease to do business to meet the needs of his life. In addition, technological developments have caused the world to be without limit. Technological developments also cause rapid social change in society.

There are countries that strongly protect strictly controlled technology. Technology is an important element in the development of a country. Technology contributes greatly to fundamental changes in various aspects. So that all society both from the top, and bottom must have knowledge in the field of technology.

Technology needs to be developed by granting patents. A patent is an exclusive right granted by the state to the inventor of his invention in the field of technology for a certain period of time carrying on the invention himself or giving approval to another party to exercise it. One way of transferring technology is by way of a transfer of rights or licenses. The license agreement is closely related to the field of intellectual property rights, particularly in the case of patents.

License Agreement as permission granted by patent holder to other party pursuant to the right granting agreement to enjoy economic benefit from a patent. Licenses provide protection within certain periods and conditions for a patent utilization. The existence of such patent license makes a person or legal entity under an agreement has the right to enjoy the economic benefits of a patent which has been granted legal protection within a period of time and under certain conditions.

Law Number 13 Year 2016 on Patents has corrected the weaknesses in Law Number 14 Year 2001 regarding Patents. At least some points are included to fix the old regulatory weaknesses. One of the things that is improved is that patent examiners may be recruited from outside Directorate General KI. The examiner may come from both universities and research institutes who understand the basic technology transfer. It will speed up the process of patent registration by inventors or inventors in case of examination.

The fourth point in Law No. 13 of 2016 on **Patents** regulates provisions also concerning the implementation of patents by the Government with considerations relating to the defense and security of the state and the urgent need for the benefit of The government's patent public. implementation is conducted on a limited basis to meet domestic and commercial needs, including firearms, ammunition, military explosives, interception, tapping, reconnaissance, coding devices and password analysis tools, and other state defense and security equipment.

One of the issues in the field of patents protected by the Act is the issue of Licensed Patent Removal. The issue of the abolition of this patent is governed by Articles 130 to Article 141 of the Patent Law. As a result of the removal of such patents is of course very harmful to the patent holder. Therefore, the enforcement or legal protection against the abolition of patents must be supported by the Government and the community itself. Examples of problems in patent licensing include the hijacking or falsification of a patent invention resulting in the filing of a lawsuit to the Commercial Court from the patent holder and there is already a permanent legal decision that would result in the abolition of the patent.

B. Problem Identification

Based on the description of the above background, it can be formulated problems in this study as follows:

- 1. How is the legal protection of the Patent License under Law No. 13 of 2016 linked to the Patent Period?
- 2. How does the form of state guidance for the community related to the implementation of compulsory license is associated with Law Number 13 Year 2016? Usefulness Research

The usefulness of research obtained from the results of this study are as follows:

- 1. Theoretically, the results of this study are expected to be a contribution to the development of legal science, especially in the field of Intellectual Property Rights.
- 2. Practically, the results of this study may serve as a material and reference in the study of patents, in particular the Compulsory License and agreements in the Compulsory License.

In this thesis research, the author uses the research method as follows: The nature of research in this scientific paper descriptive analytical, ie research that describes the events being researched and then analyzed based on facts in the form of secondary data obtained from primary, secondary, and tertiary. Approach method used is approach of law and conceptual approach. The approach goes from the views and doctrines that develop in the science of law, the data used in this research is literature search in the form of literature and documents that exist, relating to the object of research. Therefore, the source of this study is secondary data, which includes primary law, secondary law materials and tertiary legal materials. In order to obtain good results that are objective scientific, accurate and reliable data will be required truthfulness of the results, then in this case the researchers obtain data by using data collection tool literature study, that is data collection from legislation, theories, opinions relating to the problem under investigation. From these data then analyzed and formulated as supporting data in this research.

The author prepares literature studies on the types of data and legal sources listed in number 2 (two) above. After the data collected, the authors will analyze the data and arrange it into a conclusion. Data analysis techniques used in this legal research using qualitative analysis. The qualitative approach is the approach that discusses the ways of analyzing the data collected by means or known legal analysis interpretation, as an authentic interpretation, grammatical interpretation, interpretation based on the history of legislation, systematic interpretation, interpretation of sociology, teleological interpretation, or functional interpretation.

A. Intellectual Property Rights

Intellectual Property Rights (hereinafter referred to as IPRs) or Intellectual Property Rights are equivalent words used for Intellectual Property Rights (IPR) or Geistiges Eigentum, in German. The term or terminology of Intellectual Property Rights (IPR) was used for the first time in 1790.

The laws on patents were then adopted by the British Empire in the TUDOR era of the 1500s and later was born the law of the first patent in the United Kingdom namely the Statute of Monopolies (1623). The United States has a patent law in 1791. The harmonization effort in the field of IPR first occurred in 1883 with the birth of the Paris Convention for patent, trademark and design issues. Then Berne Convention 1886 for copyright or copyright issues.

The objectives of the conventions are standardization, discussion of new issues, information exchange, minimum protection and right acquisition procedures. Wealth is an abstraction that can be owned, transferred. bought, or sold. The intellectual property is a wealth of all the production of intelligence power of thought such as technology, knowledge, art, literature, composition songs, caricatures, and others that are useful to humans.

So it can be concluded that IPR is a right derived from the results of a cretive activity capabilities of human thinking that express to the general public in various forms, which have benefits and useful in supporting human life, also has economic value that protects human intellectual works.

IPR system is a private right (private rights). A person is free to apply or register his intellectual work or not. The exclusive rights granted by the state to individuals of IPR perpetrators (inventors, creators, designers, etc.) are intended not to appreciate the work (creativity) and to

stimulate others to further develop it, so that with the IPR system the public interest is determined through market mechanism. In addition, the HKI system supports the establishment of a good documentation system of all forms of human creativity so that the possibility of generating the same technology or other works can be avoided or prevented. With the support of good documentation, it is expected that the community can use it maximally for their life purpose or develop it further to provide higher added value again.

Scope of Intellectual Property Rights

According to the World Intellectual

Property Organization (WIPO), Intellectual

Property Rights are usually divided into
two parts:

a. Copyright

Copyright is an exclusive right of the Creator which arises automatically on the basis of a declarative principle after a work is manifested in its tangible form without prejudice to restrictions in accordance with the provisions of legislation under Article 1 of Law No. 28 of 2014 on Copyright. Parties other than the creator are prohibited from exercising such rights unless obtaining permission from the creator or the person who owns the copyrights.

Copyright consists of economic rights is the right to obtain economic benefits over the creation and related rights products and moral rights is an inherent right of the creator or the perpetrator who can not be eliminated or removed for no reason whatsoever.

Copyright is considered a moving object. Copyright may be transferred because of inheritance, grant, testament, written agreement, or other reasons justified by laws and regulations.

b. Industrial Property Rights

One form of Industrial Property rights is patents.

Article 1 of Law no. 13 of 2016 on Patents states that a patent is an exclusive right granted by the state to the inventor of his invention in the field of technology for a certain period of time to carry out the invention himself or to give consent to the other party to carry it out. The definition of the patent renews the understanding of the patent in Law no. 14 Year 2001 regarding Patent (hereinafter referred to as the old Patent Law).

The old Patent Law defines a patent as an exclusive right granted by the State to the Inventor or his invention in the technology field, for a certain period of time to exercise the invention himself or to give consent or permission to the other party to carry out the invention.

Pursuant to the Patent's definition that a Patent is an exclusive right granted by the state to the inventor for a specified period of time, the Patent is held by the inventor (patent holder) so that one or other party shall not do anything to the patentable invention without the permission of the patent holder. Patents become exclusive because of this special right at first Patents as well as Copyright are often regarded as part of individualism.

Patents According to Positive Law in Indonesia

Patents or octants have existed since the XIV and XV centuries. For example in Italy and the UK. But the nature of the granting of this right at that time was not aimed at a finding or invention but preferably to attract experts from abroad. It means that the experts will stay in the countries that invite them to develop their respective expertise in the country of the inviter and aim to promote the citizens of the country concerned. So, the patent or oktroi is a kind of "resident permit".

It was not until the sixteenth century that patent / octogenation was granted to findings in Venetian, British, Dutch, German, Australian and other countries. Then through the development of time and technological advancement, especially in the twentieth century, the nature of the patent / octogen is no longer as a gift, but rather the giving of a right to a finding it obtains. Such developments occur in the countries of North America and South America. Later in the United States, a Patent Act which expressly changes the

nature of the patent / octet. Then followed by countries like England, France, Netherlands, and Russia. Now in the twentieth century patent law regulations almost cover all countries including Asia.

In Indonesia this patent arrangement commences from the date of the understanding of the Patent by Octroiwet 1910. "A patent is a special right granted to a person upon his or her application to that person who creates a new product, new way of work or new improvement of the product or of the workings."

While the definition of Patents according to Indonesian General Dictionary written by W.J.S Poewadarminta mention:

"The word Patent comes from the European language (patent / ocktroi) which means a commercial letter or permit from the government stating that a person or company may make his own income (others may not make it)."

From the understanding according to the law and the above understanding can be concluded that the patent is the right for someone who has got a new discovery or new way of working and improvement. The whole term is covered in a single word, the "invention" in technology provided by the government; and to the right holder allowed to use his or her own permission to transfer the use of that right to others.

1. Patent Objects

Patent has object to invention or invention or also called invention in technology which practically can be used in industrial field. Understanding the industry here not only to certain industries but in the broadest sense including the results of technological developments in the agricultural industry, industrial fields of animal husbandry technology, and even industry in the field of educational technology.

R.M. Survodiningrat in his book entitled "Multifarious Ownership of Industry" object of patent in that the accordance with the content of the agreement of Strasbourg (1971). The Agreement divides the patent object into eight sections. The seven sections of which are as follows: Section A (Human Needs); Section B (Works); Section C (Chemistry and perlogaman); Section D (Textile and Ε Percentage); Section (Fixed Construction); Section F (Machinery); Section G (Physics); Section Η (Electricity).

2. Patent Subject

The subject of patent is governed by Article 10 of the Patent Law. 13 of 2016 stating that the patent subject is:

1) The person who created, innovated or further accepted the right of the inventor concerned.

- 2) A collection of persons who jointly create, innovate or further receive the relevant inventor's right.
- 3) A person or persons who are for the first time declared as inventors in the application (pursuant to Article 11 of the Patent Law).

Here we see the nature of the material rights attached to the patent. There is a "droit de suite" nature. While the meaning of the product includes tools, machines, composition, formula, product by process, system and others. Examples are stationery, eraser, drug composition and ink. Referred to as process includes process, method or usage.

Patent License

In the practice of patent application in Indonesia quantitatively it can be explained that there are few domestic patent applications, besides the largest number from abroad. This shows that the ability of Indonesians to produce new inventions that can obtain patents has not shown an encouraging figure.

In such circumstances, to support and accelerate the pace of industrialization, licensing agreements are very important. The entry of patents and the birth of various licensing agreements is a logical consequence of the enactment of patent law, moreover, it is part of the globalization of the world economy. The state of Indonesia is ambitious to become

an industrial country should have this license agreement as much as possible. In Patent Law Number 13 Year 2016 this license agreement is stipulated in Articles 76 through Article 80.

In the case of a government licensing agreement it should involve economic and political experts, especially international economic and political experts. The choice for the license agreement is not solely on the consideration of a momentary national economic interest, but for a long period of time, as well as making this country authoritative in the eyes of the world. Thus for the long term will attract foreign inventors to invest in this country.

Mandatory License

Compulsory License shall be regulated in Article 81 through Article 107 of Law no. 13 of 2016. In Article 82 paragraph (1) of Law no. 13 of 2016, the Compulsory License is a License to carry out the Patent granted based on the Minister's Decree on the basis of the petition for the following reasons:

a. The Patent Holder shall not perform the obligation to manufacture the product or use the process in Indonesia as referred to in Article 19 paragraph (1) within 36 months of being granted a Patent;

b. The patent has been executed by the Patent Holder or the licensee in the form

and in a manner that harms the public interest; or

c. Patent of the development of a previously awarded Patent shall not be executed without the use of another patent on protection.

Legal Protection Against Patents

The national laws governing the protection of patents and their ratification shall be conducted by the People's Legislative Assembly of the Republic of Indonesia (hereinafter referred to as the DPR). Legalization of the House has important symbolic meaning. Ratification of the People's Legislative Assembly means the granting of juridical certainty to a law. Legalization of the House also contains a record of legal development in various fields that developed in the community. Therefore, the Protection of inventors and patent holders also need to be ratified in the form of legislation.

Patent protection is important to inventors and current patent holders. This is because patent protection can motivate inventors to improve their work in quantity and quality. Patent Protection encourages the welfare of the nation and creates a healthy business climate. The endorsement states that all inventors and patent holders require a national patent protection system regulated in a law.

One of the matters governed by the Patent protection is the validity of the Patent. The

regulation of the validity of patents in each country varies depending on the provisions of the applicable law in the country concerned. Some countries provide patent protection for 5 years, 10 years, 15 years to 20 years under the positive laws of each country.

The duration of protection for different types of patents. The protection period for the regular patent type is 20 years. The period for a simple patent type is 10 years. The protection time for these types of patents can not be extended. Therefore, patent protection ends in the absence of payment of patent application fees for three consecutive years. Patent holder who does not pay patent application fee; the patent shall be declared null and void as of the date of expiration of the payment obligation.

The number of good applications filed, the application patent granted by Directorate General of Intellectual Property (DJKI) is indeed increasing year by year. The number of applicants for Patents currently amounts to more than 7000 applicants. The largest number of Petitioners is foreigners at this time. Applicants from local industries, research institutes, universities, and individuals still can not reach one-tenth of the total. The number of local patent applicants (industry, research institutes, universities, individuals) is still a bit proof of technological

developments in Indonesia still in the stage of using and enjoying.

Technological developments do not seem really take advantage of patent property as well. intellectual Patent management by the Directorate General of Intellectual Property (DJKI) has not been well inventoried and coordinated between the institutions with each other. This, when associated with the patent authority abroad (individual countries), is still not very well connected. Patent development through technology mapping (tracking patent information system in network) has not been realized.

Searching for patent information systems in the network (online) is a step further in order to answer the needs of better technological developments. The national patent protection system owned must be continuously improved.

Basic Principles of Patent Protection

Legal protection of inventions through patent protection is a very strategic step for further inventive inventiveness in trade activities, therefore Indonesia adopts a first to file system, which is a patent with the mechanism that a person first filed for registration, will first be filled with his petition.

The patent registration system in Indonesia uses the first to file system, which causes an invention or invention has been filed for patent will get legal protection since the receipt of the patent application, since the first to file system states that the date of receipt of the patent is the date the Directorate General of IPR receives the patent application letter which has met the minimum requirements, namely in the form of compliance with administrative requirements. It is intended to facilitate the applicant in obtaining the acceptance date which is very important for the status of the application as it will determine since when the invention gets legal protection.

Regarding the filing date of filing of the patent application is regulated in articles 30 and 31 of Law no. 13 of 2016 stating that the date of receipt of the patent is the date on which the Directorate General of IPR receives a letter of application that meets the minimum requirements and after the payment of the patent application fee by the person concerned. This is intended to facilitate the applicant to obtain a date of acceptance which is very important for the status of the application because the system used is first to file.

Patent Protection Protection System

Article 24 of the Patent Law states that a Patent is granted upon request. The application as referred to is submitted by the Applicant or his proxy to the Minister in writing in Bahasa Indonesia by paying a fee. Each Application shall be submitted for one invention or several inventions which constitute a unified entity of

invention. Such applications may be filed either electronically or non-electronically. The description of the invention as mentioned above should clearly and fully disclose how the invention may be carried out by a person skilled in the art.

Patent Granting Process

Announcement of the grant of the patent shall be made within 18 months from the date of receipt, while in the case of a simple patent shall be made within a period of 3 months from the date of receipt. Announcements may be made earlier upon the request of the applicant at an additional cost. Announcement is made for 6 months the date of commencing from announcement of ordinary patent application or for 3 months commencing from the date of announcement of a simple patent application.

Announcement shall be made by placing it in the Official Patent Gazette published periodically by the Directorate General and / or assigning it to a special facility provided by the Director General which is easily and clearly visible to the public.

The public may view the announcement and may lodge in writing their views and objections to the request concerned by stating the reasons.

Administrative Examination and Substantive Examination

Once the application file is received, the next procedure is an administrative check.

If the administrative requirements have deficiencies, then the applicant is required to complete them. In case the administrative requirements are declared complete or have been deficient in a period of three months, the Directorate General of Intellectual Property Rights will give an announcement of an opposition opportunity within six months.

The next procedure is the request for a substantive examination, if the applicant does not submit a request for a substantive examination to the Directorate General of IPR, then the application for patent registration shall be deemed withdrawn. Whereas if the applicant submits a request for a substantive examination, then the party from the Director General of IPR will conduct a substantive examination of the application for the patent application. Substantive examination is done with a period of maximum 36 months.

After substantive examination, found that there is a requirement that is not fulfilled by the applicant to be granted a patent on the invention, then the application for patent registration will be rejected by the Directorate General of Intellectual Property Rights and the applicant may make other legal efforts to obtain patent approval for his invention. Meanwhile, if after substantive examination and declared to have fulfilled the requirement for the granting of patent, the HKI Director

General will approve the application for the patent registration which is stated by the granting of the patent certificate on the invention.

A. Patent Proprietary Legal Protection In a Compulsory License

Requests for compulsory licenses may be filed by each party to the Directorate General of Intellectual Property (DJKI) after 36 months from the date of grant of the patent. The application for a license shall be made on the grounds that the patent is not implemented or implemented not fully in Indonesia. It is intended that the invention is not stored and utilized and keeping the patent not degenerated into an controlling device without import stimulating the economic and industrial development of the patenting country.

A compulsory license may be executed if it meets the following conditions and conditions:

- 1) The patent within 3 years from the date of grant of patent is not executed in Indonesia by the patent holder, whereas the opportunity to conduct itself commercially should be taken.
- 2) The person making the request may show convincing evidence that:
- a. Ability to carry out the relevant patent in full;
- b. Have its own facility to carry out the relevant patent as soon as possible;

c. Has taken steps within a sufficient period of time to obtain a license from the patent holder on the basis of reasonable conditions but not obtain results.

According to Article 83 of Law No. 13 of 2016 on Patents, the request for compulsory licensing may be made by the patent holder itself on the ground that the exercise of his patent may not be possible without infringing on another existing patent. The decision on the granting of a compulsory license from the Directorate General of Intellectual Property shall contain the following provisions:

- 1) Non-exclusive compulsory license;
- 2) Reasons for granting compulsory licenses;
- 3) Evidence, including explanations or explanations that are believed to be compulsory licensing;
- 4) Mandatory license period;
- 5) The amount of royalty fee to be paid by the licensee to the holder of the patent and the payment method;
- 6) The compulsory license is primarily used to meet the needs of the domestic market;
- 7) Others necessary to safeguard the interests of the parties concerned fairly.

Patent Proprietary Legal Protection In a Compulsory License

Article 1 number 11 of the Patent Law defines a license as a permit granted by the patent holder to another party under a

rights granting agreement to enjoy the economic benefits of a patent granted protection within a certain time and condition. In addition to the licensing agreements, the transfer of patents may be made through an appropriate compulsory license under Article 81 of the Patent Law as a license to carry out a Patent granted under the decision of the Directorate General KI on the basis of an application to carry out a patent that has been protected.

The exclusive right of patent for the license holder shall be limited to the period stipulated by the Directorate General of KI. This exclusive right is non-transferable, except due to inheritance which remains bound by the terms of its grant and other provisions, especially regarding the period of time, and must be reported to the Directorate General of KI to be recorded in the General Register of Patents and published in the Patent Official Gazette.

License shall be executed on the basis of the decision of the Directorate General KI on the basis of a request from each party to exercise the relevant patent after a 36 month period commencing from the date of grant of the patent by paying the fee, on the grounds that the relevant Patent is not executed or executed not fully in Indonesia by the Holder Patent. Requests for Compulsory License may also be filed at any time on the grounds that the Patent has

been executed by the patent holder or licensee in the form and in a way that harms the public interest.

Legal protection of exclusive rights of patent holders against compulsory licenses in the provisions of the Patent Law is affirmed that compulsory licenses may be terminated pursuant to Article 103 due to the completion of the stipulated time period or due to cancellation. With the termination of compulsory license, then Article 106 results in the recovering of the rights of the holder to the patent as of the date of its registration. In addition, in the event that the patent holder's license does not agree to the amount of remuneration stipulated by the Government, the patent holder may file a lawsuit to the Commercial Court.

In order to protect the patent holder, strict action by the government in preventing the occurrence of patent infringement may be a compensation for the patent holder that has been used by another party without the permission of the patent holder, and ordering the offender to stop the activities of producing the patented goods, and the government shall immediately issue a Government Regulation as a regulation on the implementation of patent licenses. Subsequently, the parties to the transfer of the patent shall be laid down in the notarial deed, then for the sake of perfection of the treaty should be made before the notary

public as the general official of the authentic deed deed.

Governance by the Government by Positive Law in Indonesia

According Sahardjo, Minister of Justice in President Soekarno's Cabinet the meaning of this auxiliary theory is (Bachsan Mustafa, 2003: 64):

"That the law functions to protect or protect people in society and nation and state, both soul and body as well as their personal rights, namely their human rights, material rights and individual rights and give prisoners in prison during their sentence, they are returned to society to be a useful person, having been provided with the knowledge and skills to be able to do practical work in society."

In the perspective of Intellectual Property, the objective of law based on the ideology of Pancasila is to manifest human protection by passively protecting human beings by preventing arbitrary and active actions by creating humane conditions of society that enable the process of society to take place fairly so that every human being equally a broad and equal opportunity to develop all of its human potential as a whole.

The legal objective according to Suhardjo is to actively safeguard the interests of human beings (obtaining socially human conditions in a fairly natural process) and passively (seeking the prevention of arbitrary acts and misuse of rights). They include: realizing order and order; realizing true peace; realizing justice; and realizing the social welfare and social justice as long as it does not violate the rights and harms others without fear of freely doing what is right; freely can develop talents and interests; and freely feel always treated fairly.

Legal protection is an essential element in the formation of the state. Any formation of a state requires laws to regulate citizens. Article 1 Paragraph (3) of the 1945 Constitution states: Indonesia establishes itself as a state law. Legal protection is an essential element within the state. Legal protection also emerges as a consequence in the rule of law. Legal protection requires forms and formulations to enforce the law. Therefore, it takes a place and a container in the implementation called the means of legal protection.

There are two kinds of legal protection. The legal protection facilities are means of preventive legal protection and repressive law protection facilities. Preventive legal protection is a form of protection in the form of legal subjects given the opportunity to file an objection or opinion before a government decision gets a definitive form. The purpose of preventive law protection is to prevent the occurrence of disputes.

The provision of Article 1 point 8 of Law Number 31 Year 2014 concerning the Protection of Witnesses and Victims determines that repressive legal protection is any effort to fulfill the right and provide assistance to provide a sense of security to witnesses or victims conducted by LPSK or or other institutions in accordance with the provisions of this law. Repressive legal protection is a form of final protection in the form of penalties, imprisonment, and additional punishment given in the event of a dispute or an offense has been committed. On means of repressive protection aims to resolve disputes.

The embodiment of preventive legal protection means is contained in the rules on Intellectual Property (KI), for example Law No. 13 of 2016 on Patents. These legal protections relate to the exercise of the rights and obligations of patented technology discovery. The existence of legal protection, the inventor can carry out his findings with a feeling of security. On the other hand, the inventor shall perform the obligations with regard to its findings in accordance with applicable laws and regulations.

Protection against invention is provided by request. The inventor submits a patent application for the findings. How to apply for a patent is as contained in Article 24 of the Patent Act No. 13 of 2016. The law provides for the requirements to be

fulfilled when registering its findings. Patented inventions where they meet the following conditions:

- 1) The new discovery is not the same as the previous technology.
- 2) Technology which is a technology announced in Indonesia or outside Indonesia to enable an expert to carry out the invention.
- 3) The technology submitted in Indonesia after the date of receipt of the substantive examination of the findings is underway.

The terms of the patent application are preventive protection under the Patent law. Patent preventive protection not only arises from the rules, but also caused by the legal culture of society. The legal culture of society raises legal awareness. Because when a law has been passed, then the public is considered to know the existence of the law. The inventors should be aware of the benefits that the law provides for its findings.

Legal Protection Against Patent License under Law Number 13 Year 2016 is associated with Patent Period

Legal protection is an effort regulated by law to prevent abuse and abuse. A violation of the rule of law must be prosecuted. In the opinion of the author, patent protection is important to inventors and patent holders at this time. This is because patent protection can motivate inventors to improve their work in quantity

and quality. Patent Protection encourages the welfare of the nation and creates a healthy business climate. Patent protection is one form of legal protection.

The author may state in this article that patents are laws composed of a combination of sub-systems of law. The sub-systems in question are as follows:

1. Subject of protection

The subject of patent is governed by Article 10 of the Patent Law. 13 of 2016 stating that a patent subject is a person who creates, innovates or receives further the rights of the relevant inventor or collection of persons who collectively create, innovate or further receive the relevant inventor's right.

2. The object of protection

Patent has object to invention or invention or also called invention in technology which practically can be used in industrial field.

3. Registration of intellectual property protection

The patent registration system in Indonesia uses a first to file system, which causes an invention or invention has been filed for patent to obtain legal protection upon receipt of the patent application.

4. Duration of protection

The duration of protection for different types of patents. The protection period for the regular patent type is 20 years. The period for a simple patent type is 10 years.

The protection time for these types of patents can not be extended.

5. Legal protection measures

Patent protection ends in the absence of payment of patent application fee for three consecutive years. Patent holder who does not pay patent application fee; the patent shall be declared null and void as of the date of expiration of the payment obligation.

The Patent Law contains a patent protection system in national law. The Patent Law is the result of the Indonesian adaptation to the legal protection system agreed upon in international conventions. This form of legal adaptation is a form of adjustment of national law by arrangement in international convention. The same legal protection between countries signing international conventions will occur in the field of intellectual property.

Patent protection may be granted to an invention registration. after Patent registration becomes the primary basis for the laying of legal protection for patent holders. The provisions of the Patent Law that every invention state must be registered. Registration that meets the of requirements the law is an acknowledgment of the justification of a person's intellectual property as evidenced by a registration certificate so as to obtain legal protection.

Forms of State Protection for Communities Related to Compulsory License

The TRIPs Agreement as the main legal basis for the enforcement of International Cooperation Agreement shall determine the guidance on the enforcement of KI in each country of ratification. The authors' opinion in this regard, the implementation of patents by the government is based on the consideration of the existence of an urgent need for the community of a patent in the field of pharmaceutical products necessary to tackle widely spread diseases, agricultural chemicals, and veterinary medicines to cope with animal pests and diseases widely spread. This need requires quick response from the government. This necessity urges the government to open a "monopoly right" over a patent KI. Patents must not be maintained "monopoly rights" so that greater needs can be met. A recent example of the use of such Patents is in government action against antiviral and antiretroviral drugs.

The government's patent is also in the field of defense The and security. implementation of patent the by government in the field of defense and security has occurred in Indonesia is the implementation of patent in the field of rocket and ALUTSISTA development. The development will be used to develop weapons healed within the framework of national defense.

The author's opinion in the foregoing description indicates that, even though the TRIPs agreement provides protection in the form of exclusive rights of the Patent Holder. However, if the demands of the needs of the community are urgent it will enable the patent to be implemented by the Government in Indonesia. As a follow-up of the provisions in Indonesia has set a set of provisions the governing implementation of patents by the government.

Conclusion

- 1. Patent protection may be granted to an invention after registration. The patentable shall have inventions novelty applicable properties in the industrial world. Inventions that have been patent protected may expire due to the expiration of the patent protection period, the removal of patents, and the implementation of patents by the government. The form of protection granted by the Law to the licensee if the patent is removed is the holder / recipient of the license is not obliged to forward the royalty payments that should still be made to the rightful patent holder.
- 2. Possible implementation of patents by the government as a follow-up of the provisions national that open the opportunity of national provisions governing the patent itself. Indonesia has established a series of provisions

governing the implementation of patents by the government. However, until now the implementation of patents by the government has not been optimal because since the promulgation of TRIPs patent agreement implemented by the new government is limited to antiviral and antiretroviral drugs.

Suggestion

- 1. Licensee shall pay royalty fees in the event that the patent holder has received at the same time the royalties from the license holder / receiver.
- 2. Inventor or patent holder to register his invention or findings to the Directorate General KI to obtain patent protection upon his findings.

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EFFECT OF ENTREPRENEURSHIP, SOCIAL CAPITAL AND MARKETING COMMUNICATIONS TO INCREASE THE SALES OF MOTORCYCLE PRODUCTS IN MATARAM CITY

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Abstract. The phenomenon of low interest and motivation of Indonesian youth to entrepreneurship today become serious thinking of various parties, both government, education, industry, and society. Various efforts are made to cultivate entrepreneurial spirit, especially changing the mindset of the youth who have been interested only as job seekers (job seekers) when they later finish their school or college. Entrepreneurship education not only provides a theoretical foundation on the concept of entrepreneurship but shapes attitudes, behaviors, and mindset (mindset) of an entrepreneur (entrepreneur). It is an investment of human capital to prepare for starting a new business through the integration of essential experience, skills and knowledge to develop and expand a business. Attitudes, behaviors, and interests toward one's entrepreneurship are influenced by consideration of various aspects of career choice as an entrepreneur or entrepreneur. This study examines and examines the marketers who have strong entrepreneurial spirit, then have broad social capital, and have good marketing communication skills. If all three of the above have been owned by a person who has a passion in entrepreneurship, especially the marketing personnel in the Yamaha automotive dealership, it will automatically berpengaruh to increase the number of sales of Yamaha motorcycles, especially in the city of Mataram. The approach used is quantitative descriptive method. Data collection techniques using questionnaires to respondents to be answered.

Keywords: entrepreneurship, social capital, marketing communications, sales increase

I. INTRODUCTION

The phenomenon of low interest and motivation of Indonesian youth to entrepreneurship today become serious thoughts of various parties, both government, education, industry, and society. Various efforts are made to foster entrepreneurial spirit, especially changing the mindset of the youth who have been interested only as job seekers (job seekers) when they later finish their school or college. Entrepreneurship education not only provides a theoretical foundation on the concept of entrepreneurship but shapes attitudes, behaviors, and mindset (mindset) of an entrepreneur (entrepreneur). It is an investment of human capital to prepare for starting a new business through the integration of essential experience, skills and knowledge to develop and expand a business. In undertaking the entrepreneurial profession, a person must also have the skills, namely entrepreneurship, social capital and marketing communications, social capital means that one's ability in fostering good relations with the community around as well as the ability to interact with the environment of residence and at work. Strong social capital will encourage innovation which is then disseminated into the business community and or entrepreneurial community through individuals and groups, resulting in increased sales in marketing the products of competitive Yamaha motorcycles, and can support the economic activities of the community. A marketer, must have a high entrepreneurial spirit in designing, creating, and communicating products to customers or prospects. A marketer is not enough to just have social capital and communicate well. However, marketers must also be able to interact with everyone in their environment or within their community members. Yamah as one of the largest motorcycle manufacturers in Indonesia, has successfully marketed or sold its products to customers or to consumers who exist throughout Indonesia. As one of the top automotive companies that continue to grow and innovate in Indonesia, both in terms of products, services and ideas in competitive strategy. Yamaha continues to expand or expand its network in Eastern Indonesia. Particularly in the city of Mataram Nusa Tenggara, Yamaha has grown in 13 places or 13 strategic locations. The list of locations Yamaha dealers in the city of Mataram which became the center or object of research for researchers are as follows:

Table: Name of Yamaha Motorcycle Dealer in Mataram City

No	Dealer	Lokasi	Telp/Fax	
1	Adhi Motorcycle	Dr. Wahidin Street 58, Rembiga, Mataram	Telp/Fax. 0370 641640	
2	Cahaya Abadi Motorcycle	Pejanggik Street 65 – Pajang	Telp. 37649368	
3	Mayura Motorcycle	Selaparang Street 47D	Telp. 37620155,	
4	Mitra Motorcycle	Selaparang Street 98/ Sandubaya Blok A No. 20	Telp. 3767240,	
5	Rinjani Motorcycle	Bandara Selaparang Square, Adi Sucipto	Telp/Fax. 037624 525,	
6	Roda Motorcycle	A.A Gede Ngurah Street 77 (Abian Tubuh)	Telp. 37637070,	
7	Roda Motorcycle	Saleh Sungkar Street - Ampenan	Telp. 37646031	
8	Roda Surya Motorcycle	Raya A. Yani Street Sayang-Sayang	Telp./Fax -	
9	Serba Mulia Auto Motorcycle	Langko Street No. 29 Dasan Agung Mataram	Telp. 37624308	
10	SMK Muhamadiyah	Anyelir Street No. 2 - 4, Mataram	Telp. 0370 6624541,	
11	Sriwijaya Motorcycle	Sriwijaya Street, Nusatenggara Barat, Mataram	Telp. 0370 643304	
12	Sumber Karya I Motorcycle	A.A Gede Ngurah Street 1-5	Telp. 37625292	
13	Sumber Karya II Motorcycle	Sandubaya Street 88	Telp. 37672202	

Source: http://m.yamaha-motor.co.id

From the above list of Yamaha dealerships, almost all of marketing sales or marketers are active in discussions related to how the entrepreneurial spirit, social capital and marketing communications that they have been able to be a benchmark for other products and marketers to imitate the marketers in Yamaha products. From the brief description above, and on the basis of the definition that the character of entrepreneurship, the strength of social capital and expertise in marketing communications, the researchers are interested in taking the title "The Influence of Entrepreneurship, Social Capital and Marketing Communication Against Increased Sales of Yamaha Motorcycle Products in Mataram City". The formulation of the problem in this research is whether the entrepreneur, social capital, and marketing communications can increase sales of Yamaha brand motorcycle products in the city of Mataram?. Based on the background of the problem, problem identification, problem definition and problem formulation, the purpose of this study is to determine the factors that influence the increase of sales of Yamaha motorcycle products in Mataram City, and to know the performance of marketing personnel at Yamaha dealer Mataram city during this became the spearhead in the sale of various products manufacturers sepede Yamaha motor. While the benefits of this research is to contribute to the Yamaha company, which is to apply the strategy to increase sales of Yamaha motorcycle products through three strengths owned by each of their sales force or sales force.

Understanding of entrepreneurship

Entrepreneurship is a decision maker that helps the creation of a free enterprise economic system, as a driver of change, innovation, and economic progress that will come Longenecker, et all (2001: 4). Understanding entrepreneurship according to Presidential Instruction No. 4 of 1995. "Entrepreneurship is the spirit, attitude, behavior and ability of a person in dealing with a business or activity that leads to searching, creating, applying work, technology and new products by increasing efficiency in order provide better service and gain greater benefits ". Meanwhile, according to Usman (2010: 15), entrepreneur is a person who dared to take risks, innovative, creative, and never give up, and able to deal with opportunities quickly. internalize, talent, engineering, and opportunities.

Understanding of Social Capital

Simple social capital is a capital built by trust between individuals, as well as mutual trust formed over long periods of time and with a winding process (Fukuyama, 2001: 1). Meanwhile, according to Louri in Coleman (2009: 415) social capital is "a collection embedded in family relationships and in community social organizations and which are beneficial to the cognitive and social development of children or youth, and can provide important benefits for the development of human capital, - children and adults ".

Understanding Marketing Communications

According to Kotler (2005: 249), marketing communication is a combination of five marketing communication models, namely:

- 1. Advertising: any form of presentation that is not done by the person and promotion of ideas, goods or services by the designated sponsor.
- 2. Sales promotion: various types of short-term incentives to encourage people to try or buy products or services.
- 3. Public relations and news: programs designed to promote or protect the image of the company or each of its products.
- 4. Personal sales: face-to-face interaction with one or more potential buyers with a view to making presentations, answering questions, and obtaining reservations.

5. Direct and interactive marketing: the use of letters, telephone, facsimile, e-mail, or the internet to communicate directly or request responses or dialogue with specific customers and potential customers.

In the opinion of other experts, Sutisna in Amir Purba et al (2006: 126-127), marketing communications is an attempt to convey a message to the public, especially consumers, on suggestions of improvement and differences in products in the market. Marketing communication is also a form of communication aimed at strengthening the marketing strategy to achieve broad segmentation (Soemanegara, 2006: 4-2). From some understanding of marketing communication above, in general marketing communication is the unification of 5 key elements of marketing in a regular planning that aims to deliver a message to the public that contains suggestions, product differences. Sales is an activity aimed at finding buyers, influencing and providing guidance so that buyers can tailor their needs to the products offered and enter into agreements on favorable prices for both parties (Moekijat, 2006: 488). Meanwhile, according to Kusnadi (2009: 19), the sale is the amount of money charged to the buyer on the goods or services sold. Sales represent the purchase of something (goods or services) from one party to another by getting the money from the party. Sales is also a source of corporate income, the greater the sales the greater the revenue earned by the company.

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Relevant research

This research refers to or adopt empirical research conducted by Natalia Avikma Manuk (2015), Nurita Andriani (2011), Fonna Heldiana Lily (2014) Agus Purtanto (2013) and Endi Sarwoko (2011), which emphasizes on social capital aspect, marketing communications, and increased sales. As for the difference of principle from this research with previous research concerning subject / location of research. Object and location of this research is Yamaha motorcycle dealer that exist in Mataram City.

RESEARCH METHODS

The location of this research is done in all dealers (13 dealers) Yamaha motorcycle products in the city of Mataram that sells Yamaha motorcycle products. This type of research can be classified as causality, or causality research. Causality research is useful to analyze between a variable with other variables, or how between one variable affects other variables. In this study, which will be analyzed is how entrepreneurship, social capital and marketing communications of Yamaha Motorcycle product provider in the city of Mataram. This research uses quantitative descriptive method with multiple regression approach, experimental research. Variables used in this study are dependent and independent variables. Dependent variable is Increased Sales of Yamaha Motorcycle Products. While the Independent variables are Entrepreneurship, Social Capital and Marketing Communications. Documentation technique is a data collection technique that is done by giving a set of questions or written statement to the respondent to be answered (Sugiyono, 2005). The survey using questionnaires for satisfaction contains a closed list of questions and respondents are asked to respond, by choosing the most appropriate answer among the answer choices prepared using Likert scale. In addition, data collection or information from the literature related to the research object was also collected. According Sugiyono (2013: 13-14) data analysis there are two that is qualitative and quantitative. Data analysis used in this research is quantitative analysis.

RESULT AND DISCUSSION

Discussion of Research Results

At this stage, we will describe the results of the research that has been done by a team of beginner lecturer researchers (PDP) implementation year 2017. With good facilities, we have conducted research in accordance with the mapping problem that we have made. Here are the results of the data we have previously finalized:

VARIABLES X1 Reliability Statistics

Cronbach's Alpha	N of Items		
,849	18		

Based on the table realibity statistic seen that cronbach's alpha of 0.849 which means that the instrument in this study is said to be reliable because it is above 0.600 (minimum standard value reliabelitas). Instruments have been reliable because the indicator used has been in accordance with real conditions or actually in the field when the researchers do supervise to some respondents. From the results of validity tests on entrepreneurial variables can be explained that most of the indicators used in entrepreneurial variables declared valid. This is evident from the 25 items of questions listed in the questionnaire, only 3 items are invalid. Means it can be concluded that entrepreneurial variables in this study have a significant influence on increasing motorcycle sales in the city of Mataram. The insignificance of marketers in Yamah motorcycles manufacturers in Mataram in serving, responding and making the marketing network has made public confidence growing towards the presence of motorcycle products in the middle of society as a means of transportation of choice.

As for social capital variable can be described the test results below:

VARIABLES X2
Reliability Statistics

Ttemaomi	j Bracistics
Cronbach's Alpha	N of Items
,882	20

Based on table realibity statistic seen that cronbach's alpha equal to 0,882 which means that instrument in research can be said reliable because it is above 0,600 (minimum standard value reliabelitas). In the table above, it can be interpreted that the social capital owned by the marketers (sales marketing) to its activities as the front guard of Yamaha motorcycle manufacturers can be made in the power in marketing Yamaha motorcycle products in the wider community. Social capital can be in the form of community where marketers live, community associations, and other forms of association, so it can be concluded that social capital is one of the most important things in the elements owned by the company in increasing its product sales. From the results of processing of research instruments above, found evidence that social capital owned by Yamaha motorcycle product marketers have a significant influence on the increased sales of Yamaha motorcycle products in the city of Mataram. This is evidenced by the power of community networks owned by most Yamaha marketers as well as other social networks, proved to increase sales of Yamaha motorcycles over the years. Thus, it can be concluded that the power of social capital owned by the marketers (sales marketing) can affect the increase sales of Yamaha products in the city of Mataram.

For normality test of this research we can present in the following table:

		X1	X2	Х3	Υ
N		12	12	12	12
Normal Parameters(a,b)	Mean	67,08	74,58	65,67	116,17
	Std. Deviation	2,778	3,450	3,114	11,816
Most Extreme Differences	Absolute	,238	,156	,168	,161
	Positive	,162	,078	,168	,123
	Negative	-,238	-,156	-,113	-,161
Kolmogorov-Smirnov Z		,825	,542	,582	,559
Asymp. Sig. (2-tailed)		,505	,931	,887	,913

So with a significance level of 5% found the conclusion that one dependent variable and three independent variables have normal distributed data.

Multicolinearity Test

Model			dardized ficients	Standardized Coefficients			Collinearity Statistics	
		В	Std. Error	Beta	t	Sig.	Tolerance	VIF
1	(Constant)	203,170	166,611		1,219	,257		
	X1	1,279	1,695	-,301	7,755	,472	,696	1,436
	X2	1,074	1,280	,313	5,839	,426	,792	1,262
	X3	1,238	1,529	-,326	6,809	,442	,681	1,468

There are some indications of multicollinearity if statistic F is significant but t is not significant, if R is relatively large but t statistic is not significant (Mulyono 2005). Multicollinearity is tested by calculating VIF (Varian Inflating Factor), if the VIF value is less than 5 then there is no multicollinearity.

Decision Making By Viewing VIF and Tolerance Values:

Seeing Niai Tolerance:

Hypothesis:

Ho: no multicollinearity occurs, if the Tolerance value is greater than 0.10.

Ha: multicollinearity occurs, if the Tolerance value is smaller or equal to 0.10. With a significance level of 5%

When looking at the statistical test:

If Tolerance value> 0,05 then Ho is accepted

If the Tolerance value <= 0.05 then Ho is rejected

When viewed from Niai VIF (Variance Inflation Factor), then:

Hypothesis:

Ho: no multicollinearity occurs, if the VIF value is smaller 10.00.

Ha: multicollinearity occurs, if the VIF value is greater than or equal to 10.00.

So the statistical test:

If the VIF value <10.00 then Ho is accepted

If VIF value is> = 10.00 then Ho is rejected

Based on the above SPSS output, it can be concluded that in this study there is no multicollinearity among independent variables in the regression model because telerance value> 0.1 and VIF <10. While multiple linear regression analysis from this research are:

Hypothesis to be tested

H1: entrepreneurial variables have a significant effect on increasing motorcycle sales

H2: social capital variable has a significant effect on increasing motorcycle sales

H3: marketing communication variables have a significant effect on increasing motorcycle sales

H4: entrepreneurial variables, social capital, marketing communications have a significant influence on the increase of motorcycle sales

Trial testing

For hypothesis H1, H2, and H3:

If the value of sig.t <0,05 then hypothesis accepted

If the value sig.t> 0.05 then the hypothesis is rejected

For hypothesis H4:

If the value of sig.F < 0,05 then hypothesis accepted

If the value sig.F> 0.05 then the hypothesis is rejected

As for social capital variable can be described the test results below Coefficients (a)

Model		Unstandardized Coefficients		Standardized Coefficients			Collinearity Statistics	
		В	Std. Error	Beta	t	Sig.	Tolerance	VIF
1	(Constant)	203,170	166,611		1,219	,257		
	X1	1,279	1,695	-,301	7,755	,005	,696	1,436
	X2	1,074	1,280	,313	5,839	,004	,792	1,262
	Х3	1,238	1,529	-,326	6,809	,003	,681	1,468

93

ANOVA (b)

Model	-	Sum of Squares	df	Mean Square	F	Sig.
1	Regression	176,896	3	58,965	34,347	0,000a
	Residual	1358,770	8	169,846		
	Total	1535,667	11			

This study uses multiple linear regression analysis to determine the effect of entrepreneurial characteristics, business capital, marketing strategy on business development. With the formula used is as follows:

$$Y = a + b1 X1 + b2X2 + b3X3$$

Type:

Y =sales of motorcycle products

X1 = Entrepreneurial Characteristics

X2 = Business Capital

X3 = Marketing Strategy

Furthermore, to see whether each significant regression coefficient will be used 5% significance level, this test is used to determine whether the independent variable has a significant influence on the dependent variable. With the statistical hypothesis formulated:

1. Ho: $\beta 1,2,3 = 0$ There is no influence of entrepreneurial characteristics, business capital, individual marketing strategy on business development.

Ha: $\beta 1,2,3 \neq 0$ There is influence of entrepreneurial characteristic, business capital, individual marketing strategy to business development

2. Ho: $\beta 1,2,3 = 0$ There is no influence of entrepreneurial characteristics, business capital, marketing strategy simultaneously on business development.

Ha: $\beta 1,2,3 > 0$ There is an influence of entrepreneurial characteristics, business capital, marketing strategy simultaneously to business development.

The basis of the above decision is the probability (sig)> 0.05 then Ho accepted Probability (sig) < 0.05 then Ho is rejected. Thus, the regression equation for the predicted development of yamaha motorcycle sales is:

$$Y = 203,170 + 1,279 X1 + 1,074 X2 + 1,238 X3$$

The result of multiple regression calculation shows constant value of 203,170 with t arithmetic equal to 1,219 or sig 0,257 bigger than alpha 0,05, hence coefficient of constant significant. The regression coefficient of entrepreneurial characteristics of 1.279 with t arithmetic of 7.755 or sig 0.004 is smaller than alpha 0.05, then the regression coefficient of entrepreneurial characteristics is significant. For social capital regression coefficient of 1.074 with t count equal to 5,839 or sig 0,004 less than alpha 0,05, hence coefficient of social capital signifikan. Sedangkan marketing communication coefficient equal to 1,238 with t count equal to 6,809 or sig 0,003 bigger than alpha 0,05, then marketing communication coefficient is not significant. Based on data processing using SPSS show the value of F calculate of 34,347 and sig 0,000 condition seen that the sig value is smaller than alpha 0,05. The conclusion that can be drawn is the coefficient of determination is significant, and the coefficient of multiple regression is significant. So obtained the following, namely: The first hypothesis in a study conducted on Yamaha motor dealers in the city of Mataram is to determine the effect of entrepreneurial characteristics factors on sales of motorcycle products yamaha. The results obtained showed that there is a positive influence and significant factors of entrepreneurial characteristics of sales of Yamaha motorcycle products in the city of mataram. To achieve the increase in sales as expected an entrepreneur has the ability to continue to innovate to find new things so as not to be left behind with the development of products in the market and always have the desire to be able to compete with the advantages possessed, able to manage the workforce that will have a loyal labor and have a high productivity and dare to be responsible with the resulting goods which means brave entrepreneurs bear the quality of goods produced dare to accept maukan and challenges to the goods produced.

Furthermore, the second hypothesis of the results of research conducted shows there is a positive influence and significant social capital factors to increase sales of motorcycle pruduk in the city of mataram. Social capital in question is the social capital used in supporting the business and the ease of getting the sale. The greater the capital used and the easier it will be to obtain social capital will result in increased business development. And the third hypothesis of the research conducted shows there is a positive but not significant effect of marketing communications to increase sales, this is because the products sold by yamaha dealers are

not marketed directly to the market or to consumers, so it does not require marketing strategy, the resulting product sold to the merchant or to the stores where the merchant who purchased the product gave the label and packaging according to the size or weight of the consumers. Under these conditions, the entrepreneurs do not need labels, packaging or other promotions as well as pricing, so the results are not significant. And the fourth hypothesis of this research is Factor of entrepreneur characteristic, social capital, and marketing communications proved together or (simultaneously) have a significant influence to the increase of motorcycle sales in Mataram City. Thus the three factors are things that should get the attention together to increase sales, although in the analysis results obtained that all factors affect the increase in sales of motorcycle products.

To optimize the results of this research, efforts have been made to make the outcomes of this research useful for users, in this case the customers of Yamaha motorcycles. One of the series of activities is to conduct surveys or supervision in the field. This is related to the questionnaire used to analyze the effects associated with the variables used in the study.

Conclusions

The conclusion of this research is obtaining data that has been through the process of processing accurately with the following results:

- a. The existence of a positive and significant influence between entrepreneur, social capital and communication skills in the field of marketing to increase sales of motorcycle products in the city of Mataram
- b. The occurrence of consumer knowledge of what, why, when, how, and who became the front guard or spearhead in mempasarakan superior product of motorcycles in the city of Mataram.
- c. It is proven that marketers in charge of mobile or move to market Yamaha motorcycle products must have skill or skill, each of which is the ability of self-employment soul, the power of social capital and communication ability in marketing or marketing motorcycle product, especially in marketing area of Mataram city.

It is hoped that in this research the creation of a good emotional relationship between the users or stakeholders (Yamaha motorcycle customers) with the Yamaha dealers or distributors in each Yamaha dealer branch in several places in Mataram City.

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The Utilization of Vegetable Waste Fermentation on Fat Percentage of Sei Putih Sheep (Hair Sheep)

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ABSTRACT

This study aims were to know the effectiveness of the vegetable waste fermentation in feed to fat percentage of Sei Putih sheep (*hair sheep*). The research was conducted in Biological Laboratory Animal Husbandry Program Studies of Agriculture Faculty University of North Sumatra in June-September 2016. The design used was completely randomized design (CRD) with 5 treatments and 4 replications, by using 20 rams local weaning with an average of 13.4 ± 1.2 kg/head. Treatment with different levels of fermented vegetable waste consists of P0 (100% forage without waste vegetable fermentation + concentrate); P1 (75% forage and 25% fermented vegetable wastes + concentrate); P2 (50% forage and 50% vegetable waste fermentation + concentrate); P3 (25% forage and 75% vegetable waste fermentation + concentrate); P4 (100% vegetable waste fermentation + concentrate). The parameters studied were heart fat percentage, kidney fat percentage, subcutaneous fat percentage and pelvis fat percentage.

The results showed that the treatment effect significantly different (P<0.05) on the subcutaneous fat percentage and kidney fat percentage, and provides highly significant effect (P<0.01) on the pelvic fat percentage and heart fat percentage. The conclusion of this study is the utilization of waste vegetable fermentation can be used as an alternative feed for local sheep and a positive influence on lowering heart fat, pelvis fat, kidney fat and subcutaneous fat.

Keywords: Waste Vegetable Fermentation, EM4, Fat Percentage, Sei Putih Sheep (Hair Sheep)

INTRODUCTION

Sheep farming is very potential to be developed, the main product of the farm is the meat that is expected to prevent the decline in the supply of animal protein sources. Sheep farming is very dependent on the availability of feed. Feed is an important factor in the maintenance of sheep. Forage is the

main source of feed for sheep that determines the success of the farm. As it is known that forage productivity is seasonal where during the rainy season the availability of forage is abundant, but in the dry season the availability of forage is very little even none so that sheep breeding can decrease its productivity. To overcome these problems need to be made an

alternative feed search for replacement forage in the dry season.

In this case vegetable waste is an option that can be used as alternative feed. Vegetable waste can be found around the vegetable plantation or in the market place to sell. Vegetable waste is part of vegetables that can't be used or discarded. Market waste contains many organic materials such as vegetables, fruits, and foliage as well as inorganic materials such as plastics. However, the more likely to be used as a substitute for forage for animal feed is vegetable waste, because in addition to its abundant availability, vegetable waste also has a relatively low water content when compared with fruit waste.

Vegetable waste has a low nutrient content that needs to be done first bv fermentation method. Fermentation is a process in which microbes play a role in changing the nutrient content of feed to increase. This is because the use of vegetable waste as feed ingredients in the ration should be free from anti-nutritional effects, especially anti-nutrients that can inhibit the growth of livestock. This fermentation technology is also a process of maintaining freshness of feed ingredients with 30-35% dry ingredients. Given vegetable waste has a high potential as alternative feed ingredients replace the grass for ruminant livestock, it is worth trying utilization in the form of fermentation, so that optimization of its utilization will be more clear.

MATERIALS AND METHODS

This research was conducted at Animal Husbandry Laboratory of Animal Husbandry Study Program Faculty of Agriculture, University of North Sumatra. This study lasted for 3 months starting from June to August 2016.

The material used is sheep hair sheep as much as 20 tail with an initial body weight of $13.4~\mathrm{kg} \pm 1.2~\mathrm{kg}$, feed ingredients consisting of forage, fermented vegetable waste and concentrate as reinforcing feed, rodalon as disinfectant and drinking water provided as well Drugs such as worm medicine (Kalbazen) and anti bloat for bloating drugs.

The research method used was experimentally using a completely randomized design (RAL) consisting of 5 treatments and 4 replications. The treatment provided is as follows:

- P0: 100% vegetable without fermented vegetable waste + concentrate
- P1: 75% forage and 25% fermented vegetable waste + concentrate
- P2: 50% forage and 50% fermented vegetable waste + concentrate
- P3: 25% forage and 75% fermented vegetable waste + concentrate
- P4: 100% fermented vegetable waste + concentrate

The study parameters included percentage of subcutaneous fat (%), percentage of renal fat (%), percentage of pelvic fat (%) and percentage of heart fat (%).

Table 1. Research ration composition

No.	Composition	Usage	% PK	% SK	% LK
1	Urea	1	0,02	0,00	0,00
2	Garam	1	0,00	0,00	0,00
3	Bungkil Kelapa	12	2,23	1,80	0,22
4	Dedak Padi	45	5,36	3,83	4,10
5	Bungkil Kedelai	5	2,25	0,30	0,05
6	Bungkil Inti Sawit	26	4,00	4,39	0,62
7	Molases	4	0,15	0,02	0,00
8	Ultra Mineral	6	0,00	0,00	0,00
	Total	100	14,01	10,33	4,98

RESULTS AND DISCUSSION

To see the results of research on subcutaneous fat, kidney fat, pelvic fat

and heart fat recapitulation of research results that can be seen in the table below.

Table 2. Recapitulation of research results the utilization of vegetable waste fermentation on fat percentage of Sei Putih *sheep* (*hair sheep*)

	Parameter						
Treatment	Subcutaneous Fat	Kidney Fat (%)	Pelvic Fat (%)	Heart Fat			
	(%)			(%)			
P0	$0,65^{a}$	$0,50^{a}$	$0,42^{B}$	0.80^{A}			
P1	$0,62^{a}$	$0,46^{ab}$	$0,50^{B}$	$0,63^{\rm B}$ $0,65^{\rm B}$			
P2	$0,66^{a}$	$0,52^{a}$	0.89^{A}	$0,65^{B}$			
P3	0.74^{a} 0.46^{b}	$0,49^{a}$	$1,07^{A}$	$0,61^{B}$			
P4	$0,46^{b}$	$0,36^{b}$	$0,55^{B}$	0,36 ^C			

Description: Different superscripts on the same column show a very significant different effect (P <0.05).

Based on the recapitulation result, it can be seen that the utilization of fermented vegetable wastewater treatment give significant different effect to the percentage of subcutaneous fat, kidney fat, pelvic fat and heart fat.

In subcutaneous fat P4 had significant different effect compared to P3, P2, P1 and P0 while P3, P2, P1 and P0 were not different. In renal fat P4 had a significantly different effect than

P3, P2 and P0 where as P1 was not different from P0, P2, P3 and P4. In the pelvic fats P0, P1 and P4 have a noticeable effect compared to P2 and P3 whereas P2 is not different from P3. In heart fat P4 had a significantly different effect than P3, P2, P1 and P0 while P1, P2 and P3 were not significantly different.

Significant differences in the percentage of subcutaneous fat, kidney

fat, pelvic fat and heart fat were influenced by the amount of feed consumed. This is in accordance with the statements of Berg and Butterfield (1976) which states that the variety of body fat caused by differences in body growth depending on the nation, age, gender and feed background. This is also in accordance with the statement Soeparno (1994) which states that with increasing age, the body weight will increase so that the fat weight will increase as well. Fat will be stockpiled during growth and development, in accordance with the carcass component growth pattern that begins with rapid growth, then after reaching puberty growth rate, increased fat growth.

Feed with high coarse fiber content can reduce body weight. High coarse fiber can provide a sense of satiety because of the complex carbohydrate composition that stops appetite resulting in decreased feed intake. Fiber is part of the plant that can't be digested by the body and fruits and vegetables are the main source of crude fiber.

The percentage of increased subcutaneous fat and intermuscular fat and kidney and pelvis is relatively fixed with increased carcass weight. The order of growth of carcass fat component is kidney and pelvic fats, intermuscular fat and subcutaneous fat. From the results of this study can be said that the development of local male lamb carcass fat leads to subcutaneous fat with increasing body weight. When compared to the relative growth of Priangan lamb fat carcass leads to fatty tissue around the kidneys (Herman,

2004), whereas in the same Fat Tail sheep is leading to subcutaneous fat tissue (Herman, 2003).

This difference is due to the content of fat content in vegetable waste is lower than the content of fat content in kolonjono grass where the content of vegetable fat content fermented and grass kolonjono consecutive are 1.31% and 1.63%, fat content affects energy in the feed which are given. This is in accordance with the statement of Judge et al., (1989) which states that fat is a dynamic network, many gathered in the walls of the abdominal cavity and kidney. Laying the fat first around the internal organs, kidneys and digestive devices then the fat is stored in the connective tissue around the muscles beneath the skin and between the muscles.

Increasing use of fermented vegetable waste will reduce subcutaneous fat, kidney fat, pelvic fat and heart fat.

CONCLUSION

Utilization of fermented vegetable waste can be used as alternative feed for sheep hair sheep and give a positive effect to lower heart fat, subcutaneous fat, pelvic fat and kidney fat.

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THE TRADITION LAW IN MARRIAGE OF DAYAK NGAJU TRIBE

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Abstract: The purpose of this study is (1) Custom law that are contained in marriage of dayak ngaju tribe, (2) the performing steps in custom marriage.

The tradition law of marriage in Indonesia lives among indigenous people to regulate marriage and all that are matters in concerning marriage such as divorce and its consequences, terms of marriage requirements, and so on. The tradition law of marriage in Indonesia are different among each of the tribe in Indonesia. In everyday life the people lives in Indonesia are related. If that relationship change to the marriage then it raise problems, and the choosen of law. Events it may caused uncertainty in legal, therefore the Government of Indonesia legislate of UU No. 1 Year 1974 as a policy that aims in providing legal certainty of marriage in Indonesia. The tradition Law of Dayak Ngaju Tribe is still valid, eventhough there are UU No. 1 Year 1974. The validity of the law does not distinguish the religion, all of its done by the people of Dayak Ngaju before the marriage continued according to the religion of each prospective husband and wife. The Tradition Marriage of Dayak Ngaju Tribe are completed with a few requirements that must be followed by the bride, especially the prospective grooms. The requirement are strictly to be met given to keep in mind that marriage in indigenous people law is not only the union of men and women, but merging of two relatives into new relatives. The requirements and or the prohibition of marriage that been arranged in UU No. 1 year 1974 (Chapter 6 until 11) eventhough there are some differences. The Tradition Law of Marriage in Dayak Ngaju Tribe does not want divorcement. Divorce can be prevented by impose the weight in requirements before the marriage. The terms of conditions of the treaty are arranged in agreement between the two prospective married couple. One of the terms that in the agreement is the effect from divorcement, whether it is death divorce or lived divorce. Among the main points set out in terms of divorce is about property. The property that are belongs to the couple is congenital wealth (in Dayak Ngaju language: Pimbit) and joint treasure that are obtained by both during their life as a husband and wife. The issue of proverty that causes conflict is the proverty of possession of a husband and wife who have no offspring (in Dayak Ngaju Language: Tamanang). Let alone if that proverty is congenital wealth that are obtained from parental inheritances. This problem often causes a great dispute between the two relatives of both husband and wife who have no offspring. The requirements and or prohibition and consequences from divorcement that arranged by the Tradition Law of Marriage in Dayak Ngaju aligned with the terms and consequences from divorcement that which is arranged by the Acts of Marriage No. 1 Year 1974 there are several similarity. Therefore, the provisions on marriage regulated by The Customary Law in Dayak Ngaju are very good if appreciated by the State.

Keywords: Tribe, Custom or Customary

Introduction

Basically, the marriage is an agreement between a man and a woman, to create a happy and everlasting household. In the Dayak Ngaju community, the Marriage Agreement is an important part of the marital life. Because the marriage agreement are binding relationships between husband and wife, also binding relationships between both sides, hamputan hila hatue (the family from men) nor hamputan hila bawi (the family from women). The Dayak Ngaju people still maintain and perform marriage agreements, even though not all societies understand what the meaning of the that institution (institutions). The concept about marriage, agreement according to the law of tradition, the writer used to reviewing the problems and answering the question of this research. In this research, the writer used qualitative descriptive research method, as an attempt to understanding the meaning that are given by people about the phenomenon under research. These research are means to give a systematic picture and whole about everything that are related with performing of the marriage agreement according to Dayak Ngaju Tribe, Central Kalimantan. From the results of the research are known that he marriage agreement is an ancestral heritage that must be maintained and implemented by the people of Dayak ngaju. If this thing are not performing then they assumed that concerned person belom dia bahadat mean that people life is not well behaved, did not have ruled, live according to him or her wish. Such circumstances, can be equated with the life of "other creature" that do not have rules of life. This condition is very disgraceful for the entire family. Failure to enter into a marriage agreement may result in an imbalance in marital life, in the sense that the marriage has no solid basis or guidance, no legal certainty of law tradition, no clarity on the rights and duties of marriage and there is no evidence respect from the male side to the women side. For the Dayak Ngaju comunity, marriage agreement is re-staging of ancestor life that are contained morality value. If it not done then we will ge a moral sanctions from the community in the form of "satire" as people who have no hadat. The marriage agreement are still perform in the people of Dayak Ngaju lives because inside there is social values in society. The marriage agreement contains the rules of rights and duties between a husband and wife. These rules are accompanied by the strict sanctions as a result if there are happen wrong-doing on that rules. Based on the description above, it can be said that the customary marriage of Dayak Ngaju has undergone a touch of enlightenment (enlightenment), thanks to the formulation of a marriage agreement that strongly strengthens the marriage of Dayak Ngaju. Even the values that are contained in the content of marriage letter can be a contribution for the development of Indonesia's positive marriage law.

In Accordance to the marriage appropriate with Customary provisions is through stages as follows:

HakumbangAuh

What is meant by "Hakumbang Auh" can be translated as steps exploration from the family of men side to the family of woman side to question is what are a girl named "A" still free in the sense of not yet tied to the talk or agreement from family of men side.. Usually a male parent asks a relative of one of their close relatives to deliver to message as evidenced by "Manjakah Duit" (Manjakah money = throwing money).

Tradition did not set of how big is the amount of money that are delivered in order to that "Hakumbang Auh".

The money that is usually delivered is 1 (one) sheets only, for example Rp. 5000,- (five thousand rupiah), Rp. 10.000,- (ten thousand rupiah). Rp. 20.000,- (twenty thousand rupiah), Rp. 50.000,- (fifty thousand rupiah) or Rp. 100.000,- (one hundred thousand rupiah). Big or small value of the money sheet has many meanings, among others as:

- **⊃** As proof of sincerity from the family from men side.
- To show the dignity of the family from men side.

According to Customs of Dayak Ngaju Society, family from the women side can be direct at that moment to refuse or return that "duit hakumbang auh" if indeed the family from women side have had strong bound with another side. Or on the contrary to temporarily receive "duit hakumbang auh" to be discussed first in the relatives. Usually the average in a period of 2 (two) weeks or the longest 1 (one) month, the family from women side would give answer whether to accept or reject it.

If, upon consideration and with any special reasons so that the whishes from the family of the men side should be rejected, then the family from women side immediately sends one of her close relatives to return "duit hakumbang auh" to the family from male side through a courier who has been sent along with an explanation of the reasons that are subtle.

In terms of intent from the family of male side are accepted, maybe from family of the women side want to submit approval notice early from time promised. Homever if there is an answer to agree or disagree from the family of women side has not been known even though it has exceeded the agreed of time limit, then the courier of the family from men side immediately questioned it.

Rejection from the family of women side if not be delivered with wisely can resulting the family from men side feel disgraceful because considered to be rebuffed. In the past, such rejection could even lead to disputes between the two families.

In modern days the performing of "Hakumbang Auh" more is only formality because ordinary the relationship both of that young people has been gain conformity and the family from each party truthfully has been blesed close relationship between two. After the family from men side got the answer that "duit hakumbang auh" was accepted the two sides started to negotiate intensively about the "Misek Event" plan.

Misek

Literally, word "misek" mean "asking", but in context of Costumary about marriage process according to Tradition of Dayak Ngaju Tribe "Misek Event" mean "engagement event".

On the appointed day together, the family and relatives of the men side and the bridegroom come to the household of the women's family, whereas the women's family is ready to accept the arrival of the family of male side.

Usually it held a simple party with cutting chichken 3-5 heads and pork 1 head. The cost for this misek party is fully borne but he family from women side.

The arrival group of family and bridegroom in the house of the family from the women side through a series of simple ceremonies as follows:

- After the whole group of the groom into the house are allowed to sit cross-legged and lined up on a mat of lampit or carpet.
- In front of them strung woven fine rattan mat. On the front is usually a few people representing the male family (3-5 people) and a mother (usually a groom's aunt or grandmother) carrying "Sangku" containing rice and all the requirements for "misek".
- The thing which is a requirement for "misek event" usually in the form of: A set of item/appliances for bathing and make up (for example bath soap, toothbrush, toothpaste, small mirror, lipstick, perfume, powder, shampoo, deodorant, handkerchief, long cloth of batik, textile material to make dress/kebaya or apparel 1 complete set, sandal and shoes for each pair).

• 2 (two) engagement rings

On the other side of woven fine rattan mat also sitting some people that representated the family from women side (3-5 people) and a mother (usually aunt or grandmother from the women side). The event started with questions from women's family representatives about the intention of the visit of the family from the male side. There was a dialogue between the delegates both of each party which is sometimes even expressed in hilarious language that makes the atmosphere bustling.

The interesting thing that each side has prepared a number of liquors. Whoever on that dialogue performing mistake in speaking, then that person charged with "forfeit" ie drink 1 shot liquar so that the event be held with warm and happy.

The event dialogue has been completed, then done delivery of requirement of goods "misek".

For receiving the requirement of goods of "misek", the family from women side prepared 1 (one) "sangku" which is also filled with rise about one third (1/3) or at most half (1/2) payload sangku. This is meant so that there are still places in box to put the requirement of goods of "misek".

Before the handover requirement of goods of "misek" usually representating the family from the women side asking for the girl fiancée candidate are invited out to sit between the reprensentative of each family.

According to Custom, the two mothers handed over and receive the "misek" goods gave each other some of their rice from their respective sangku, it was made to state that the both families had blessed the engagement of their two children. Next is one by one the "misek" goods are handed over.

After that it proceeded with the discussion of the contents "Letter of Promise Hisek" or Letter Agreement of Engagement.

Letter Agreement of Engagement contained this matter as follows:

The requirements of Customary Marriage include:

- Palaku
- Saput Pakaian
- Sinjang Entang
- Tutup Uwan
- Lapik Luang
- Garantung Kuluk Pelek
- Bulau Singah Pelek
- Lapik Ruji
- Rapin Tuak
- Timbuk Tangga
- Bulau Ngandung/Panginan Jandau
- Jangkut Amak
- Batu Kaja

In the case of the girl to be engage if she have older sister that not yet married, then if at the time of her marriage later her sister is still is not yet married, then against the men side will be added tradition requirements called "Danda Panangkalau" means fine on marriage first from her sister that must be pay by the men. It will be set in the Customary Marriage Agreement.

And then the Determination of Day – Month – Year of Marriage, settled on the Amount of Customary Fines Contracts if there are cancellation on marriage. Once the things are agreed upon then put it into the "Letter of Promise Hisek" or Letter of Agreement Engagement.

The event are continued with signature in Letter of Promise Hisek (Letter of Agreement of Engagement) by both each of parents (father) an at least 2 (two) witnesses from both side, Head of the Custom Damang and head of the local village. The signing of Letter of Promise Hisek was made before the two engaged parties.

And then performing the Event of "Meteng Manas" or "Exchange the ring".

The implementation of this event varies according to the Religion held, among others: According to Kaharingan Belieaf basically did not known the exchange of rings engagement, but "Meteng Manas Event". Head of the Custom Damang puts a bead bracelet to the engaged couple. Beads straps are usually plant fiber called "Tengang".

After that Head of the Custom Damang perform "Tampung Tawar" to the couple followed by the parents of both parties, close relatives or influential public figures. To the family that are their religion in Christianity, after the event delivery of Misek's goods also performing Tampung Tawar event, only then continued with the Service of Events led by the Priest. On Service Events that Priest leading Exchanging The Rings of Aggreement Event.

• The Performing of Customary Marriage

On average, a month before the promise time the family of the bridegroom asked the family of the prospective bride about the marriage anniversary, whether it is in accordance with the original agreement or there is a change/shift in time. When both prospective brides are domiciled in the same Village or City, the performing of marriage relatively easy. But if they are domiciled in different villages or towns, sometimes the groom's family must travel a long way.

Duration of time performing Customary Marriage depend on the deal both side. In the Village usually last for 2 (two) days, but for family who are rich/able can also last longer, for example 3-4 days. In a city usually more short so that the event of marriage fully perform in 1 (one) day.

Panganten Mandai

The meaning of "Panganten Mandai" is an event where the bridegroom and the bridal party come to the bride home. Panganten Mandai event is an first event in procession of Customary Event. In Village Panganten Mandai event usually held in the morning and in the City usually in the afternoon.

According to Customary Dayak Ngaju, series of activites on the days of Panganten Mandai respectively as follows:

The bridegroom and the family walk to the bride's house accompanied by drum sounds and gongs with a special name (called: gandang manca).

Upon arrival in the front yard of the bride stop for a while because blocked by "lawang sakepeng" which is the gate are decorated with three layered strings that are blocked the way in.

The bridegroom and the new group are allowed to enter after the barrier is broken in a martial arts game by a fighter representing the family of the bridegroom and the bride. That martial arts game are perform to just for the purpose of break blocked by strings as requirement to welcome the bridegroom and group come into the house of the bride. Before being invited into the house, in front of the entrance has been prepared 1 (one) grindstone. The bridegroom are asked to step on a chicken egg used right feet until it break. And then by one of the traditional leaders, the parents and guardian of the bridegroom bride in the "tampung tawar" with water from flower that is given perfume before.

That matter are perform with the meaning so that the bridegroom accepted blessing and peace with good along the procession of the marriage as well as in their domestic life later. After that then the bridegroom and group are welcome into the house while sprinkled with flowers and blend of fragrant pandanus leaves.

The Transfer of Requirements on Customary Marriage

The series of delivery ceremonies of the Customary Marriage terms include :

• Before the requirements of customary marriage are delivered, there are performing sort of "dialogue" between the representative of the bridegroom and the representative of the bride almost the same mode with "dialogue" event in the time

of "misek event". The event lasted about 30 (thirty) minutes and after that followed by delivery ceremony requirement of customary marriage.

• The requirement of Customary Marriage are delivered.

The time came when the family of the bride to collect the promise of the requirements of the Customary Marriage as agreed in the "Letter of Promise Misek" (Letter of Agreement of Engagement).

Before performing the preparation between biological mother the bride along a close relative preparing 1 (one) sangku that are filled with rice around half and given the base with a fold of long batik cloth.

Furthermore the biological mother of the bridegroom and the bride give each other a little rice from "sangku" respectively as a symbol of the intention of tying the unity of both families.

Before the delivering of Requirement of Customary Delivery, the family of the men side asked so that the bride are presented in the center of the both side family and the guests that are present.

Furthermore, the master of the ceremony read out one by one of the Terms and Traditional Marriage. Next, biological mother and/or aunt from the man side family one by one delivering Requirements of Customary Marriage reffered to biological mother/aunt from the woman family. Once checked and placed it in "Sangku"

After all of requirement of Customary Marriage are delivered and if there are none problems that block up then they made "Letters of Promise in Customary Marriage". Subject to the provisions of the Agreement Marriage Fines according to the privisions of customs the amount is set at 2 (two) times more than the provisions of the fine mentioned in the Misek Agreement. For example if the dine in the Misek Agreement of Rp. 2.500.000,- (two million five hundred thousand rupiah) then in the Letter of Agreement of Customary Marriage automatically set at Rp. 5.000.000,- (five million rupiah). And next the requirement of customary of marriage that had been delivered are brought in to the bride room.

The Terms of Customary Marriage consist of:

Palaku

In literraly the mean of Palaku is wishing. In the context of Customary Marriage, the meaning of Palaku is mas marriage or honesty. In the Letter of Agreement of Customary Marriage, palaku are declared in the weight of gong: (in Dayak Ngaju language expressed for example: 100 (one hundred) kati garantung (1 Kati = \pm 0,5 gram). In the old days, palaku was really handed in the form of gongs. But in development as a result is not easy to find gong (garantung) so that are replaced with another thing for example gold jewelry, vase or a pack of money, today it is generally replaced with a garden plot (rubber/rattan) or a perwatasan land.

In the time of delivering the requirement of Customary "Palaku" the men family must declared the substitute : gold jewelry/vase/money cash/official letter of garden land or perwatasan land.

Under customary law, when divorce occurs when both are alive (not death divorced) then the palaku shall belong to the parents of the bride; but usually submitted to the mastery of the bride.

Saput

In litteraly the word means of saput are to protect or to closed. In the Customary Marriage, the Saput is given in the form of 1 (one) long batik cloth (bahalai). Saput are for siblings of the bride. For the families of the bridegroom, Saput may be given a bynver if all siblings of each bride of 1 (one) piece of long batik cloth. But with only giving 1 (one) piece are already enough.

Clothes

The requirement of Customary "Clothes" are for the parents of the bride. Nowadays in practice the customary requirements of "clothes" is only given 1 (one) piece of long batik cloth (bahalai). Truthfully if the bridegroom from rich family, for the requirement of this customary able to added with each of clothes 1 (one) set completed for father and mother of the bride.

Sinjang Entang

Sinjang meand women's clothing in the form of batik case. Entang means gengong or carrying (it means : to carrying a baby). Therefore, the goods and custom sinjang requirements in the form of 1 (one) sheet of batik case. Entang in the form of 1 (one) piece of long batik cloth.

• Tutup Uwan

Tutup means close and Uwam means gray.

The requirement of this customary are 2 yard/2 meter black cloth to given to the grandmother of the bride.

• Lapik Luang

Lapik means is the base; Luang means a place to store goods, usually in the form of "sangku". Therefore that requirement of customary lapik luang are given 1 (one) piece of long batik cloth.

Garantung Kuluk Pelek

• Garantung is a gong; Kuluk is the head and pelek is broken. But for the requirement of customary garantung kuluk pelek is a compound word, that are given in the form of 1 (one) garantung (gong). Usually it size is medium or relatively small.

• Bulau Singah Pelek

Bulau is gold, Singah is lighting devices and Pelek is mean broken. In terms of customary marriage, Bulau Singah Pelek is given in the form of gold. In the original Customary of Dayak Ngaju society actually known in the form of Engagement Ring, that tradition are adopted from another tradition. Because of the family that their religion is Kaharingan, the customary "Bulau Singah Pelek" is given in the form of pure gold in the form of jewelry or gold hanger. In the tradition of Dayak Ngaju society that their religion is Christianity the requirement for "Bulau Singah Pelek" is a couple of engangement ring.

• Lilis Turus Pelek

Lilis Turus Pelek is given in the form of a "lilis" or a long bead.

• Lapik Ruji

Lapik is base and Ruji means sac. Lapik Ruji are given in the form of 1 (one) ringgit silver coins used as currency in the Dutch era. The requirement of Customary "Lapik Ruji are encouragement for both of the bride later they are work diligently and diligently saving.

• Rapin Tuak

Rapin Tuak are given in the form of several bottles of liquor held by both parties. The amount is not decided and that drink are distributed mainly to the representative of both family that are on duty in "dialogue" event and Haluang-Hapelek Event also for the guest.

• Timbuk Tangga

Timbuk means heap Tangga is ladder. So that the means of requirement customary "Timbuk Tangga" usually are given in the form of money within goal to repaired the page and household that have been broken along the performing marriage party. The amount are varied, depending on the tolerance of the groom's family. Usually are given in the form of money for example Rp. 25.000,- (twenty five thousand rupiah) or Rp. 50.000,- (fifty thousand rupiah).

• Bulau Ngandung

Bulau means gold and Ngandung means to contained. But the meaning of bulau ngandung in the requirement of customary marriage is the cost of wedding party. The term are sometimes called Panginan Jandau which means the cost of the party. The amount of Bulau Ngandung/Panginan Jandau depend on the deal with both side. According to the custom, Bulau Ngandung/Panginan Jandau is carried out jointly or joint venture between two parties

Jangkut Amak

The meaning of Jangkut Amak are bridal bedding. Jangkut is the mosquito net and Amak is the Mat. Usually the cost of requirement customary "jangkut amak" are prepared by the bridegroom family and its preparation/procurement by the bride family. The completeness of goods of "jangkut amak" consists of bridal bed, mattress, pillow-bolsters, bed sheets and bed nets. But in the real situation are often that the procurement of such goods by joint venture.

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THE MODEL OF IMPROVEMENT FOR MADRASAH ALIYAH COMPETITIVENESS THROUGH THE DESIGN OF CREDIT BASED ON CURRICULUM

(Case Study in Madrasah Aliyah East Java)

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Abstract: The Indonesia education was conducted with a regular class system in commonly. It has been only covered the normal student (IO 90-110). Therefore, for gifted students were not yet covered, because the gifted student need special treatment, differentiation and extraordinary service for teaching and learning process. Without this special service/treatment they become underachievement. The Madrasah School is the path of kind regular education system in Indonesia that the gifted students must receive special service, so that for them will be applied SCS (Semester Credit System). For the implementation of SCS, the Madrasah School has been strengthening for conducting the special service for the gifted students. One of the methods for empowering is through implementation of semester credit system that has capacity to follow the character and learning style of the gifted students. The research method used was R&D and the method of collecting data was interview. Data analysis used was flow analysis. The Final research results were conversion of package curriculum method toward SCS and application of curriculum based on SCS method special for gifted SCS. The research location is the Madrasah Amanatul Ummah Pacet, Mojokerto, East Java. The model of pocket curriculum conversion is appreciated 1.88 hours and the proposing model of curriculum based on SCS by using duration time about 4 semesters with 4 months instruction long/each semester. SCS was taken every semester on average as many as 40 SKS. For accomplishing of curriculum applied compacting curriculum to discover essential courses.

Keywords: Conversion; compacting curriculum; gifted student; and Semester Credit System

I. INTRODUCTION

The Reformation movement in Indonesia on Education area was more emphasised at empowering institutional through autonomy affirmation and enabling the students' existence. This movement in Indonesia was begun on 2014, for example through the increasing of many curriculum policies in school and Madrasah in Indonesia, one of the policy is the implementation of Semester Credit System (SCS) in the high school by the regulation of The Ministry of Education and Culture number 158/2014.

The policy of implementation SCS is different with that implemented in Higher education and its implementation must be started with purposing structure of curriculum that based on regular curriculum 2006 or curriculum 2013. Based on the regulation, implementation SCS should be conducted conversion before that calculating price of time pocket system curriculum into a time system SCS. This demand becomes more important since curriculum structure that based on SCS will be implemented for the gifted student who need fast curriculum.

The Philosophy of provide services through SCS was increased because of demand, so that the instructional service should be equal implemented. The interpretation of equal is the student normal obtained the regular service instructional, while the gifted student also meet service instructional that appropriate with their habit, also for the slow learner (Emma, Smith. 2005). Majority false establishment education in Indonesia is obtained the same instructional service for all students who have difference abilities, interest and intellectuals.

Although the implementation of SCS curriculum have been settling the year 2015/2016, but the application of this regulation still meeting many obstacles, especially from the teacher skill in the school. The difficulty of implementation of SCS from aspect of the teachers hasn't pedagogy science and this obstacle more difficult because they are not ready for technical guidance model for SCS conversion in the Madrasah school. The same difficulty also accord to the high school during 2014 was pioneering work implementation of the SCS curriculum.

In the constellation research of curriculum in Indonesia show that prior study of curriculum still limited on the research curriculum compact, proposing material instructional or research about fast track class, so for capital of establishment SCS curriculum in line with the Regulation of the Minister of Education number 158/2014 still needed base research to discover SCS conversion model and model of technical proposing curriculum as basic of structural SCS curriculum development. Therefore, this article has goal to discover the implementation of SCS curriculum model as the empowering method the school of Madrasah has the ability to establish education service for the gifted student. The basic of the Core theory that is used in the study is credit semester system from Mick Betts and Robin Smith by using unit hour regular per week (40

hours) divide total credit each semester to determine the value of SCS conversion. (1998: 36).

The Primary purpose of composing Curriculum based on SCS is for giving special opportunities for the gifted students who have high speed learn/fast learner, so they can learn appropriate with their own character. With the SCS curriculum will make possible for the gifted student to accomplish their study only 4 semesters. The application of streaming principle through composing SCS curriculum seen as the positive responds to face different students' abilities (Merrlyn Goas and Leen Vale. 2007:379). By composing Curriculum of SCS Madrasah school can apply the equal principle and opportunity for learning their own character and fulfilling the expectation.

In the application of SCS curriculum that using duration time of learning as long as 4 semesters will need management of special conversion, because this implementation must be removed price/value of hours duration teaching in class and assign of structured or independent. Therefore, it needs reference price of conversion special, so that learning load during the week does not give burden for the students' capacity, especially for the gifted students in Madrasah. The learning load of the students become weighter, moreover the duration of study using 5 days per week. In this model implementation, the aspects of calculation price/value conversion become urgent, so that the gifted student can learn properly. The consideration to use engineering time of learning to maximizing student's achievement because it is one of the important factors to determine the achievement (OECD. 2011: 19)

The Study Purpose

The properly complement of implementation of the Ministry of Education Regulation number 158/2014 not only limited for the goal of education service and the purpose of SCS curriculum of the Madrasah School, but also still needed availability model of method to divide competence unity each semester. and also why to format instructional model that appropriate and follow the flexibility of duration hours teaching in the class effect of SCS conversion, especially at the curriculum for during learning 4 semesters. The Impact of decision the price/value of conversion that not precise can cause time of learning become longer 10 hours in one day, so not effective.

The present of the model method to conversion that pedagogy logic will assurance to continue implementation of inclusion education that recent establishing in Madrasah school area, all at once availability conversion model that will give essay obligation of school to purpose SCS curriculum.

The research special purposes are:

 Designing of model application SCS based on curriculum for implementation Regulation Kepmendikbud number 158/2014 at the Madrasah school as effort for empowering Madrasah school to give equal instructional service for the gifted students To discover the model method for conversion duration time learning of student that using pocket system into duration time learning SCS curriculum system for establishment SCS curriculum Madrasah school for the gifted students.

The research result can give contribution to the basic theory to realization application regulation the Minister of Education Indonesia number 158/2014 about SCS in the Madrasah Aliyah that is in line with the student'character of Madrasah that until now not yet ready. Besides this research result also give essay method to purpose of curriculum that untill now still very difficult to make by the teacher. Availability of this model more helping practically for application SCS based on the curriculum in the Madrasah Aliyah School.

The basic theory that has discovered, finally give contribution to many necessity of research for fast curriculum in the school. later on, it very support for developing for the gifted students, so the result of their innovation as soon as absorbed and used by the society and state.

The Literature Study

Since the reformation of education conducted in year 2014, increased many policies education sector, such as; the implementation of curriculum 2013, obtaining the high school universal or in the level of regulation, for example; Permendikbud 158/2014 about the SCS curriculum for secondary school or high school in Indonesia. The Certainty Regulation of the Ministry of Education number 158/2014 in order that application necessary method to conversion SCS considering structure of SCS curriculum have to based and originate of regular curriculum that was proposed by government. According to the opinion of researcher, application SCS based curriculum can't realization without availability price/value conversion model that founded from the research stages, because the distribution of volume time of subject and learning load in each semester can't manifested in the SCS based on curriculum structure.

The Curriculum, (Type and Meaning of Curriculum)

Curriculum according to the Act of National Education System number 20/2003 explained as sets of planning and arrangement of goal, content and courses instructional and system that using as guidance establishment instructional activities for reaching up the specific goal. While according to Herbert m. Klibard (2002: 22) was described that curriculum also mean as sum of range time of instructional implementation. The definition from Herbart emphasis on SCS that part of the curriculum structure, so it will be used in the research because it focus on structuring of curriculum in the range of distribution time learning that for allocation all subjects that obtained in the Madrasah Aliyah.

Type of curriculum

According to Permendikbud number 158/2014, in the Madrasah Aliyah can apply type pocket

curriculum/regular curriculum that has been using, but also can obtain SCS based curriculum. In the circular letter from BNSP was explained that purposing SCS based curriculum in the school required package curriculum/regular curriculum as basic/foundation for proposing it, so it need method for making conversion from package curriculum toward SCS curriculum if will apply on SCS curriculum.

The demand to calculate price conversion for SCS of Madrasah Aliyah, so the school has an ability to give service of instructional for the gifted student and to develop of intelligence productive creativity.

Semester Credit System

Semester Credit System according to Permendikbud number 158/2014 article 1 give definition as form of conducting education who has students can make self choice of the load sum and subjects that will follow each semester, in the education institution appropriate with talent, interest and abilities or pace him. This definition must be regular curriculum during must modified structure distribution of load learning and subject in the unit of time semester. Conversion distribution load learning in the SCS curriculum require guidance that flexible so very students Madrasah Aliyah has been opportunities equal and learning agree with them pace. Menu curriculum must giving equality at least in the three aspects: equal opportunity, equal treatment and equal outcome (Fesnema. 1995: 189). SCS for the gifted students in the Madrasah Aliyah not allow to narrow indeed ignore opportunity learning because they must follow regular curriculum.

Demand to modifying appropriate with gifted students pace as same as direct article 2 must fulfill equal principle that is require SCS make the gifted students procuring opportunities instructional service appropriate with especially learning and achievement that is reach individually. Fulfillment the equal principle require a structure SCS curriculum that serve menu distribution load instructional that can reductiong and expanding time learning parallel with character of students. Requirement preparation SCS curriculum must become the part of enabling Madrasah institutionally and planning that supporting for the students in maximal opportunity to reach the best performance in academic (Sally Anne Pitt. 2014: 27).

Preparing SCS curriculum for the gifted students need reference regular curriculum which is non SCS (curriculum 2006 or curriculum 2013) as basic for it The SCS required mechanism proposing. modification that link with SCS price toward packageof curriculum. Therefore, it can't avoid the present of conversion model SCS curriculum in this regulation. With other word, proposing SCS curriculum impossible organized without serve by package conversion model into SCS curriculum. Because mechanism proposing SCS curriculum starts from regular curriculum, so that there is Madrasah curriculum conversion. It is different between SCS curriculum school with SCS curriculum in the high education that is obtained because the SCS curriculum in the high education can propose without conversion process.

Requiring conversion model SCS become more necessary and important discovery while Madrasah has expectation to present structure of curriculum that is used for service the student who need learn through fast path. There is duration 3 years become 2 years learning as stated at article 10 Permendikbud 158/2014. In the article 10 was described that every students of Madrasah Aliyah can (optional) master their study during 2 years. In order that require increasing fast curriculum all at once guarantee to fulfill the quality output (Robert J. Marzano. 2011.22). This effort is very important to do because during the school only give 51 % from iinstructional for execution internal problem of Madrasah (Tonie Stolberg. 2011).

In the point out Jenifer for the result quality of graduate agree with competence and development gifted potential, needed curriculum different so load learning menu in the curriculum appropriate with face, excellence and student ability. This point out more strengthened by Wendy Concklin (2007: 36) and Emma Smith (2005: 145) who preparing curriculum that is appropriate with the character of the gifted student can function to avoid the occurring of underachievement. Therefore, to avoid presence of malpractice, especially underachievement required situation curriculum preparing differentiating that adjustment with variation an excellence of students. Curriculum different mandated by this Permendikbud number 158/2014 that is used by Madrasah aliyah for empowering its capacity in order that able to serve instructional for student that while marginalized.

The critic toward one curriculum for all students that was obtained long time ago delivered because this template can become of cause increase frustration and false a part of students in the class because the gifted student can't equal in their learning and special learning opportunities (Carrol An Tomlinson, 2000: 20). The gifted students with high potential will become bored on learning with low material weight under their capacities. Other phenomenon will increase lazy mentality among them.

When it was agreed of credit standard that converted in the price sum minutes in the class or in the assignment that must done by the gifted student and teachers in external class, then designer curriculum must articulated sum hours that must be taken by the student for mastery the subject. Linked with articulation sum of these hours, E. Theodossin (1996:13) divide between sum hours that must be done by teacher as tutor contact and sum hours that must be done by the students in the learning activities form that then call with student committed time or learning time. In this connect with Theodossin assert, this research only by using articulation sum hours that only doing by the students in the learning form. With this base so agreement for example subject of mathematic attain allocation 5 hours, so it means that the mathematic students must learn

mathematic five times sum conversion price/value toward package curriculum.

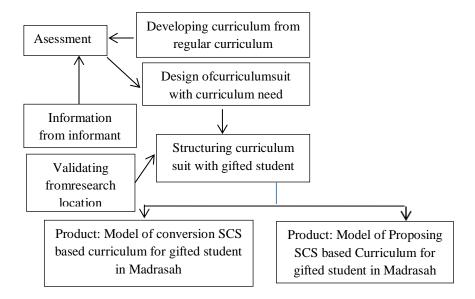
The definition of articulation SCS in the student committed time perspective according to Mick Betts' opinon and Robin Smith (2008:35) showed that the activities must be done by the students in learning subject always comprise with activities face to face with their teacher in the class, so the meaning of 5 SCS for the students should be done 5 hours face to face in the class plus 5 hours structure activities and 5 hours independent activities. By this base necessary present agreement of institution many conversion of duration time in the unit minute for pricing every 1 SCS. This calculation very influent while Madrasah choice how many days in week must learn carefully (5 days in one week).

In Mick Bets insight stated that as standard to determine how many sum conversion of time which is needed to finish material of curriculum that can be used as guidance for example: what learning time adequate to resulting outcome highly. The guidance to determine this sum minutes, in the unit of SCS is very urgent, because when the student present in the class that indeed must limited. Primary consideration for determine price of SCS for instance delivery subject system, fast learning and content of subject mastery competence target. By using Mick Betts theory, this research will become reference for arrange conversion guidance SCS or design curriculum model SCS special for the gifted student in Madrasah School.

II. METHODS

This research is research and development with using ISO/IEC IR 19796-1: 2005 approach that link with development product on learning system, include in it ware learning guidance as well as guidance design curriculum model. The implementation of research conducted by following procedure that illustrated with the following steps:

Schema 1: procedures of research.



In these stages of modeling process of conversion SCS that resulted by this research, according to Jon, M. Pawlowski (2007:9) required presence need analysis; there is need analysis of SCS curriculum of Madrasah for the gifted students. Need analysis conducted for purpose to avoid inappropriate between product and outcome expectation from madrasah (Kefalas, r. 2003: 63). With basic on the research outcome so in this stage of methodology only until the fourth stage there is resulting of product tangible conversion guidance SCS and guidance of designing curriculum SCS for the gifted students in Madrasah.

The research activities in the third stage is designing and building the first design, the researcher was conducting adaptation need for structuring curriculum SCS that will be designed for Madrasah especially for the gifted students. Activities in this third stage is conducting mapping for searching need for structuring curriculum of gifted to determine the student what they must take on learning 4 semester or take on learning six semesters and how many price per unit minute face to face in class. In this case, research was conducted in Madrasah of Pacet, Mojokerto East java had choice price of conversion for proposing curriculum structuring SCS with semesters through time duration per semester as long as four months. After this mapping continue with stage, then designing supplement of the curriculum that conducted.

Mapping of need as third stage was broad consequence increase conversion SCS model for structuring SCS curriculum for four semesters and six semesters that will established.

the fourth stage that constitute last stage from activities this research there is form of activity to product SCS conversion for Madrasah curriculum for gifted student. Possibility curriculum structuring for gifted students can format as structure of curriculum with 4 semesters by 4 months so they have opportunity to master the content of all curriculum only 16 months.

The research location at Madrasah Aliyah Amanatul Ummah Pacet Mojokerto regency East Java during 4 months. The location choice is in the boarding school for conducting research, because this boarding has dynamic and high innovation that needed the accommodation students students. Likewise identified as gifted because this boarding has autonomy to determine option how many years the gifted student completed their study.

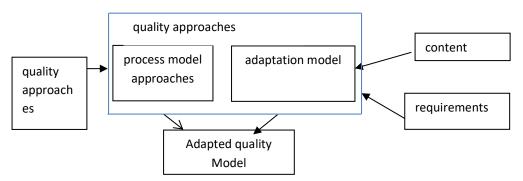
The Procedure of development in this research method used ISO model special for resulted product that controlled through quality mechanism, so that the product secure its quality. By using the special model, this ISO is very important because the quality has multi construct (Ehlers, U.D. 2005). For using standard ISO/IEC 19796-1 use as control of quality product procedure. The core goal used this standard, the researcher

want to presenting quality model adaptation (QMA) as an instrument for discovery guidance SCS conversion is quality controlled. The analysis method use is interactive analysis from Huberman (1992: 18) so that deficiency of data can fulfill, because it is possible to take data conducting any time.

To fulfill the quality of conversion guidance resulted, application standard ISO/IEC 19796 consist of three aspects, there are: 1. description for quality approach, 2. the process model as reference classification and

3. reference criteria for evaluation using. Three aspects sequentially will be implemented in this research for resulting SCS guidance conversion that appropriate with the need of Madrasah (ISO/IEC. 2005). For developing guidance conversion of SCS to proposing SCS curriculum in Madrasah attained the following stages:

Scheme 2: Path of control quality model



This research as the first research that prior not yet present because the regulation that is linked with SCS curriculum not yet used and will be applied 2015 especially SCS for Madrasah school. This research only begin with the regulation from the Minister of Education about SCS as the guidance. During indeed was increase the research that has few link with SCS such as curriculum for gifted or developing courses for gifted student but that direct link with SCS until now not ready. So this research as fundamental research.

This study seek for two implementation complement tangible both guidance of conversion and guidance for proposing SCS curriculum in Madrasah school that as one of method from many methods that is very needed for implementation SCS regulation that is mandated.

For the resulting of SCS conversion model and proposing curriculum of SCS model for Madrasah school so informant option that choice for population of school and religious office province east java. Need assessment conducted to determine type of curriculum conversion that will be prepared both regular type and fast type. The First Study

The first study which was begun by the researcher previously by reading many books that have linked with SCS or curriculum. In this literature study was done by the researcher who teach development curriculum subject and curriculum studies or curriculum researcher in graduate program at Muhammadiyah University of Surakarta. Researcher became the expert for developing curriculum and SCS. There are preface (first) studies through the books, such as:

- 1. Tim Kovacs. 2004. Strength or Accuracy: Credit Assignment in Learning Classifier Systems. London: Springer
- 2. Robyn R. Jackson. 2011. *How to Support Struggling Students*. Alexandria: ASCD.
- 3. Robyn R. Jackson. 2011. How to Plan Rigorous Instruction. Alexandria: ASCD
- 4. OECD. 2011. Quality Time for Students Learning in and out School. OECD Publishing
- 5. A. Wade Boykin. 2011. *Creating The Opportunity to Learn*. Alexandria: ASCD

- 6. KementerianPendidikandankebudaya an. 2013. *Permendikbudnomor 81 A /* 2014 tentangpelaksanaanKurikulum. Jakarta.
- 7. KementerianPendidikandanKebudaya an. 2014. Permendikbudnomor 158/2014 tentangSistemKredit Semester. Jakarta
- 8. KementerianPendidikandanKebudaya an. 2014. *Permendikbudnomor* 59/2014 Kurikulum SMA/Madrasah Aliyah. Jakarta
- 9. Mick Betts and Robin Smith. 2008. Developing the Credit based Modula Curriculum in Higher Education. Philadelphia: Falmer Press

III. RESULT AND DISCUSSION

article Based on the 12 Permendikbud 158/2014 for Madrasah aliyah that have character of many subjects in all curriculum compared with curriculum of regular school, then very possible accord modification so that gifted student go home not very early evening. There are two methods to conducting conversion that is through modification SCS price that it before during allocation face to face in class 135 minutes became only 90 minutes for every 1 SCS price. The second method that is special for Madrasah that has boarding class, so instructional process conducted by two shifts that is regular teaching with regular curriculum by schedule regular period (morning – afternoon) and at night after night pray with special curriculum/enrichment curriculum. In the case of location research (Madrasah) showed that part of SCS curriculum that type of task structured conducting at night time until the regular teaching conducting on afternoon time without use learning time excessively in the afternoon time.

The Model of curriculum proposing based on SCS start ccalculate accumulation hours for all subjects from the regular curriculum for curriculum 2006 not for curriculum 2013 (option which choice), after sum all hours of subjects implemented conversion price package of subject's hour toward SCS. If the price of package of subject's hour be aware, for example in Madrasah curriculum was discovered 2 hours

add every subject during six semesters then divide two. For example for religious subject that amount of hours during six semesters is 12 hours, then it conversion is 6 hours, for all the subjects.

After aware the amount hours of its conversion all subjects during the time learning 3 years, as adding hours every semester for 3 years time learning. With aware sum of hours SCS every semester then determine how many days time learning of week, five days or six days time learning, for example: 6 days, so sum SCS each semesters divide six days will be discovered how many SCS load that must master for each days. For example; if we want our student must solve 8 SCS, so what subjects that must be taught that day. 8 SCS can fill, for example 2 SCS subjects of Bahasa Indonesia, 2 SCS for Mathematic or 2 for biology and 2 SCS for Moral of Pancasila subject. So on fill SCS for other day until complete 1 week.

The Implementation of SCS based on curriculum for Madrasah Aliyah at east Java using package conversion toward SCS for 2 hours, so package half price SCS. Because the subject in Madrasah school more comparative with subject's regular class, so conducted modification time duration learning before 45 minutes each meeting in class become 35 minutes, in order that the gifted students can go home earlier/not until night.

For the application of SCS based on curriculum in the Madrasah Aliyah at Pacet, Mojokerto has identify still acceleration class then the class doesn't go through time of learning until 3 years but using time learning two years. With this base package conversion toward SCS it duration changed faster than 10 minutes fewer from the regular learning time.

In Madrasah context that using SCS at Pacet Mojokerto, conducted conversion with adaptation and its time duration faster both in the semesters and in the learning time that must be taken. The argumentation that is used for compressing either in duration learning time or in the semesters is Donald Bligh's theory. Donald Bligh assert that for the gifted students outside Europe nor USA available opportunities for learning more fast because here has two cause that are supporting calories limited for promote learning for long time nor ability endurance

for concentration. Defending for standard of concentration in the class during 45 minutes for students without supporting with high calorie is very difficult, while to fulfill standard of calorie amount 4000 calories is also very difficult for Madarasah students. On the basis of this standard then reduce time earning demand was conducted for Madrasah School from 45 minute during this become 25 minute very proper.

Using the SCS for curriculum 2013 (current curriculum Indonesia) for the gifted students demanded to fulfill two aspects that are demanded to conduct design of time so with course package that its volume unchanged, why the gifted student can master in fast. At the other side that must be think, that is why can fulfill need the gifted students available mastery time learning faster and got essential courses without accord replication courses and repeating of courses that previously mastered before instruction. This is call prior knowledge. In this context, the implementation SCS based curriculum that for the gifted students that intended for gifted students to take on compacting learning. The Teacher should be master of skill that linked with curriculum compacting process. At the ever tried school that to conduct implementation SCS based curriculum found the weakness that is labeling SCS but in the curriculum still using package curriculum.

IV. CONCLUSION

The proposing curriculum model for Madrasah aliyah that is conducted by converting package price toward SCS with conversion every 1 SCS as much as 2 hours. The meaning of SCS in the Madrasah context that is gifted student can be chosen by themselves for learning load appropriate with their ability. For Madrasah aliyah Pacet have a lot of subjects after conducted conversion of package into SCS then forwarded with time

reduction toward SCS before 135 minutes for three activities components SCS compact into 25 minutes so price of each 1 hour SCS have 75 minutes. This method very merit for avoid student go home later/evening time.

The proposing SCS base curriculum model that applied in Madrasah that for intend for the gifted students that have learning style accelerated needed add again as activities courses compacting for found essential material. There for using proposing SCS based on curriculum in gifted class here add demanding for curriculum compact. Model for SCS based curriculum through five stages there is calculate sum of subject' hours all of subjects as long as year during in Madrasah Aliyah then divide two (value of conversion for package toward SCS). Therefore, to continue the distribution result of conversion hours of SCS to entire semesters, after each semester conducting totality a lot SCS that will apply from the first semester until the last semester. If, it was found, then sum a lot SCS every semester divide sum learning day every weeks (5 or 6 days per week). If was find so build schedule appropriate with price SCS demand that will set out for every subject.

By discovering proposing curriculum model and SCS curriculum conversion then the Madrasah school institutionally can empowering itself especially for competent for giving services for the gifted students that did not receive service equally. Madrasah school also competent for conducting innovation and aligning with demand of learning service that developed in the overseas and becoming Madrasah ready to give contribution to increase the creative and productive graduate because the successful to create education that is focus on developing intelligence of creative productive as currently developed by USA. Following the example curriculum structure based on SCS for the gifted students of Madrasah School.

THE CURRICULUM STURCTURE OF MADRASAH ALIYAH IN 4 SEMESTERS AND MATHEMATIC INTEREST AND NATURAL SCIENCE FOR THE GIFTED STUDENT

N	CODE	SUBJECT	SEMESTER
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1	NATIVA 20	T 11 T 4	1			
1	MWA38	English Language 1	1			
2	MWA39	English Language 2		2		
3	MWA40	English Language 3			1	
4	MWA41	English Language 4				2
Gro	up B (WAJIB	3)				
1	MWB01	Culture Art 1	1			
2	MWB02	Culture Art 2		2		
3	MWB03	Culture Art 3			1	
4	MWB04	Culture Art 4				2
1	MWB05	Sport and Health 1	3			
2	MWB06	Sport and Health 2		2		
3	MWB07	Sport and Health 3			2	
4	MWB08	Sport and Health 4				2
1	MWB09	Vocational and	1			
	15111D40	Entrepreneurship 1				
2	MWB10	Vocational and Entrepreneurship 2		2		
3	MWB11	Vocational and			1	
		Entrepreneurship 3				
4	MWB12	Vocational and Entrepreneurship 4				2
1	MWB13	Local Language 1	1			
2	MWB14	Local Language2		2		
3	MWB15	Local Language3			2	
4	MWB16	Local Language4				1
Concentration for Mathematic and Natural						
Scie						
1	MPA01	Mathematic 1	3			
2	MPA02	Mathematic 2		2		
3	MPA03	Mathematic 3			3	
4	MPA04	Mathematic 4				3
1	MPA05	Biology 1	3			
2	MPA06	Biology 2		2		
3	MPA07	Biology 3			3	
4	MPA08	Biology 4				3
1	MPA09	Physic 1	3			
2	MPA10	Physic2		2		
3	MPA11	Physic3			3	
4	MPA12	Physic4				3
1	MPA13	Chemistry 1	3			
	1	1		1		ı

2	MPA14	Chemistry 2		2		
3	MPA15	Chemistry 3			3	
4	MPA16	Chemistry 4				3
	Cross Concentration and/or Concentration depth		4	3	4	3
Total SKS		40	40	40	39	

The structure of curriculum in this description is SCS based curriculum with range of learning period during 4 semesters that include sum 159 SCS as required in the Madrasah regular curriculum. Modification was conducted for designing learning time become two years (four semesters with each semester six months) or can be applied for duration four semesters with four months. Through this design Madrasah can give the service learning for the gifted students because it is suitable with the characteristic of

the gifted students. To complete the establishing services for the gifted student must be completed with curriculum escalation and set of choice for essential courses. Thus, if three require are fulfill that structure modification curriculum, so escalation and using essential courses for Madrasah was accord to empowering institutionally then eligible to service the students who categorized as the gifted students as applied at Connecticut University of America.

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GOVERNMENT'S POLICY ON THE ASSISTANT OF PHARMACEUTICAL HEALTH

By EndangSutrisno¹ & Akhmad Aniq Barlian²

Abstract

Policies can be in the form of Act, Government Regulation, Provincial Government Regulation, City / Regency Government Regulation, and Decree of Mayor / Regent which is an effective instrument in law reformation, but not all regulations that have been made directly accepted by the community, One of them is the change in legislation about the pharmaceutical work.

This study is aimed to analyze and review the legislation in regulating pharmaceutical work done by assistant of pharmaceutical health worker. This research method using Doctrinal method that is qualitative research method with the use of normative juridical approach.

The results show that full implementation of the requirements as worker of pharmaceutical health will be difficult, because the limitation of the work authority of pharmaceutical health assistant is only promulgated in early 2017, and the consequences of government policy in realizing the legal work for assistant of pharmaceutical health are not evenly distributed, who are working as a civil servant will be given opportunity for further study to DIII Pharmacy level, while private workers have not been facilitated.

Keywords: Government Policy, Assistant of Pharmaceutical Health

A. Research Background

Pharmaceutical worker's role is to improve knowledge, skills, and behavior in order to do direct interaction with patient. The form of that interaction is medicine service and clinical pharmacy service in order to improve patient's quality life. That's why pharmaceutical work should be done by health worker who has skills and authority. The rules are needed to manage pharmaceutical work.

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The goal of pharmaceutical work management is to give protection to patient in getting pharmacy's stock and service, improving pharmaceutical service quality and give legal insurance for patient, society and pharmaceutical worker.

Regulations that manage pharmaceutical work are:

- 1. Law Number 36/2014 about Health Worker
- 2. Minister of Health Decree Number 573/2008 about Standard of Pharmacist's Assisstance Profession;
- 3. Minister of Health Decree Number 889/2011 about Registration, Practice Permit, and Pharmaceutical Worker's Permit;
- 4. Minister of Health Decree Number 80/2016 about Performance of Health Workers Assisstant Work.

Pharmacist's Assistant position changes in regulation. Pharmacist's assistant who graduated from Vocational High School no longer called as health worker, but he is called as health worker's assistant, because he is not included into technical pharmaceutical worker. Pharmacist's assistant no longer needs to manage Technical Pharmaceutical Worker's Registration letter and Technical Pharmaceutical Worker's Permit if he works in a pharmacy.

B. Formulation of the Problem

How legal regulations manage Pharmaceutical Health Worker's Assisstant in performing his job?

C. Theoretical Foundation

Law cannot be separated from human's life. When there is interaction between two people, law's norm is applied. Law's norm is a guidence about what should be done and should not be done³. The goal of law's norm is to protect human's need, so it must be obeyed, done, maintained and not to be broken. Some law's experts stated law's goal, one of them is utility theory that describes law's goal is to guarantee the greatest happines for the greates number⁴.

³ Sudikno Mertokusumo, *Mengenal Hukum Suatu Pengantar*, Yogyakarta, Universitas Atmajaya, 2010, page.37.

⁴ Esmi Warasih, *Pranata Hukum Sebuat Telaah Sosiologis*, Semarang, Suryandaru Utama, 2014, page.20.

Law with its values will create the presence intended to protect and improve values respected by society. The presence of this values are as the foundation to legitimate the presence and work of the law⁵.

Government makes some authorative regulations about pharmaceutical practice. The authority contained in rules of law about pharmaceutical practice changed, from focusing on medicine management to comprehansive service that cover medicine service and clinical pharmacy service (prescription's review, dispensing, medicine's information service, counseling, pharmaceutical service at home, medicine therapy monitoring and medicine side effect monitoring).

Health worker in health institution is protected legally in the law, but it is not described in details about legal protection for assisstant of pharmacy health worker in performing his job to get justice as described in the law.

Education level to be categorized as health worker at first has not differentiated between bachelor or vocational school graduates. It is afraid if there is undesireable mistake occured in pharmaceutical work, so government issued Law Number 36/2014 about Health Worker. This new Law of Health Worker defines health worker as every person who devote himself in health area that for certain type needs to perform health action.

In Article 8 of Law Number 36/2014 about Health Worker, it is stated that worker in health area consists of health worker and assisstant of health worker. While health worker that included into pharmaceutical worker is pharmacist and technical pharmaceutical worker (bachelor degree).

The making of rules about work limitation of pharmaceutical practice is a good move, but before implementing it government must see social reality that exist, especially about what is implemented in pharmaceutical work also obey the rules. It means that the decision maker not only issued formal rules but also must aware of social components that surround the process of that law issues. Law

⁵EndangSutrisno, Bunga Rampai Hukum & Globalisasi, Yogyakarta, Genta Press, 2009, page.21.

must not only dogmatic that has point of view to object that only around the rules and in logical-rational system framework by ignoring social environment⁶.

The same authority that become a problem in pharmaceutical work is trying to be solved by government, so it seems that the regulation often changes in pharmaceutical work eventhough the changes have possitive impact because it differentiate the authority that was the same before. The changes of pharmaceutical work authority done by pharmacy health worker stated in Minister of Health Decree Number 80/2016 about The Working Performance of Health Worker's Assisstant, but when the decree is issued, it received various comments. Many people think that the system of the rule is not ready to be issued yet, because the content is not ready to be done, there are some legal systems that are not fulfilled.

The difference of legality that manages pharmaceutical work is every pharmacy vocational high school graduates must take competency test, in order to get the qualified graduates. On the other hand, it is stated that in doing his job a health worker assisstant does not need registration letter and permit. In other words, Minister of Health Decree Number 80/2016 about The Working Performance of Health Worker's Assisstant do not acknowledge competency in the form of working permit letter. Without working permit letter the pharmaceutical service will be confuse, monitoring cannot be done because there is no differentiation between the one who is competent and not. The one without pharmaceutical education might work in the pharmaceutical world and do the same thing as the one who graduated from pharmacy vocational high school. This will become a problem when the focus of legal protection is only for pharmacy vocational school graduates.

Satjipto Rahardjo stated that law presents in society is to integrate and coordinate the interests that can be conflicted. The coordination of those interests is done by limiting and protecting those interests⁷. And legal protection is the attempt or effort to protect society from arbitrary action by the ruler that is not

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⁶Esmi Warasih, Op.Cit, page.9.

⁷ Satjipto Rahardjo, *Ilmu Hukum*, Bandung, Citra Aditya Bakti, 2000, page. 53.

suitable with law, to create order and peace so it is possible for human to enjoy his value as human⁸.

Law can protect rights and duty of every individu in reality, with strong legal protection the general goal of law will be rached: order, safety, peace, security, tranquility, truth and justice.

D. Research Method

Research method used is normative juridical approach, start from analyzing written legal regulations in the form of articles in rules of law that manage the working performance of pharmaceutical health worker's assistant. Legal research of normative juridical approach refers to existing library research or secondary data used.

E. Legal Foundation of Pharmaceutical Service by Assisstant of Pharmaceutical Health Worker

Government Decree Number 51/2009, the goals of pharmaceutical work management are to:

- 1. Give protection to patient and society to get and/or decide pharmacy stock and pharmaceutical service.
- 2. Maintain and improve the quality of pharmaceutical work performance that appropriate with knowledge and technology development abd rules of law, and
- 3. Give legal assurance to patient, society and pharmaceutical worker.

The performance of pharmaceutical work in pharmaceutical service facility is:

a. Pharmacy

Minister of Health Decree Number 73/2016 about Pharmaceutical Service Standard in Pharmacy, pharmacy is a place wherepharmaceutical practice is done by pharmacist.

b. Hospital's Pharmacy Unit

⁸ Setiono, *Rule of Law (Supremasi Hukum)*, Surakarta, Magister Ilmu Hukum Program Pascasarjana Universitas Sebelas Maret, 2004, page.3.

Minister of Health Decree Number 72/2016 about Pharmaceutical Service Standard in Hospital, pharmacy unit is a functional unit that performs all pharmaceutical service activity in hospital.

c. Community Health Center

Minister of Health Decree Number 30/2015 about Pharmaceutical Service Standard in Community Health Center, community health center is technical organizing unit of regency/city health department that is responsible in performing health development in one working area.

d. Clinic

Minister of Health Decree Number 028/2011 about Clinic, explains that clinic is health service facility that perform individual health service that provide basic or specific medical service, perform by more than one health workere and is led by one medical worker.

e. Drugstore

Government Decree Number 51/2009 about Pharmaceutical Work explained that drugstore is facility that has permit to store over the counter and limited over the counter medicine to sell.

f. Join Practice

Join clinik is a place where doctor and specialist do group practice and usually doctor in join clinic consist of various doctors with different specialization, where there is pharmaceutical service.

It is explained in Government Decree Number 51/2009 about Pharmaceutical Work that pharmaceutical work is a direct service and responsible to patient that related to pharmacy stock in order to get certain result to improve patient's quality life.

1. Management of Pharmaceutical Service Standard

Minister of Health Decree Number 72/2016 about Management of Pharmaceutical Service Standard in Hospital explained that pharmaceutical service standard is a guide used as guideline for pharmaceutical worker in performing pharmaceutical service and what is meant by pharmacy unit is functional unit that perform all pharmaceutical service in hospital.

Article 2 of Minister of Health Decree Number 72/2016 stated that standard of pharmaceutical service is intended to:

- 1) Improve pharmaceutical service quality;
- 2) Guarantee legal assurance for pharmaceutical worker; and
- 3) Protect patient and society from irrational medicine use for patient's safety.

Some policies that manage pharmaceutical service are:

 Minister of Health Decree Number 573/2008 about Profession Standard of Pharmacist Assisstant

This decree manages limitation of work coverage based on education level, but in that decree there is not many differentiation of authority between pharmacist's assisstant who graduated from vocational school and pharmaceutical diploma, in fact they almost do the same thing in pharmaceutical service.

Condition between pharmacy vocational high school and diploma graduates with different competency but have the same authority, become government's and society concern. It is afraid that will be something undesireable happened in pharmaceutical service, because it can be denied that in pharmaceutical service pharmacist's role dominate pharmaceutical work. According to that, government issued Minister of Health Decree Number 889/2011 about Registration, Practice Permit, and Pharmaceutical Worker's Working Permit with the intention to improve the competency for pharmacist's assisstant through Technical Pharmaceutical Worker's Registration Letter and Technical Pharmaceutical Worker's Working Permit.

2. Minister of Health Decree Number 889/2011 about Registration, Ptactice Permit, and Phatmaceutical Worker's Working Permit.

This decree explained about Technical Pharmaceutical Worker's Registration Letter and Technical Pharmaceutical Worker's Working Permit.

In Chapter I (General Rules), it is said that pharmaceutical worker is a worker who does pharmaceutical work, that consist of pharmacist and technical pharmaceutical worker. There is not many changes in this decree, only the term pharmacist's assisstant change into Technical Pharmaceutical Worker. In performing pharmaceutical service, a pharmacist can be helped by technical pharmaceutical service who has Health Worker Registration Letter with direct supervision by pharmacist.

The registration letter can be obtained through competency test held by Health Departement through Indonesian Pharmacy Specialist Association. For the graduates who took competency test but did not success, there will be other competency test until they are success and get competency certificate that will be attached for registration letter application to Province Health Departement.

Based on thr fact, the implementation of competency standardization through competency test has not optimal yet, because there was the registration letter issued without competency test, only recommendation letter from working place that the person has the competency, can be used to get the registration letter without competency test.

That reality becomes the foundation to start competency test for the students in their senior year. Every student who graduated cannot declared competent before he passed competency test as the competency standardization of national technical pharmaceutical worker.

Pharmaceutical service becomes the chain in national health service, the worker who works in that area must be professional. That's why government decided competency standardization, but it still becomes national issue because ther is no significant differences between the graduates of pharmacy vocational high school and diploma. So, the rules about pharmaceutical work mus be rearranged especially in pharmaceutical service.

3. Law Number 36/2014 about Health Worker.

The background of new pharmaceutical standard management is pharmaceutical service which its orientation shifted from medicine orientation to patient orientation. With that shifted orientation, the worker who has worked in pharmaceutical service is required to be more active in interacting directly with patient and giving pharmaceutical service oriented to patient.

Pharmaceutical service standard made is used as guidline by pharmaceutical worker in performing his profession practice, giving protection to patient, and protect helath worker who work in pharmaceutical area.

National issue about pharmaceutical service, government start to purse the problem, the main problem is the differences of competency standard that has been achieved in education cannot be equated if the education level is different. Along with Government Decree Number 8/2012 about Indonesian National Qualification Framework that manages level of graduates competency standard, in health world it is issued Law Number 36/2014 about Health Worker. This Law of Health Worker defines health worker as every person who devoted in health area and has knowledge and/or skills obtained through education in health area that for certain type need authority to perform health action.

Before Law Number 36/2014 about Health Worker is issued, pharmacist's work is helped by pharmacist's assisstant, in this case is Pharmaceutical bachelor, pharmaceutical diploma, pharmaceutical analyst and pharmacist's assisstant. After Law Number 36/2014 about Health Worker is issued, the term pharmacist's assisstant is omitted.

4. Minister of Health Decree Number 80/2016 about Working Performance of Health Worker Assisstant.

Policy is one of decisison made by government or government's instituion to overcome certain problem, to do certain activity or to achieve certain goal related to interest and benefit of mamy people. This policy can be in the form of Law or government decree.

The goal of this pharmaceutical work is to give protection to patient in getting pharmacy stock and pharmaceutical service, improve pharmaceutical service and give legal assurance to patient, society and pharmaceutical worker.

Regulation about the performance of health worker's assisstant answer the problem in authority limitation between pharmacy diploma and vocational school that was the same before in pharmaceutical service, it is expected by the arrangement of authority clearer, pharmaceutical service perfomance is also getting better.

Minister of Health Decree Number 80/2016 about Working Performance of Health Worker's Assisstant, in Article 22 become the attention because it stated that when the decree is applied, helath worker's assisstant who has worked in health service facillity before the decree is applied, can work and must adjust with this decree for 2 years at most after the decree is applied. In 2 years, it is impossible to get diploma of pharmacy.

Article 23 stated that pharmacist's assisstant who has technical pharmaceutical worker's registration letter and technical pharmaceutical worker's working permit based on Minister of Health Decree Number 31/2016 about Changes of Minister of Health Decree Number 889/Menkes/Per/V/2011 about Registration, Practice Permit, and Pharmaceutical Worker's Permit, and has worked before October 17, 2014, is declared valid and can give pharmaceutical service until October 17, 2020.

The analysis is that in Article 22 stated that the deadline is maximum 2 years, it means until 2018. But Article 23 stated that the worker can still work until year 2020 for the worker who has worked in service before October 17, 2014. While student of vocational school who graduated in 2015 still have the registration letter and valid until 2020, it should be valid until 2018 only.

F. Conclusion and Recommendation

F.1. Conclusion

Category of pharmaceutical health worker has been differentiated after the issued of Law Number 36/2014 about Health Worker. Full implementation as the requirement of will be hard to be done, because the authority of pharmaceutical health worker's assisstant is issued in early 2017, while the adaptation policy to be categorized as health worker is only until 2020.

F.2. Recommendation

- 1. Competency test material that become the requirement to work as pharmaceutical health worker's assisstant, adapt authority limitation given
- 2. Changes of regulation about pharmacy must be socialized and elucidated first.

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CULTURAL TRANSFORMATION ON JAVA WOMEN'S LEADER IN INDONESIA

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Abstract. This study aims to describe cultural transformation of Javanese female characters in Indonesian literary text. The problems that will be answered in this research are: is there any cultural transformation of Javanese woman character in Indonesian literary text? If there is in any realm?. This research uses descriptive method with 10 literary texts of Indonesian literature. This research uses theory of culture by David Kaplan with the structural type. From the analysis it can be concluded that there is a cultural transformation of Javanese female characters in 10 novels of Indonesia up to date. Cultural transformation is found in the world of education, work, the communication, lifestyle, sexual behavior, and division of labor.

Keywords: cultural transformation, Indonesian novel, female character.

I. INTRODUCTION

Indonesian Literature is a literature written in Indonesian, although its content concerns various ethnic, one of them is ethnic Javanese, concerning about Javanese culture also. Of course, one who can write about Javanese culture is the author of Java, because they understand very well about the intricacies of Javanese culture. Koentjaraningrat (1998) mentions that culture is the whole idea and human work that must be familiarized with learning, along with the whole of the result of his mind and his work. Edward B Tylor says that culture is that whole complex including knowledge, belief, art, morals, law, custom, and habits acquired by man as a member of society (Schusky & Culbert, 1987). The form of culture according to Koentjaraningrat can be three kinds, namely first, abstract form such as ideas, ideas, concepts, and the human mind. Secondly, the complex of activities, in which there are social and cultural physical systems, and the three (Koentjaraningrat, 1998).

Javanese women are known to be very strong in tradition so that in Javanese culture is known as women expression as *konco wingking*.

The meaning of the phrase konco wingking is the female duty behind, in the kitchen, in the well, on the mattress, (cooking, washing, serving the husband in bed), always behind the husband if walking, if snapped the husband always bowed, if said should not be faster than husband, if slapped any market. That is the world of Javanese women past, where women are not appreciated except for their sexual role. Women are more honorable when giving birth to a boy, then. Only Javanese noble women can enjoy life with good taste. Working women, women not working (working at home with unemployed), living fearfully divorced their husbands. Is this situation illustrated in Indonesian literary texts?, is there any cultural transformation in Indonesian literary texts?. And if there is such a shape?. This study will cover 10 novels of Indonesian sophisticated which are entirely the work of male authors. It can be said that the image of women to be discussed later is the taste of men, or the creation of men. This is justified by Maman Suryaman et al (2012) that until the end of abat XX male authors dominate Indonesian literary works. But the period of the 2000s the number of female authors drove rapidly to the point that Sapardi Djoko Damono said that the future of

Indonesian novels are in the hands of women (Maman, et al, 2012).

II. LITERATURE REVIEW

Transformation (noun) means the change of form, nature, function and so on. A story about change. In linguistic sciences, transformation means the grammatical structure changes to grammatical another structure by adding. rearranging subtracting, or its elements (http:kbbi.web/transformasi.htmi). Cultural transformation is a process of continuous dialogue between local culture and 'donor' culture (Agus Sachari, 1994). Dialogue between the West and Java that occurred in the late 19th century built the change of value system in various life, politics, economy, education. mindset, lifestyle, custom (habit). That fact creates a shift in value (including literary works, the novel of the first years of its emergence to the present day). Several studies on cultural transformation have been conducted, among others by 1) Umar Khayam (1994), in his professor's inaugural address entitled "Our Cultural Transformation". 2) Burhan Nurgivantoro (1998) in his dissertation entitled "Transformation of Puterangan Elements in Indonesian Fiction". 3) Mursal Esten (1999) in his dissertation entitled "Cultural Transformation Study". And Esti Ismawati (2005) in her dissertation entitled "Transformation of Javanese Women in Indonesian Fiction". This study uses structural theory.

Structuralism is an intellectual movement that began in France in the 1950s and first appeared in the work of anthropologist Claude Levi-Strauss and literary critic Roland Barthes. According to Barry (2010) the essence is the belief that things can't be understood separately from other things, but must be seen in the context of the larger structure in which it belongs, from which the term structuralism originates. The structure in question here is the structure imposed by the way we perceive the world and organize our experience, not the objective entities that exist in the external world. From this it can be said that meaning or significance is not a kind of essence or essence within, but meaning is always outside. Meaning is always an attribute of a

thing, in the literal sense that meaning is used as an attribute of a thing by the human mind, not contained in it.

Ferdinand de Saussure (Fananie, 2000) reveals that meaning is not secretly concealed in a sign (language), but rather how it functions as a result of differentiation of other signs. Therefore, to capture the meaning must see the sign structure objectively or parole. In literary works such as novels or short stories, the structure is not only present through words and languages, but can be studied based on its constituent elements such as themes, plots, characters, characters, settings, point of view. To know the whole meaning, then the elements must be connected to each other.

The notion of structure is also put forward by Terence Hawkes (1977) which states that the notion of structure contains three concepts: First, the idea of wholenes, internal coherence: its constituent parts will conform to a set of intrinsic law which determines its nature and theirs; the whole idea, intrinsic coherence: its parts adapt to a set of intrinsic rules that determine both the whole structure and its parts. Second, the idea of transformation: the structure is capable of transformational procedure, where by new material is contantly proscessed by and throught it; the idea of transformation: the structure embraces continuous transformation procedures that enable the formation of new materials; which implies that the structure is not static, but dynamic (the structure is not static, the structure of which governs it act as not only structured, but structuring). It is not only organized but also composed. The structure must therefore be capable of performing the transformation procedure (the structure must be capable of transformation). The third concept, the idea of self-regulation: the structure makes no appeals beyond itself order to validate in transformational procedures, it is sealed off from reference to other systems. The idea of selfregulation: the structure makes what is behind the order to be valid, it is the way of transformation, further said Hawkes as follows:

> "This new concept, that the word is made up of relationships rather than things. It claims that the nature of every

element in any given situation has no significance by itself, and in fact is determined by its relationship to all the other involved in that situation. The full significance of any entity or experience cannot be perceived unless and until it is integrated into the structure of which it forms a part. (p. 18)."

This idea implies that the structure does not need the help or help of other elements outside of itself, autonomous. Structural analysis is chosen because to discuss the transformation must be through structural analysis. After analyzed using structural researchers have the materials and components that is on the character. In Kaplan's theory of structured culture is a classification of phenomenon studied according to its essential and decisive character, as we define such characteristics. Since there is no absolute classification of phenomenon, the structural type varies according to the problem under study (Kaplan, 2002).

This research is descriptive, using structural method, by emphasizing element of main character of Javanese women in Indonesian novel. Identified figures related to cultural transformation in this study are, 1) Srintil figure in novel Ronggeng Dukuh Paruk, novel Jentera Bianglala, and novel Lintang Kemukus Dini Hari. All three are novels by Ahmad Tohari. 2) Figure Sri in novel On A Ship by Nh Dini. 3) Bawuk and 4) Sumarah character in Bawuk and Sumarah novel, by Umar Khayam. 5) Siti Ngaisah figure in Omar Khayam's novel Para Priyayi. 6) The character of Bu Bei in the novel Canting by Arswendo Atmowiloto, 7) Rosi Padmakristi, in novel Father Rahadi by YB Mangunwijaya, 8) Larasati character in the novel Burung-Burung Manyar, by YB Mangunwijaya.

The method of analysis in this study by describing the character since he emerged as a Javanese woman in the novel to see the transformation. In accordance with the above theory of transformation that will be described is the transformation in various life, politics, economy, education, mindset, lifestyle, custom (habit).

III. RESEARCH METHODS

This research uses qualitative approach with descriptive analysis technique. The main character in the literary texts studied is described since his appearance in the story until the story is over. The description covers all of his activities, which include his mindset, lifestyle, habits, and other accomplishments until he gains his position upon identification of cultural transformation. The cultural transformations identified in this research are in Srintil, Sri, Bawuk, Sumarah, Bu Bei, Rosi Padmakristi and Larasati figures.

IV. RESULTS AND DISCUSSION

Figure Srintil in the novel 'Ronggeng Dukuh Paruk'. 'Bianglala Square'. Ahmad Tohari's 'Lintang Kemukus Dini Hari' is a Javanese woman who traditionally has to accept the role of ronggeng. In the three novels by Ahmad Tohari the Sintil figure who acted as ronggeng initially accepted the money as his pay, but over time he did not want to be a ronggeng. She wants to be a respectable home lady. Here there is a cultural transformation, namely in terms of lifestyle, mindset, and custom. Although this novel plot still places women in the domestic sector with the traditional role of Javanese women, but the mindset of the main character Srintil has made him an agent of change. It does not put matter as the sole major. He still has pride despite the former ronggeng, when a Bajus will sell it to his boss from Jakarta as a bonus for him to be given the project. Srintil from a small upbringing grandmother, Sakarya, has been transformed as a dignified woman even though he was eventually imprisoned for being accused of the PKI.

Figure Sri, a Javanese woman in the novel 'On A Ship' by Nh. Dini has also undergone a cultural transformation, namely in terms of lifestyle, mindset, and custom. From small he was educated Javanese polite and refined customs until he became a palace dancer and a radio announcer in the cultural section. After his fiancé Saputro, an air force pilot who was killed in a plane crash, he married a French diplomat, Charles Vincent whose behavior was very violent. This marriage ran aground. And he found a genuine love on a ship, with captain Michael. A very clear cultural transformation, from a

normally shy Javanese girl, living at home, accepting her soul mate. Change into an independent, intelligent, not shy girl, and get to know Western culture.

The Bawuk character in the novelet 'Bawuk'. Sumarah's character in the novelet 'Sumarah', and Siti Ngaisah Sosrodarsono in Umar Khayam's 'The Priyayi' novel, are Javanese women who have undergone cultural transformation, in terms of lifestyle, , and custom. The padaw that the princess wedana in Ngawi has turned into the wife of a PKI activist who lives violently. Sumarah, the wife of a teacher who died of plague (a rat outbreak) became a masseuse to support his family. Mrs. Ngaisah Sastrodarsono, the wife of a teacher, is a Javanese woman who does not like her daughter getting married too early. He wants his son to go to school first. This is a change of way of thinking. At that time the Javanese women wanted their girls to marry quickly.

The character bu Bei Tuginem in the novel 'Canting' Arswendo Atmowiloto undergoes cultural transformation, namely in terms of lifestyle, mindset, and custom. From a very poor batik worker, Bei Tuginem bu turned into a mistress Bei Sestrokesumo living in the palace Surakarta. From the way of thinking how to solve the batik changed the way of thinking rich traders who trade batik in Klewer Solo market. From domestic affairs to public affairs, 5 of his sons are all scholars, and bu Bei Tuginem who takes care of all his needs. Mr. Bei just gathered with his friends in the group Survomentaraman while looking at pets. Bu Bei Tuginem who handle all family affairs and affairs Canting batik factory.

Rosi Padmakristi is a Javanese woman in YB's novel 'Romo Rahadi'. Mangunwijaya also undergoes cultural transformation, namely education, lifestyle, mindset, and custom. He became a doctor and served in Irian Jaya. It's an incredible mental revolution. Rosi who is the son of a Javanese priyayi in Wonosobo has reached a high level in the world of Javanese women. The priyayi lifestyle that is calm and comfortable he left behind. He is devoted to the motherland as a doctor in Papua. The gentle Javanese custom in attitude has turned into an agile, fine-hearted

Srikandi and officer. There is a change of mindset, lifestyle, and Javanese custom in the character of Rosi Padmakristi. He is not just a Javanese woman who works only in the domestic sector, but also works in the public sector.

Larasati is a Javanese woman in the novel 'Burung-Burung Manyar' by YB. Mangunwijaya also undergoes cultural transformation, namely education, lifestyle, mindset, and custom. Larasati is a symbol of the civilization of Javanese women. Larasati is the only female Javanese character in Indonesian literature who has S3 education and has a doctorate. There is a change of mindset, lifestyle, and Javanese custom in Larasati characters. He is not just a Javanese woman who works only in the domestic sector, but also works in the public sector. He serves as Head of the Conservation and Natural Resources office, a highly prestigious post usually held by a man. Larasati also contributed the results of research on the birds of war. Apparently, the behavior of adult birds when they want to marry very astonishing. He made the house as beautiful as it is. He invites females to his home. If manyar females love, he will occupy the house, and become the mother of his offspring. If manyar females do not like it, then males do not force it. He respects the choice of females. A very high philosophy, and needs to be imitated by humans. Such sexual behavior has been transformed, from the traditional behavior in which the man is the lelananging of the universe who can marry off at will. In the Larasati family, this has happened. Larasati's husband respected his wife as his mother. In the world of communication, this family is already using the modern way, where communicating does not have to meet directly, but can use telephon. In the world of work, women (Larasati) can be a good leader for his subordinates.

V. CONCLUSION

From the analysis it can be concluded that there is a cultural transformation on the Javanese female characters in 10 novels of Indonesian sophisticated, with 8 female characters, namely Srintil figure, tokos Sri, Bawuk, Sumarah, Nyonya Ngaisah Sastrodarsono, Bu Bei Tuginem Sastrokesumo, Rosi Padmakristi, and Larasati.

Cultural transformation found in the world of education, lifestyle, mindset, customs, the world of work, the world of communication, lifestyle, sexual behavior, and the division of labor.

VI. DISCUSSION

Cultural transformation experienced Javanese female characters in Indonesian literary texts, however still in the same direction with the eastern values that upheld the people of Indonesia. Compared to female characters in the novel text of literary fragrance written by authors such as Avu Utami is very different. Bandel, 2013 says that women in the novel text of Ayu Utami are no more than women who want unlimited freedom, including sexual freedom. What they do is a mere futility, because they can not be accepted as citizens of Eastern and Western cultures. Western culture which they understand as a freedom is very misunderstood by the characters in Ayu Utami's works such as Shakuntala, so such a culture is just a scum. Shakuntala figures seem to be in a space that is not reached by all values and cultural norms of Indonesia. Compared to the figures Srintil, Sri, Bei, Bawuk, Sumarah, Ngaisah, Padmakristi, and Larasati, the figure Shakuntala created Ayu Utami in the novel entitled 'Saman' has undergone a cultural transformation that is too far in terms of behavior, mindset, and lifestyle. Shakuntala considers that an advanced woman is a woman who freely expresses what is within her including sexual freedom. This is very contrary to the cultural values in Indonesia.

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RELATIONSHIP OF REGIONAL REPRESENTATIVE COUNCIL WITH STATE INSTITUTIONS IN THE SYSTEM OF CONSTITUTIONAL IN INDONESIA

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Abstract

In the new era of institutional Indonesian governmental movement, the Regional Representative Council is a national level agency in Indonesia that was introduced through the amendment of the 1945 Constitution. The representation of members of the Regional Representative Council represents every province in Indonesia. The position of the Regional Representative Council in the Representative System in Indonesia, especially as a State institution has a weak function, only as a complement to the legislative body. The Regional Representative Council only as a "consultative and consideration" institution only, has no authority to decide. The relationship of the Regional Representatives Council with other State bodies such as the People's Representative Assembly, the People's Legislative Assembly, the Constitutional Court, the Regional Government and the Regional People's Legislative Assembly exist, but only on certain matters and only as a "consideration".

Keywords: Position of Regional Representative Council

A. Introduction

Since the reformation in 1998, a new milestone in the journey of Indonesian state administration began from the beginning. From 1999 to 2002, the 1945 Constitution has undergone a fundamental change of 4 (four) times. In the framework of the first amendment to the fourth amendment of the 1945 Constitution, Indonesia has adopted new principles in the constitutional system, from separation of powers and checks and balances to the settlement of political conflicts through legal channels.

Thus, through the amendment of the 1945 Constitution, the MPR has deconstructed itself into an institution of DPR and DPD which is almost similar to the bicameral parliament model. In addition, there has been a new institution named the Constitutional Court, the Judicial Commission and included in it is the DPD. In addition, there have also been independent state institutions whose authority is based on the order of the Constitution, Act, and even there is an institution whose authority comes from the President's decision. ¹

The Regional Representative Council of the Republic of Indonesia (DPD-RI) has passed the first five years (2004-2009) as well as the next five years of service as one of the national-level representative bodies elected directly by the people through elections other than the House of Representatives. Not least the experience and problematic that

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¹ Ni'matul Huda, *Hukum Tata Negara Indonesia*. (Jakarta: PT. Raja Grafindo Persada, 2006), page 182

the DPD faced during the first period of its existence, both institutionally and individually members as regional (provincial) representatives at the national level. The various experiences and problems are expected to be a reference to improve the performance of the DPD in improving the quality of its contribution in presenting a more democratic, transparent and accountable government for Indonesia in the future.

Institutionally, the DPD is a relatively new national level institution in Indonesia introduced through the third amendment of the constitution in 2001. However, the quality of DPD members' representation comes from 34 provinces, relatively better than the members of the House of Representatives.

Starting in 2004 a new era in the history of Indonesian government, especially in the field of people's representation of the existence of members of Parliament (House of Representatives) which had never existed before. They have been elected in this 2004 General Election along with the election of members of the People's Legislative Assembly.

Based on the fourth amendment there is a fundamental change in the People's Consultative Assembly (MPR), where the MPR consists of members of the House of Representatives (DPR) plus group representatives, the MPR consists of the House of Representatives and the Regional Representatives Council (DPD) as set forth in article 2 (1) of the 1945 Constitution.

DPD's presence in Parliament as a new institution, which previously was filled by the Council of Regional Representatives (DUD) and delegates of the group. The filling mechanism is different, where for the delegates of the group and the delegates are easier because the Constitution is elected by the Provincial DPRD and the delegates are appointed. This change makes the system of representative bodies in Indonesia changed from the monocameral system to the bicameral system, that the bicameral system held in Indonesia is different from the bicameral system of other countries.²

In this case we need to know that what is known as bicameral system in various countries in the world is strong two bicameralism system (strong bicameralism). So both rooms (Parliamentary Institutions) are equipped with equally strong authority and balance each other against each other, plus a veto. In the context of Indonesia today where regional autonomy is increasingly likely to be federalistic, suggestions have emerged that the parliamentary structure adopted is of strong "becameralism".³

Based on the amended 1945 Constitution it is mentioned that DPD performs functions: Legislation, consideration and supervision. DPD may submit a specific bill to the Parliament and participate in discussing specific Bill with Parliament. Areas that allow the DPD to propose a bill or participate in discussing the Bill are related to regional autonomy, central and local government relations, establishment and division and regional integration, management of natural resources and other economic resources, as well as those relating to central financial balances and area. In the function of consideration, the DPD gives consideration to the DPR or draft law APBN, the Bill related to taxes, education and religion, as well as consideration in terms of BPK election. Besides, the DPD has a supervisory function on the implementation of the Act in areas where DPD can propose a bill, participate in discussing and providing balance. Indirect supervision of the DPD may occur by receiving a CPC report. The results of the DPD's oversight are submitted to the DPR as a matter of consideration to be followed up.

² Sulardi, Surya, 9 Oktober 2002

³ Imawan, Wahyudi, *Pemilu 2004 Akan Relatif Damai*, Suara Muhammadiyah, 2004, page. 17

From the formulation of the 1945 Constitution, we can know that the DPD as a representative institution of the Region has three functions, namely the function of legislation, function considerations and supervisory functions.

Therefore, DPR and DPD reflect the imperfect bicameral system or it may also be called soft bicameralism. Even the existence of MPR, DPR, DPD can also be called as unicameral parliament building which is not purely, because in essence the function of legislation is in the hands of DPR, but beside there is DPD which also have duty as "partner in legislation". In addition, the MPR itself is still considered important because it has independent authorities, regardless of the meaning of the DPR and DPD institutions.

In carrying out its function, DPD has cooperation or relationship with other State institution, where not only with MPR, DPR but also with BPK as regulated in the provisions of Article 23 E Paragraph (2) and Article 23 F Paragraph (1) The third amendment to the 1945 Constitution. DPD with the Constitutional Court as regulated in Article 24 C Paragraph (1) and Article 22 E Paragraph (2) of the 1945 Constitution as well as in Law Number 2 Year 2003 concerning arrangement and position MPR, DPR, DPRD and DPD. In addition, the relationship between the DPD with the Supreme Court, Regional Government and Provincial and Regency / City DPRD even with non-Party Regional Communities.

Furthermore, based on Law Number 12 Year 2003 regarding General Election, the number of DPD members and each Province as many as 4 people, selected from individual candidates with severe requirements and voters following the multi-representative district system. This means that the selection process and process of DPD membership will be more strict and heavier than the selection of members of DPR, every DPD member has clear and numerous constituents, so the political legitimacy is strong. But on the other hand the Constitution only regulates the weak authority, even not even regulate the rights of DPD members. How representative is selected through the district system, which relies on high member autonomy, without any description of the rights of members.

As in Law Number 22 Year 2003 on the Composition and Status of the MPR, DPR, DPRD and DPD, in Article 40: "To mention that the position of DPD is a regional representative institution domiciled as a State institution". So the position of DPD is a representative institution in charge of fighting for the aspirations and interests of the region in the Unitary State of the Republic of Indonesia.

Based on the description of the above background, there are some interesting issues studied in the writing of this study are as follows:

- 1. How is the position of the Regional Representative Council (DPD) in the Representative System in Indonesia?
- 2. What is the relationship between the Regional Representatives Council (DPD) and other State Institutions in the State System of Indonesia?

This research is a normative research that is legal research, by conducting study on legal materials in the form of legislation and study of books.

B. Position of Regional Representative Council (DPD) in Representative System in Indonesia

The year 2004 is a new era in the history of Indonesian government, especially in the field of people's representation of the existence of members of DPD (Regional Representative Council) which had never existed before. A total of 128 DPD members from 32 Provinces have been elected in the 2004 elections along with the election of members of the DPR, who are currently waiting to be sworn in.

DPD is a new political institution born of this new spirit, especially that Indonesia and its ongoing must be maintained as or with a fair agreement between the people and between regions. As a new institution DPD is not a representative of DPRD-DPRD in the center, but an institution that stands alone and selected individually as well.

The existence of DPD in Parliament as a new institution, which previously was filled by the Council of Regional Delegates (DUD) and delegates of the group. The filling mechanism is different, where the delegates of the group and delegates are easier because the DUD is elected by the Provincial DPRD and the delegates are appointed to see the current MPR composition, which consists of the DPR and DPD, it tends to be called bicameral system, there is a DPR room, there is a DPD room. But theoretically we do not fully embrace this two-room system. Because the authority of the House of Representatives on the one hand and the authority of DPD on the other hand is not the same as the Senate and Congress in the legislative institutions in the United States.

Based on Article 22 D of the amended 1945 Constitution:

- (1) The Regional Representative Council may submit to the People's Legislative Assembly a draft law relating to regional autonomy, central and regional relations, the establishment and division and integration of regions, the management of natural resources and other economic resources, as well as those pertaining to financial considerations centers and regions.
- (2) The Regional Representatives Council shall also discuss the draft of regional legislation in relation to regional autonomy, central and regional relations, the establishment and expansion and integration of regions, the management of natural resources and other economic resources, as well as those pertaining to central and and to give consideration to the People's Legislative Assembly on the draft State Income and Expenditure Bill and the draft laws relating to taxation, education and religion. ***)
- (3) The Regional Representative Council may exercise supervision over the implementation of laws concerning central and regional relations, the establishment and division and integration of regions, the management of natural resources and other economic resources, the implementation of the state budget of income and expenditure, taxes, education and religion as well submit the results of his supervision to the House of Representatives for consideration to be followed up. ***)

From the provisions of Article 22 D indicates that:

First, the position of the DPD is designed to be lower than the House of Representatives or merely complementary to the DPR, is not appropriate in its position as a territorial or regional representation

Secondly, it reflects the four functions of DPD, namely the function of legislation (although facultative), the budget function, the supervisory (facultative) function and the consideration function.

Third, the existence of DPD is indeed to represent the aspirations of the region. So DPD performs the functions: Legislation, consideration, budget and supervision. However, if we look at the provisions of Article 41 of Law Number 22 Year 2003 regarding arrangement and position MPR, DPD and DPRD, DPD has functions:

- a. Proposal submission, participate in deliberations and provide consideration related to the particular field of legislation;
- b. Supervision over the implementation of certain laws.

From the formulation of DPD function is not complete only the function of legislation, consideration and supervision, should include the function of legislation, budget, supervision and consideration as regulated in Article 22D of the Amendment Constitution.

Furthermore, the institutional structure of the existence of DPR and DPD reflects the imperfect bicameral system or it may also be called the soft bicameralism. Although in theory the theory is not familiar with hard and soft systems. Even the existence of MPR, DPR, DPD can also be called unicameral parliament building which is not purely, because in essence the function of legislation is in the hands of DPR, but beside it there is DPD which also have duty as "partner in legislation". In addition, the MPR itself is still considered important because it has independent authorities, regardless of the meaning of the House of Representatives and the House (Jimly Asshiddiqie, 2003: 2).

Then in Law Number 2 Year 2003 on the Composition and Position of the People's Consultative Assembly, DPR, DPRD and DPD, in Article 40: "To mention that the position of DPD is a regional representative institution domiciled as a State institution". The article indicates the affirmation of DPD's position as a regional representative institution that fights for the aspirations and interests of the region is appropriate, but the DPD position should be parallel to the DPR instead of lower.

The amendment of the Law relating to the Composition and Status of the MPR, DPR, DPRD and DPD in 2009 has changed with the enactment of Law Number 27 Year 2009 on MPR, DPR, DPRD and DPD, in Article 222, that DPD is a regional representative agency domiciled as a state institution. In Article 223 (1) DPD has functions:

- a. submission of proposals to Parliament on draft laws relating to regional autonomy, central and regional relations, establishment and division and regional integration, management of natural resources and other economic resources, and in relation to central and regional financial balances;
- b. participate in the discussion of draft laws relating to regional autonomy, central and regional relations, the establishment, division and merger of regions, the management of natural resources and other economic resources, as well as the balance of central and regional finances;
- c. giving consideration to the DPR on the draft law on state budget revenue and expenditure and draft laws relating to taxes, education and religion; and
- d. oversight of the implementation of laws on regional autonomy, the formation, division and integration of regions, central and local relations, management of natural resources and other economic resources, the implementation of the state budget, taxes, education and religion.

Whereas in Article 224 (1) DPD has the task and authority:

- a. may submit to the DPR the draft legislation related to regional autonomy, central and regional relations, establishment and expansion and regional integration, management of natural resources and other economic resources, as well as those relating to central and regional financial balances;
- b. take part in discussing with the House of Representatives and the President of the draft law relating to matters as referred to in letter a;
- c. to discuss with the House of Representatives and the President of the draft proposed by the President or the House of Representatives, in relation to the matters referred to in letter a;

- d. giving consideration to the House of Representatives on the draft law on the State Budget and the bill relating to taxes, education, and religion;
- e. can supervise the implementation of the law on regional autonomy, establishment, expansion, and regional integration, central and regional relations, natural resource management, and other economic resources, the implementation of State Budget, taxes, education, and religion;
- f. submit the results of monitoring on the implementation of laws on regional autonomy, establishment, expansion, and regional integration, central and regional relations, natural resource management and other economic resources, the implementation of State Budget Laws, taxes, education, and religion to the DPR as consideration material for action:
- g. receive the results of the examination of the State's finances from the BPK as a matter of consideration to the House of Representatives regarding the draft law relating to the State Budget;
- h. giving consideration to the House of Representatives in the election of BPK members; and
- i. participate in the preparation of national legislation programs related to regional autonomy, central and regional links, establishment and expansion and regional integration, management of natural resources and other economic resources, as well as those relating to central and regional fiscal balance.

So the position of DPD is a representative office in charge of championing the aspirations and interests of the region within the territory of the Unitary State of the Republic of Indonesia. The existence of these institutions, among others, aims to increase or increase institutional access to the delivery and struggle of aspirations and regional interests in policy-making at the national level. In addition, it also encourages faster development and realization of regional development. Finally, the existence of the DPD to strengthen the bonds of the regions within the frame of the Unitary State of the Republic of Indonesia. We do not really want this DPD to merely speak of the interests of the region, but while at the MPR institution, it is discussed in addition to regional interests, he should also have the insight of the Unitary State of the Republic of Indonesia, this unifying attitude which must be taken first.

Although the theoretical Constitution of the DPD is "merely" as a "consideration institution" of the House of Representatives, but if the mandate of the constitution has been carried out has provided a description of how its function and its positive role in state life in our beloved Republic, which is still "toddler" in the course of reform, It should not be that this new State institution becomes a new constitutional problem.

On the other hand after the Third Amendment of the 1945 Constitution, a shift in the form of a State from a united State to a federal State. If we look at the provisions of Article 22 D of the 1945 Constitution on the DPD paragraph (1), "the DPD may submit to the House of Representatives draft of the Law relating to regional autonomy, central and regional relations, the establishment and expansion and consolidation of the regions, the management of natural resources and other economic resources, as well as those relating to central and regional financial balances ". This article governs the DPD's authority in anticipating conflicts between central and local governments. Whereas in united states, the central government fully regulates the problem of central and regional relations, as it is the power and authority of the central government. Sovereignty within the united State can not be denied. Even if there is regional autonomy, some of the

sovereignty is only distributed to the region, but not given in full. Sovereignty remains in the central government as the organizer of State power.

The existence of DPD clearly reflects the form of 'quasi-federal' State. According to the teachings of CF Strong, one of the central features of the federal state is the distribution of power between the federal state and the states. Although the third Amendment of the 1945 Constitution does not explicitly regulate the division of powers between the central government and local governments, but the provisions set forth in Article 22 D clearly identify areas of power under the authority of the DPD. Where it is clear that all issues related to or related to regional interests, the central government needs to obtain prior approval or consideration from the DPD. If the DPD does not agree, a draft law regulating the issue of central and local relations can not be a law. Even the draft state budget bill is not sufficiently discussed by the Parliament and the central government, but must "with due consideration of the Regional Representative Council (DPD)" as regulated in Article 23 paragraph (2) of the 1945 Constitution.

C. Relationship of the Regional Representative Council (DPD) with Other State Institutions in the State System of Indonesia

1. The relationship between DPD and MPR

The last amendment of the 1945 Constitution Article 2 (1) stipulates that the MPR consists of members of the DPR and DPD members. So it is not MPR consisting of DPR and DPD in the sense of institution. This does have different consequences in the mechanism. Each member from both the House of Representatives and the DPD are also members of the MPR. In such a position, essentially the MPR is a joint session between DPR and DPD when decisions must be taken by Indonesian parliamentarians as members of the MPR. Because the MPR is made up of DPD members and members of the People's Legislative Assembly, although it has never actually performed the functions of the MPR, such as amending and enacting the Constitution, and electing the President and / or Vice President in the event of a vacancy in the middle of the term of office. From the description it appears that on the one hand the DPD can be a "counterweight" for the DPR in the MPR forum forum, although the ballot is not entirely appropriate, since the number of DPD members is limited to at most one-third of the members of the People's Legislative Assembly and all MPR decisions are stipulated by majority vote. This means that the voting ability of the DPD is designed so that it can not be too disturbing to the DPR. While on the other side of the Susduk Law Number 22 Year 2003 Article 10 concerning the Status of the People's Consultative Assembly declared that "MPR is a people's consultative body domiciled as a state institution", it shows that MPR is a permanent institution not a joint session between DPD and DPR.

2. The relationship between DPD and DPR

Under the provisions of Article 20 (1) of the first amendment constitution, strictly declares that "the People's Legislative Assembly shall have the power to form laws", so the DPR is an institution authorized to form Law. The House of Representatives will only be involved in deliberating the Draft Law in the House's internal session before the House of Representatives discuss it with the President. Article 20 (1) states, "Every Draft Law is discussed by the House of Representatives and the President for mutual consent". There is no article governing the draft of the Bill with the DPR, DPD and the President. Moreover, requiring DPR approval means DPD 'disagreement' may not preclude the legitimacy of legislation.

Similarly, in the provisions of Article 22 D paragraphs 1, 2 and 3 of the 3rd amendment, in which the DPD has very limited authority to give consideration, propose suggestions to Parliament and oversee the implementation of certain laws. So the full legislative authority in the House of Representatives with the President, as well as in terms of budget DPD can only give consideration and suggestions. Similarly, in the case of supervision of the implementation of certain laws, budgets and political policies, all should be forwarded to the Parliament for follow-up. This means that the DPD is only a "Consultative" authority, because it has no authority to decide, whereas the DPR is "very dominant" authority, where all the authority of the President is the involvement of the Parliament (from the side of the constitution already reflects the Parliamentary system).

In terms of constitutional law such authority is clear and unbiased, the problem is its political implications. What if the proposal or consideration or result of supervision was not represented in the DPR's decision? The House of Representatives, which consists of the Political Parties, will say that the DPD only gives suggestions instead of determining, the authorities are DPR. Indeed, all suggestions, suggestions and considerations given by the DPD to the DPR are not legally binding, but in order for the consideration to have a moral morality, so as to have a meaning that is politically significant, it is necessary to affirm a provision in the law. If the Parliament can not accept suggestions, suggestions, considerations of DPD there should be a written answer publicly announced with the reasons for rejection. Thus the nature of the DPD's considerations is unlike the advice and considerations of DPA that have no binding power at all, whether legally or morally.

3. DPD relationship with BPK

In carrying out its function DPD also has a relationship with BPK, as regulated in Article 23 E paragraph 2 and Article 23 F paragraph 1 Third Amendment of the 1945 Constitution. These two provisions entitle the DPD to make the results of the BPK financial statements as a material in the execution of duties and the authority it holds and to determine the membership of BPK through the authority to give consideration in the process of nomination and election of BPK members.

4. DPD relationship with the Constitutional Court

The Constitutional Court has a direct working relationship with the DPD. First, the DPD is one of the State institutions whose authority is determined in the Constitution. According to Article 24 C paragraph 1 of the 1945 Constitution, "the Constitutional Court has the authority to adjudicate on the first and final level whose final decision is to test the law against the Constitution, to break the dispute over the authority of the State institution whose authority is granted by the Constitution, to request the dissolution of political parties, about election results ". Therefore, as a State institution, the DPD may dispute with another State institution that has the same authority as the Constitution provides.

If the conflict or dispute relates to the relationship of authority between the institutions of that State, such conflicts shall be settled by the Constitutional Court in accordance with its authority in accordance with the provisions of the foregoing article. Secondly, the Constitutional Court is in charge of resolving, if a dispute arises over the election results of the DPD members through the general election. In Article 22 E paragraph 2 of the 1945 Constitution it is stated that "General Elections are held to elect members of the House of Representatives and members of the DPD, the President and

the Vice-President and the DPRD", while in Article 24 C paragraph 1 states "...... to dispute the outcome of the election". Accordingly, if there is a dispute regarding the outcome of the election of DPD members, then the authorized decision is the Constitutional Court.

5. The relationship of DPD with the Regional Government and DPRD

In relation to representative institutions in the regions, the relationship between DPD and DPRD is not regulated. But the DPD members are the provincial representatives who should be working with the DPRD. In the perspective of central-local relations, the DPD may be a bridge between DPRDs (especially provinces) and DPR. So considering the DPD is a regional representative, then indeed there should be a relationship between the DPD through its members are determined four people from each province with their respective regions. In this case, the interests of the area may be interpreted as reflected in the composition of the DPRD membership and the Regional Head which is the result of the democratic process and / or local elections.

This relationship is actually reflected in the Structure and Status Law of Section 50 letter h, DPD members have the obligation to give moral and political accountability to the voters and the electoral districts. But this moral and political accountability is not clear in its concrete form. Therefore, it should be emphasized that the four members of the DPD are obliged to provide an openly written annual report. Subsequently to the report, a discussion was held by members of the DPRD and the Regional Head or who represented it, as appropriate to collect criticism and inputs in order to improve the performance of the DPD members concerned in fighting for their regional interests.

In addition, the relationship between the DPD and the DPRD may also be linked to the interim replacement procedure of DPD members as specified in Articles 88, 89 and 90 of the Structure and Status Law. The DPRD receives complaints from voters from the electoral districts, which are then forwarded to the DPD Honorary Board.

D. Conclusion

Based on the results of literature review as has been discussed previously it can be concluded:

- 1. The position of DPD as a regional representative body that fights for the aspirations and interests of the region is appropriate, but the DPD should position parallel to the DPR, not lower. In addition, as a State institution has a very weak function, only as a complement to the legislative body, where only as a "consultative and consideration" institution alone, has no authority to decide. In addition, the DPD is limited to issues related to regional autonomy.
- 2. The relationship of DPD with other state institutions such as the People's Consultative Assembly, the People's Legislative Assembly, the Constitutional Court, the Regional Government and the Regional People's Legislative Assembly exist, but only on certain matters and only as a "consideration".
- 3. To establish a system of checks and balances in bicameral parliament, the DPD RI should have the same function and authority as the DPR RI as a legislative body. DPD RI and DPR RI are equally entitled to propose a Draft Law and mutually have veto rights that can cancel a Draft Act which has been approved by other institutions after fulfilling certain requirements. Discussion of a Draft Law starts from each representative institution, if the House of Representatives has approved a Draft Law (in the internal House of Representatives), then DPD RI will begin to discuss the Bill in internal DPD

RI. If it is mutually agreed, it can be done triangle talks DPR RI - DPD RI and President to discuss and take a joint decision regarding the Bill into Act. In addition, it is also necessary to improve the function and authority of the DPD RI supervision to be equivalent to the fellow DPR RI as a State institution.

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Abdi Dalem Women: Between Private Life and the Palace

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Abstract. Female servants can be interpreted as women who work in the palace or devote themselves to the king. In some literature it can be revealed that the abdi dalem is a faithful, devoted person, and has a high work ethic where the smallest work done by them will affect the entire life of the palace. It's this that attracts the author's attention to know how they live a good life when they become a courtier and when they become women outside the palace. Based on the problem to be studied in this research, the research method used is historical method, where there are 4 steps namely: heuristic, criticism, interpretation and historiography. The results of this study indicate that the presence of female servants in Mangkunegaran has an important role. Indirectly, the women's servants participate in preserving the culture. In addition, the women's servants also have the task of raising the sons and daughters of kings in which this reflects their role as informal educators. Aside from being a woman servant, these servants also have a role in the life of the household, namely as a companion of husband and mother. With the changing times that lead to modernization where new patterns of life are more open.

Keywords: abdi dalem women, palace Mangkunegaran.

I. INTRODUCTION

In the life of Javanese society, women are regarded as the weak men who depend on men and the number two. Women's lives are always associated with various obligations in the home, where there is a need for women to obey and submit to their husbands. In addition, it also places women as a companion, a friend, husband servant and educator for children (Hilmiyah, 1990: 14).

A Javanese woman who has a family is required to submit to her husband regardless of the position of the husband. The submission of a wife to a husband is a manifestation of a wife's respect to a husband. The role of wife in addition to as a husband in the family, a wife also needs to help complete the husband's job in relation to his job as a breadwinner. Thus, it further clarifies the concept of division of labor in the relationship of cooperation between husband and wife (Hilmiyah, 1990: 21). Based on this, it can encourage them to become a abdi dalem women.

Abdi dalem is part of the lower class (wong cilik). The life of a woman's servant is one of the hallmarks of a feudal court life in which there are various events concerning the relationship of the woman's servant with the royal family. The relationship between the women's and the king's servants was formed into two layers, the top and bottom layers that indicated the position of the group. The upper

layer places itself in the position of governing and determining the fate of the lower group. In this case the royal family occupied the upper layer and abdi dalem womens in the lower layer. As a result, the woman's servant depends on the royal family because the king's family determines the things that the abdi dalem women of the woman has to do (Darsiti, 1989: 15).

The life of a woman's servant is a mirror of a people's devotion to his king. However, the courtier also has another life, namely personal life as a wife and mother for his children and a part of society. That's what lies behind the author makes this research, namely to find out how the role of women abdi dalem in the life of the palace world and his personal life.

II. METHODS

In this study used the method of history because in terms of the purpose that this research seeks to describe how the woman's abdi in regulating between personal life and the life of the palace in the XX century. After reviewing and choosing to be used as an appropriate footing that is by using the historical method, then the research procedure that the writer do is to use the steps as follows:

1. Heuristics

According to Nugroho Notosusanto (1971: 14), heuristics is the activity of collecting traces of the past which is a historical event by collecting written materials, printed and other relevant sources. This activity can be done by conducting research in library and documentation center or archive institution. At this stage the authors attempt to locate and collect resources appropriate to the research. Data collection in this research is done by literature study that is trying to get written data in the form of literature books, magazines, newspapers, documents and other written sources.

2. Criticism

a. The data have been collected, each having different weights and values. To determine the weight of facts used in the writing of history, then used source criticism. This criticism is intended to determine the chosen sources whether the source has validity about authenticity and credibility (source validity). According to Dudung Abdurrahman (1999: 58) this source critic includes: Internal Criticism.

Internal criticism is to examine the truth of the source content. Internal criticism is done by examining the source content and comparing it with other sources. Internal criticism is conducted to evaluate the sources used from within the reliability and credibility of the contents of historical sources (Hellius Sjamsudin, 1992: 118). In internal criticism, the thing that is done is to investigate the content of historical sources. This criticism is used to prove whether the testimony given by the source can be trusted or not (Louis Gottshcalk, 1981: 102).

Internal criticism is used to assess and test the credibility of a source in terms of fact and story content. Internal criticism in this research is conducted by identifying the style, the grammar, the idea used by writer, the source of data, and the situation at the time of writing and purpose in suggesting events related to the theme.

b. External Criticism

External criticism is the criticism of the authenticity of the source (otensitas) relating to the physical aspects of the source found, such as: the material (paper or ink) used, the type of writing, the style of the language, its letters, and other facets of appearance. According to Dudung Abdurrahman (1999: 59), the test of minimum autonomy is done with the question of when, where, who, what materials and how the source was made. Before all the testimonies collected by the historian can be used to reconstruct the past, a rigorous examination must first be performed.

External criticism is conducted by examining the outside aspects of a historical source. External criticism is useful for checking historical sources and maintaining the authenticity and integrity of the

resources. In external criticism is done testing of the source of external aspects such as authors and source origin. In this research external criticism is done by selecting the form of written data source in the form of literature and encyclopedia. The physical aspects of both sources are seen from the author, year, source publishing place, the style of language and the spelling used.

3. Interpretation

Interpretation is an activity of interpreting the facts obtained from the data that has been selected in the previous stage for further data analysis. In this stage the steps that must be done the author is to read books that contain about events related to research, then the author compares with other sources so that authors can choose relevant facts and get rid of irrelevant facts and the last writer to interpret all the results of data that have been made to be connected between the data with one another so that into a unified whole and then become a historical fact that can be used as historical data.

4. Historiography

The historiography stage is the last step in the methodology or procedure of historical research, historiography is the historical work of the research, presented in scientific language with the distinctive art of explaining what is found along with its argument systematically. In historiography a writer not only uses technical skills, the use of quotations and notes but the author is also required to use critical thinking and analysis (Hellius Syamsudin, 1992: 153). Interpretation of historical facts can produce a story or a historical story. A series of historical stories are presented in a writing or historiography. Historiography is done by copying literature books, interviews, newspapers and other written sources which are then manifested

III. RESULT AND DISCUSSION

A. The role of Abdi Dalem Women in the Palace

Role is a dynamic aspect of position. If a person exercises rights and obligations in accordance with his position, then indirectly means running a role. Everyone has a variety of roles that come from the patterns of social life. The importance of role is to regulate their own behavior with the behavior of the people of the group (Soejono, 1990: 243). With regard to life in Mangkunegaran, abdi dalem womens have the following roles.

1. As an informal educator.

The role of the caregiver is carried out by a child. As a caregiver, the abdi dalem women also acts as an informal educator who teaches the pattern of court values to the sons and daughters of Mangkunegoro. Abdi dalem woman must be a clever master of the teachings of kindness and able to keep the family secret Mangkunegoro. Abdi dalem woman should have good behavior and courtesy because dealing directly with Mangkunegoro family. Abdi dalem woman must be a wise because sometimes a princess Mangkunegaran complained to him about all difficulties in

life so that in this case the woman's servant should be able to entertain, keep secret, and find a wise way out (Darsiti, 1983: 12).

2. Participate in preserving culture.

Abdi dalem women participate in preserving the culture of the nation, especially the Javanese culture that comes from the palace. Abdi dalem women in the palace environment play a role in the implementation of ritual ceremonies kraton. Abdi dalem women role from the preparation of ceremonial equipment until the ceremony, the courtiers also understand about the procedure and the course of ceremony then apply it in everyday life. This is done with the aim that the next generation understands and is willing to carry out customs performed in the palace as a high culture. Abdi dalem women are very convinced that the traditional ceremonies of the palace, such as ceremonies of the court, such as ceremonies surrounding the circle of human life, is very good to do so that humans can achieve happiness.

Active in social activities within the Mangkunegaran Palace.

To further improve the service gait of the abdi dalem in Mangkunegaran, then the women's courtiers formed a community of women in Mangkunegaran. These groups include HWMN (Mangkunegaran Women's Association) and HWK (Himpunan Wanita Karya). With the liveliness of the abdi dalem in social institutions is expected to be able to solve problems, such as economic problems because the agency has a function in the economic field. By following the activities of the institution, the women's servants gain knowledge on how to manage the household economy.

B. The role of Abdi Dalem Women Outside the Palace.

1. In domestic life.

Abdi dalem women in addition to performing the role as abdi dalem in Mangkunegaran, also has duties and responsibilities in the household. The Javanese conception implies that the existence of women in the structure of the Javanese society only served as wives. In the conception of Javanese women should be nrimo, surrender, refined, patient, and devoted to the husband. The concept is not considered the occupation of men, but is a form of division of labor based on the essence of appreciation of women and men with all the potential inherent in each. Attitudes of the wife to the husband more emphasis on respect and loyalty of a wife to the husband. A woman should be able to maintain her honor, whether present or without the presence of a husband. Therefore, women also have to live up to the family code of ethics, namely the jurisdiction (supposing the family is the state), so women should be able to keep family disgrace. Javanese women have been the foundation for families. The role of women in the family can be as a wife and mother. Understanding the ability to keep this honor more clear when associated with the expression of Queen Airport (wife of Mangkunegoro I) which confirms bajwa a wife abstinence violate the fence ayu or acting cidra.

2. In the public environment.

Abdi dalem women are given the opportunity to participate in various activities outside of Mangkunegaran. Women's courtiers are given freedom in many ways, but are still required to put themselves in society and remain loyal to Mangkunegaran. After the swapraja was abolished, Mangkunegaran was included in Keprabon urban village, RW VI Surakarta. Mangkunegaran complex is divided into 3 RTs. The female courtiers live in 1 RW divided into several RTs, namely Janti Panti, Panti Putra, Jayengan, and Darian.

At the time of Mangkunegoro VIII, not all abdi dalem womens lived in the Palace. Abdi dalem a married woman will occupy the housing provided by Mangkunegaran, namely at Jeksan Panti. The decrease in the duties of women servants in serving the royal family allows the abdi dalem to socialize more frequently in the community. By means of this means the woman's servant performs her role in a social environment. The role of women servants in the community is the same as other members of society. Women servants also follow community activities, such as rewang (helping cooking working neighbors), community service activities and following social institutions in the community such as PKK (Family Welfare Program). This is done with the aim to increase socialization in the community. In addition, the abdi dalem women also hopes something that is obtained from the palace can be applied in everyday life so that it can be an example for the surrounding community.

C. Changes of Abdi Dalem Woman In Mangkunegaran XX Century

1. Changes in Abdi Dalem Wanita

In the life of the abdi dalem women experience social changes that will give birth to a motion of social behavior or social mobility. Social mobility is a social behavior that includes the nature of relationships between individuals and groups (Soejono Soekanto, 1984: 308). Abdi dalem ladies serve in Mangkunegaran in a long time so that will undergo changes, namely:

a. Social Change Horizontally.

Horizontal social change is the movement of individuals or other social objects from one group to the same group (Soejono Soekanto, 1984: 144). Horizontal social changes experienced by abdi dalem womens in Mangkunegaran. Abdi dalem the woman only experienced a shift to other parts of the task so that the changes are still in one layer of strata, meaning that the change takes place to occupy other parts or positions, but still in one level. For example, from a chef changed into pracimayoso (clean). This happens because there is a shortage of personnel in other parts, ie abdi dalem womens in the chef many do not do the job, in the sense that the number of jobs is not proportional to the number of labor, so it must be placed in other parts that are more in need

b. Vertical Social Change.

In life, women's servants often have social movements that are vertical. Vertical social motion is a social change that occurs when a person or a group of other social moves from social position one to another social position that is not equal (Soejono Soekanto, 1984: 243).

The women's courtiers always strive for social change to increase their rank and rank. This is done through various ways, for example through marriage with the nobility. By becoming the wife of a nobleman, automatic titles of nobility can be carried, so as to increase degrees. In order to achieve this, a abdi dalem women must be willing to become a woman. The doctrine of virtue for the main woman can be seen in Fiber Wulangreh, Fiber Centhini and Candrarini Fibers. Wulangreh fiber is taken on the doctrine of divinity, decency, and social; Centhini's Fiber has a special teaching on women with five-fingered kisses that teach women about virtues; and Serat Chandrarini containing advice to women on the core of a Javanese women concept in a binding tradition and an era of progress that demands transformation in their lives (Budi Santoso 1992: 24).

In addition, social changes that occur in women's courtiers can be cultivated through achievement. The abdi dalem womens are trying to be the best women servants in the service of the Mangkunegoro family, as well as the honesty in carrying out their duties, so that with the loyalty the women's servants become closer to the Mangkunegoro family and can get the promotion as desired. In addition, the female courtiers can obtain a charter of rank and title by pronouncing Prasetya's promise as a form of loyalty to Mangkunegaran.

Abdi dalem women in Mangkunegaran mostly come from the village. The village children were taken to Mangkunegaran by a abdi dalem women who had served in Mangkunegaran. The village boys come to Mangkunegaran face to face with a great tradition and take a long time to adjust. In the village life, just knowing life as it is so it becomes a new pattern of life for him. In the life of the kraton the village children must follow a great tradition that everything must be in accordance with the rules that apply to leave the village life and begin to adjust to life in the palace.

The courtesy rules in the palace should be applied in the daily life of the woman's servant. Abdi dalem women should learn about the patterns of life contained in the new environment. In the beginning, the process of adjustment to the customs of courtesy that exist in Mangkunegaran. Such customs are polite; use of language, and a more tidy way of dressing. This resulted in the women servants who came from the village must abandon the habit of doing and learning about all life arrangements in Mangkunegaran.

Changes of Abdi Dalem Women from Life in Mangkunegaran

As the center of all life of Javanese society in the past living in the midst of the progress of time, Mangkunegaran not directly experience changes in the order of life of the people. Changes or shifts in real values have been going on in the past slowly and the changes are noticeably quicker as strangers begin to flock to Mangkunegaran. The very slow process of change is influenced by the attitude of the Mangkunegaran society to its underlying culture. This is in accordance with the theory of evolution. Evolution is small changes that follow slowly. On the evolution of change occurs by itself without a particular plan or will. This change occurs because the community's efforts to adjust to the needs, circumstances, and new conditions, which arise in line with the growth of society (Soejono, 1990: 311).

a. Changes from the Dress Up Facepiece.

Mangkunegoro VII is a ruler who can understand the meaning of modernization with the influence of foreigners who enter Indonesia, as his sons have been allowed to study outside Mangkunegaran environment. The king's sons were taught Dutch and danced in order to follow the association with the Dutch. Wearing clothing like the westerners among the royal family was gradually imitated by the lowly nobility. Finally, at the time of Mangkunegoro VIII the abdi dalem womens were allowed to wear skirts. Women's servants always dress modestly and at certain times, for example at official events such as entertaining guests for lunch or dinner, still wearing kebaya cloth. The process of this change is slow because of the prevailing customs in Mangkunggaran, so it reminds of the existence of traditional status. It can also create a sense of reluctance for some of the old woman servants to abandon the habit of killing.

b. Changes from an economic aspect

Swapraja removal also has an effect on the changing life pattern of abdi dalem womens in Mangkunegaran. Indonesia's independence in 1945 brought a very significant impact to the royal court in Central Java, namely Kasultanan and Pakualaman in Yogyakarta, Kasunanan and Mangkunegaran in Surakarta. In early 1946, the existence of the kraton was abolished. Implementation of the swapraja abolition in Mangkunegaran only occurred in 1956. This abolition is indirectly affect the order of life of the people of Mangkunegaran, not least the presence of abdi dalem womens.

The lives of people living in the Mangkunegaran neighborhood, including women's servants and kings' families experienced some changes, especially after the swapraja's removal in Mangkunegaran. Feudal and luxurious expenses are wiped out, such as a reduction in visits for abdi dalem womens. This causes the presence of abdi dalem womens in Mangkunegaran reduced for economic reasons. The women's servants are unable to support their own life so that many abdi dalem womens who leave Mangkunegaran leave, but still there are those who remain in Mangkunegaran because of the loyalty and high loyalty in the woman's servant. Economic life suffered a drastic decline, requiring female officers to seek other businesses outside Mangkunegaran to meet their needs.

Many of the women servants after leaving Mangkunegaran become successful people in their life. The women's servants assume that the knowledge gained from Mangkunegaran that equip and make it succeed. The women's servants also consider that success can not be separated from the blessings obtained from Mangkunegaran. The women's servants will not be able to escape from the kinship atmosphere in Mangkunegaran, even though they have become successful outside Mangkunegaran. In Mangkunegaran, the position of the women's servants is still as a courtier. The women's servants regarded the social position as high outside, but the abdi dalem still placed themselves as a servant. This is a form of feudalism occurring in the modern world.

c. Changes in Education

Any change can also lead to a shift in the old feudal life pattern with a new, more open pattern. Such openness, as with the opportunity to go forward and permit the abdi dalem womens to attend school, the women's servants are also encouraged to read diligently to add insight as stock in the future life. Mangkunegaran has a conception of the guidance of its citizens in order to have kejawen personality and to give priority to noble character. The teachings of manners are given through the teachings of Tri Darma, also with the arts in the form of a collection of songs that essentially contains the business of guidance and guidance of the behavior of the inner and inner (NN, 1978: 10).

Changes that resulted in openness in the environment Mangkunegaran also applied by Gusti Mangkunegoro VIII. Women's servants are given the opportunity to enjoy the times. This is evidenced by the education for women's courtiers. Women's courtiers are also permitted to send their children outside Mangkunegaran. In addition, women servants are also allowed to have side jobs outside Mangkunegaran. Women's courtiers have felt the openness and gained a bond of kinship from the change. However, his existence as a servant is still maintained. This is a form of devotion and respect for the women's servants to the king of Mangkunegaran, including in the case of not abandoning the habit in Mangkunegaran which is hereditary still held, such as holding offerings, holding salvation, and carrying out routine tasks daily.

IV. CONCLUSIONS

The position of abdi dalem womens in Mangkunegaran is the lowest level in employment stratification in Mangkunegaran. The presence of abdi dalem womens in Mangkunegaran has an important role. Indirectly, the women's servants participate in preserving the culture. In addition, the abdi dalem womens also have the duty of raising the sons and daughters of kings in which this reflects their role as informal educators. Aside from being a woman servant, these servants also have a role in the life of the household, namely as a companion of husband and mother. Given the changing times leading to modernization, abdi dalem womens are also active in social activities.

Life in a society always changes. Similarly, what happened in Mangkunegaran, especially the women's servants. These changes include changes that occur within the woman's own courtiers and the life of a woman's servant in Mangkunegaran. Changes that occur in the woman's abdi, including vertical changes and horizontal changes. The change of the courtied wania in terms of life in Mangkunegaran refers more to the shift of the old pattern of life that is feudal with a new pattern of a more open life.

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CARCASS GROWTH AND DEVELOPMENTAL CHARACTERISTIC OF BALI BULL AND HEIFER

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This research was aimed to study the pattern of carcass growth and its part on bali bull and heifer. This research was conducted in Kendari City slaughtering house. As many as 40 cattles, consist of 20 bull and 20 heifer were used in this research. Slaughtering tools, cattle scale, meat scale, writing tools and camera were also used. The result showed that the growth and development of carcass and meat of bali bull along with the growth and development of its body. While in bali heifer, the growth and development of carcass was slower than its muscle. The growth and development of bone of bali bull and heifer were faster than their carcass growth and development. Generally, carcass parts, meat and bone have a very strong relationship toward both sexes.

INTRODUCTION

Old cattle have a lower meat quality because it feels hard when it is consumed. Meat from old cattle is usually colored dark red, and its fibers were rough. Instead a young cattle that is under 3 years, its meat was light red, the fibers were smooth, and when cooked, the meat will become more tender (Nuraini and Hfid, 2006). In Southeast Sulawesi, until this time the meat quality of cattle is still not get a good attention. The meat fulfillment is still preferred in terms of quantity only. It can be seen from the system of the slaughtering and handling of meat that has not been paying attention to the technical principles (Richard, 2008). Whereas, the quality of the carcass/beef is a complexmatter that its judgment more influenced by the sensorial characteristic, nutritional value and the characteristic of its technology.

In addition, an urgent solution was needed to obtain an optimum quantity of carcass/beef production so it could give a decent profit, healthy and satisfy the consumer's taste (Hafid, 1998; Hafid, 2005; Hafid, et al, 2007). According to Sudarmoyo (1982); Hafid et al. (2010), the problem could be solved if the relational growth or growth of body parts, carcass and its parts, or the body tissues were known. This research was conducted to study the growth of carcass and it parts in bali cattle with different sexes, so it can provide a useful information in improving cattle carcass production.

MATERIAL AND METHOD

This research was conducted in Slaughtering House, Anggoeya Sub district, Poasia, Kendari City. As many as 40 bali cattle were used in this research with 150-250 kg weight and 2 - 3 years old of age (I_2 - I_3). The cattle are cattle that will be slaughtered in the slaughtering house.

First, the weights of cattle were measured and the sex type was recorded. The slaughtering was done using halal way. Slaughtering is still done traditionally, which is the slaughtering and carcass cutting were done on the floor.

After slaughtering, the head and feet were separated and continued with skin separation and evisceration. Then carcass weight and its parts were weighed and recorded. Meat and bone weight were obtained by separate the meat and its bone, and then weighed. The separation of meat and bone was done by meat seller in traditional market. The slaughtering process and carcass parting was done following Hafid (1998; 2005) as described below:

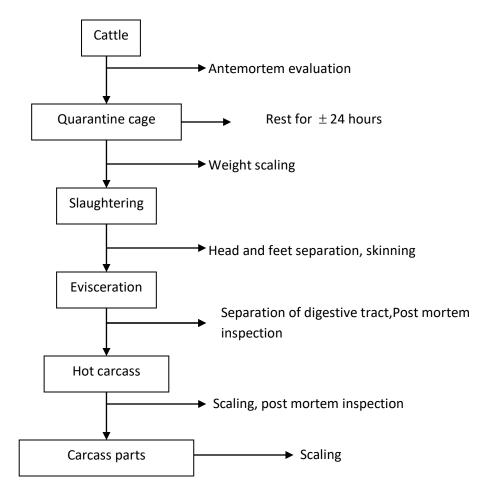


Figure 1. Cattle slaughtering process

The data obtained were analyzed using Huxley alometric equation, $Y = a X^b$ (Huxley, 1932), which is preceded with algorithmic equation:

Log Y = log a + b Log X which:

Y = Carcass weight and its parts that are experiencing growth

X = Empty body weight/carcass weight

a = Intercept (Constanta)

b = Relative growth coefficient.

The pairing between dependent variable (Y) and independent variable (X) is presented in Table 1. B value is distinguished from 1,0 and tested using t-student test (Steel and Torie, 1991) by the following formula:

$$t = \frac{b-1}{sb}$$

Which

Ho: b = 1H₁: $b \neq 1$

If $t < t_{table}$ thenaccept Ho.

If $t > t_{table}$ then accept H_1 .

The parameters observed in this study were:

- 1. Cattle weight; was obtained by scaling the cattle before slaughtering.
- 2. Carcass weight; was obtained after slaughtering and evisceration.
- 3. Meat weight.
- 4. Bone weight.

Table 1. The pairing between independent variable (Y) and dependent variable (X)

NO.	Y	X
1	Carcass weight	Slaughtering weight
2	Meat weight	Carcass weight
3	Bone weight	Carcass weight

RESULT AND DISCUSSION

A. Growth of carcass, meat, and bone

The data about growth of carcass, meat and bone of bali cattle were shown in Table 2.

Table 2. Growth coefficient, meat and bone of bali cattle with different sex

Log Y	Sex	Intercept	Growth Coefficient		Value	Value
Log 1		тистесри	b	Sb	b	r
Carcass weight	Bull	0,66	0,74	0,17	b < 1	0,99
	Heifer	1,19	0,51	0,19	b < 1	0,47
Meat weight	Bull	0,14	1,19	0,18	b = 1	0,99
	Heifer	0,02	1,13	0,17	b = 1	0,99
Bone weight	Bull	0,79	0,76	0,33	b < 1	0,98
	Heifer	0,66	0,83	0,20	b < 1	0,99

Based on Table 2 seems that growth coefficient (relative growth coefficient) of carcass weight, meat weight, and bone weight of bali bull and heifer were same. The growth toward carcass weight (b = 0.74 and 0.51) was significantly different (P < 0.05) which means that the carcass weight has a fast maturity than body weight or slaughtering weight.

The growth toward weight of total muscle (b = 1,19 and 1,13) did not differ from 1 (P>0,05) which means that muscle weight has a same pattern of growth with carcass weight.

The growth toward bone weight (b = 0.76 and 0.83) was significantly lower than 1, which means that bone has a fast maturity pattern of growth than its carcass.

The result obtained in this study was in accordance with Kirton (1970) cited by Sudarmoyo (1982) whom reported that carcass growth coefficient of New Zealand male goat was b = 0.459 and female was b = 0.403. It means that growth was faster than body weight.

Meanwhile, the growth of muscle was in accordance with Sudarmoyo (1982) whom reported that the muscle growth coefficient of kacang male goat was b = 1,24 and female was b = 1,08. Similar result was also reported by Ngadiyono (1995) whom explained that muscle growth (meat) on Sumba Ongole (SO), Brahman Cross (BX) and Australian Commercial Cross (ACC) cattle were relatively simultaneous with the growth of their carcass.

The growth of bone obtained in this study was similar with the result obtained by Sudarmoyo (1982) whom explained that the growth coefficient of male kacang goat was b = 0.84 and female was b = 0.79. Ngadiyono 91995) reported that the growth coefficient of bone tissues of Sumba Ongole (SO), Brahman Cross (BX) and Australian Commercial Cross (ACC) cattle were relatively faster than their carcass growth (b<1). Similar result also reported by Hasnudi (2003) that bone tissues growth of "Sungai Putih" and Local sheep in north sumatera were faster in achieving maturity than their carcass.

The result of this study also showed us that there were no any differences in carcass, meat, and bone growth among bali cattle with different sex. This was in accordance with Mukhoty and Berg (1971) cited by Sudarmoyo (1982) whom reported that there were no any difference of those growth components in bull, heifer, and castrated bull.

B. Logarhitmic Regression of Carcass Growth and its components.

The equation of logarithmic regression of carcass growth and its components can be seen in Table 3.

Table 3. The equation of logarithmic regression of carcass growth and its components on bali cattle with different sex

Log Y	Log X	Sex	Regression Equation	r Value
Carcass Weight	Body	Bull	Log CW =0,66+0,74 Log BW	0,99
(CW)	Weight (BW)	Heifer	Log CW =0,19+0,51 Log BW	0,47
Muscle Weight	Carcass	Bull	Log MW =0,14+1,19 Log CW	0,99
(MW)	Weight (CW)	Heifer	Log MW =0,02+1,13 Log CW	0,99
Bone Weight(BW)	Carcass	Bull	Log BW =0,79+0,76 Log CW	0,98

Weight (CW)	Heifer	Log BW =0,66+0,83 Log CW	0,99
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Based on Table 3, it can be seen that the equation of regression showed a relationship that is not thight between dependent variable (Y) and independent variable (X) with correlation coefficient (r) were 99% and 47%.

Regression equation of muscle weight and bone weight showed a tight relationship between carcass, meat and bone dependent variable (Y) and independent variable of body and carcass weight (X) with correlation coefficient (r) were between 98% and 99%. The magnitude of these coefficient correlation were in accordance with Ngadiyono (1995) whom obtained the correlation coefficient (r) of SO, BX and ACC cattle were 90, 85, and 83% (carcass vs. body weight), 95, 94, and 85% (meat vs. carcass) and 23, 40, and 32% (bone vs. carcass), respectively.

CONCLUSIONS AND SUGGESTION

- 1. The growth of carcass and meat of bali bull along with body growth. While in bali heifer the carcass growth was slower and the muscle growth was faster.
- 2. The growth of bone in both bali bull and heifer were faster than the growth of carcass parts.
- 3. Generally, carcass parts, bone, and meat have a thigh relationship toward both sexes.

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THE EFFECT OF LOCAL REVENUS-SHARING AND A GENERAL ALLOCATION OF FUNDS TO THE DIRECT EXPENDITURE ON THE REGENCY/MUNICIPALITY GOVERNMENTS IN SOUTH SUMATRA PROVINCE

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ABSTRACT

The study aims to find out it local revenues, revenue-sharing and a general allocation of funds affects the direct expenditure on the regency/municipality governments in south Sumatra Province. The research was carries out for the year 2014-2016. This type of data used in this study is the secondary. The data collected from general of the financial (DJPK) throuht the website www.djpk.go.id. The data analyzed in this study is derived from the report realization of the budget revenues and expenditures (budget). Methods used in this study is the method of hypotheses, where the influence of partial be tested with the t and the simultaneous tested by using the f by using the tools of analysis of computer programs econometric view (eviews) in version 9. This research result indicates that a partial local revenues, revenue-sharing and a general allocation of funds have a significant effecton the direct expenditure.

Keyword: revenue, revenue-sharing, a general allocation of funds, and the direct expenditure.

PRELIMINARY

1.1 Background Issues

The development of public services in Indonesia has become the main task of the government that must be optimized. This can be realized by preparing financial plans in the form of appropriate budget target. Regional budget is a financial plan that is made in the basis of local government guidelines in the implementation of public services.Di Indonesia local budget documents are often called the budget of revenues and expenditures (APBD) for both provincial and district / city.Dalam organizing government activities based on decentralization done at the expense of Regional Revenue and Expenditure Budget (APBD). According to Baldric Siregar (2015: 29) Definition of APBD is an annual financial plan of local government approved by the Regional House of Representatives (DPRD). The sources of local revenue are the original revenue, the balancing fund (revenue sharing fund, general allocation fund and special allocation fund). and Regional Loans, Deconcentration and Co-Administration Tasks. The first three sources are directly managed by the Local Government through APBD, while others are managed by the Central Government through cooperation with the Regional Government (Rahmawati, 2010: 1). Regional Original Revenue is regional revenue from the regional tax sector, regional retribution, the result of regional-owned enterprises, the result of separated regional wealth management, and other legitimate local revenue. In addition to the local revenue, in running the decentralization principle the local government also received assistance from the central government in the form of transfers in the form of general allocation funds and profit-sharing funds. The general allocation fund is a block grant fund transfer, so the local government has the flexibility in using general allocation funds in accordance with the needs and aspirations of each region (Abdul Halim).

Furthermore, Permenkeu Number 48 / PMK.07 / 2016 on Management of Transfers to Local and Village Funds defines that Revenue Sharing Funds are funds allocated in APBN to regions based on certain percentage figures to fund regional needs in the context of decentralization implementation. The South Sumatra government in 2013 to 2014 still relies on balancing funds as the largest source of regional revenue, indicating that the province of South Sumatra is still dependent on the central government in spending funds to make local spending. This can be seen in the following table:

Table 1.1

Revenue Contribution of South Sumatera

Provincial Government by Type of Income

Tahun	PAD	DBH	DAU	Belanja
Anggarn	(Rp)	(Rp)	(Rp)	Langsug
				(Rp)
2014	2.482.	2.793.11	985.5	2.228.14
	129	3	43	3
2015	2.784.	2.207.75	985.5	3.035.96
	967	9	43	4
2016	2.733.	1.483.32	1.071.	2.229.36
	330	7	421	5

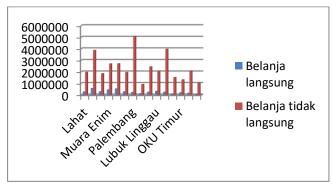
Source: www.djpk.go.id

In the above table it is found that by 2015 balancing funds are no longer the main source of income for the provincial government of southern Sumatra. The deputy governor of the southern province of Ishak Mekki said that this was caused by the reduction of balance targets and delays in the transfer of balancing funds as a result the realization of regional districts in 2015 could not reach the target. This condition makes the local government must make adjustments to cover the planned expenditure on the 2015 budget. One way that can be done by the local government is to focus by increasing the local revenue. Therefore, it is hoped that income independence can reduce dependency on transfer funds from the central government.

Actions taken bv the **Provincial** Government of South Sumatra is very important to do because considering the programs and activities that have been planned should still be implemented for the realization of regional development, especially the development of facilities, infrastructure and infrastructure as embodied in capital expenditures where capital expenditure is part of shopping lagsung. According Darise (2009: 136) Direct Shopping is the penganggaranya directly influenced by the existence of programs or activities. Spending directly divided by type of shopping consisting of; (a) Employee Expenditures, (b) Expenditures for Goods and Services, (c) Capital Expenditures. Can be seen graph of direct expenditure and indirect spending in the province of South Sumatra.

Graph 1.1

Direct spending and indirect expenditure of district / municipality governments in southern sumatera province for fiscal year 2014-2016



Source: www.dipk.go.id

The data above shows that South Sumatra Province in doing local expenditure is still small in issuing direct expenditure funds from indirect spending, In 2015 direct spending of the government of south sumatra mengalamin increase from the previous year. Direct spending should be greater than indirect spending because direct expenditure is a direct expense directly influenced by programs and activities.

Based on the Regulation of the Minister of Home Affairs Number 25 of 2009 states that regional expenditure is prepared with a work performance approach oriented to the achievement of the results of planned inputs, therefore in the preparation of budget year 2010 budget for local governments attempt to set target achievement both in the context of the region, work, and activities in line with the affairs that become its authority. In addition to direct expenditure to get a portion of a larger allocation of indirect spending.

Characteristic of indirect expenditure is expenditure that is used together in implementing program or activity of work unit while direct expenditure is allocation of expenditure (input) which set can be in value and compare with resulted output.

With the increase in local revenue, it is also expected that the increase of direct expenditure allocation. This is because direct expenditure has direct link to the program. Direct shopping is used by local government to finance the activities and programs as stated in local regulations. Direct shopping expects to have a higher proportion than indirect spending, because direct expenditure is the expenditure used for programs and activities that have

been established with the aim to improve the welfare of society and government performance.

Therefore, with local revenue sources and revenue-sharing funds, general allocation funds are expected to have a positive impact on the allocation of direct expenditure. This research refers to research conducted by Try Indraningrum (2011) research of is Direct dependent variable Shopping independent variable is Independent: Local Original Income, General Allocation Fund. Research indicates that by regionally generated Revenue and General Allocation Funds a significant positive effect on Direct Shopping. Furthermore, by Yeyen Rizkiyuni Hussein (2014) the dependent variable is Direct Expenditure and the independent variable is the Original Revenue, General Allocation Fund, and Special Allocation Fund. The results show that the original revenue of the region has a positive and significant impact on Direct Expenditure, the general allocation fund has a positive but insignificant impact on Direct Expenditure and special allocation funds have a positive and significant impact on Direct Shopping. Local original revenues, general allocation funds and special allocation funds simultaneously affect the Direct Expenditure of Gorontalo Regency Government Based on the research, the writer is interested to conduct research entitled "The Effect of Local Original Income, Profit Sharing Fund and General Allocation Fund to Direct Expenditure on Regency / City In South Sumatra Province ".

Based on this background, the following issues can be formulated: (1) Do the Original Regional Revenues Partially Affect Direct Expenditure ?; (2) Does the revenue share fund

partially affect direct expenditure ?; (3) Does the General Allocation Fund partially affect Direct Expenditure ?; (4) Do the Original Regional Revenues, Profit Sharing Funds and General Allocation Funds simultaneously affect Direct Expenditure?

The purpose of this study is to provide empirical evidence on: (1) To determine the effect of Local Revenue Partially on Direct Expenditure; (2) To know the effect of partial revenue sharing funds on direct expenditure; (3) To know the General Allocation Fund partially to Direct Expenditure; (4) To know the effect of Local Revenue, Revenue Sharing Fund and General Allocation Fund simultaneously to Direct Shopping.

Benefits The present research, systematically and methodologically based on these research norms, in whole or in part, is generally intended to have a scientific contribution. Thus expected to be used as a reference or knowledge for researchers, practitioners and contribute to policy. in addition to providing input to the Regional Government which income variables that need to be developed or increased, so that people's welfare and economic growth will be better or direct spending can be fulfilled.

Definition of Original Regional Income (PAD)

According to Law no. 33 of 2004 on the financial considerations between central and regional chapter 1 point 18 states that: Regional

Original Revenue, hereinafter referred to as PAD, is the income earned by a region levied based on local regulations in accordance with the laws and regulations.

According to Abdul Halim (2004: 67) explains that:

Revenue from the Region is all regional revenue derived from the original economic source of the region. Indigenous revenues are separated into four types of revenues: local taxes, regional retributions, regional-owned enterprises, derivative results of property management, other legitimate local revenue.

According to Baldric Siregar (2015: 31) in the book Public Sector Accounting states that:

Regional Original Revenue is revenue received by the Regional Government from sources within its own territory levied under local regulations. Indigenous revenues include local taxes, regional levies, the result of separated regional wealth management, and other legitimate local revenue.

Regional Original Revenue (PAD) is all regional revenue derived from the source of indigenous economy. Based on Law no. 32 of 2004 Original revenue sources regions hereinafter referred to as PAD, as follows;

1. Local taxes

Local taxes and levies are an important source of local revenue to finance the implementation of local government, in order to improve public services and regional independence, it is necessary to expand the object of local taxes and levies and the discretion in the determination of tariffs (Law 28 / 2009).

According to Law no. 28/2009 on Regional Taxes and Levies. Local Taxes, hereinafter referred to as Taxes, are the obligatory contributions to the Regions owed by an individual or a coercive body under the Act, without obtaining direct remuneration and used for the purposes of the Regions for the greatest possible prosperity of the people.

2. The result of regional retribution

According to Law no. 28/2009, Regional Levy, hereinafter referred to as Levy shall be regional levies as payment for certain services or licenses specially provided and / or provided by the Regional Government for the benefit of individuals or the Agency.

3. The result of separated regional wealth management The results of regional-owned enterprises and the results of the management of separated property assets are regional revenue derived from regional-owned enterprises and separated regional wealth management. Regional companies are all companies established wholly or partially with regional capital. The objective is to create jobs or encourage regional economies and be an efficient way of serving the community and to generate local revenue. The share of regional business profits or regional business profits is the advantage that the local government entails from the business it undertakes. This type of income is itemized according to the income object that includes (Law No. 33/2004):

- a. Share of capital participation in regional / local-owned enterprises.
- b. Share of gain on capital participation in state-owned / state-owned enterprises.
- c. Share of gain on equity participation in private-owned or community-owned enterprises.

4. Other Original Regional

Original Income Other legitimate PAD is revenue derived outside of revenue derived from local taxes, user charges, and the operating profit portion described above. This account is provided to account for local revenue other than those mentioned above. This type of income includes the following income objects (Law No. 33/2004):

- a. The proceeds from the sale of Regional assets are not separated
- b. Current account service
- c. Interest income
- d. Gain on the difference in the rupiah against foreign currencies
- e. Commissions, deductions, or other forms as a result of the sale and / or procurement of goods and / or services by the Region.

According to Aris Rahmat & Nur Handayati (2016) explains that the Original Revenue is:

The more Pendapatan Asli Daerah (PAD) earned the more possible the area to meet its own shopping needs without having to depend on the central government. Revenue Revenue Sources (PAD) can be obtained from local taxes, levies, results of local owned companies, the results separated regional wealth management and other legitimate regional income.

Based on some understanding above, the authors conclude that the local revenue (PAD) is revenue derived from the local government in this

case the district / municipal governments derived from the regional income and levied according to local regulations in accordance with the regulations.

Revenue Sharing Fund (DBH)

Regulation of the Minister of Finance of the Republic of Indonesia Number 235 / PMK. 07/2015, DBH is a fund that comes from APBN revenues allocated to regions based on percentage figures to fund regional needs in the context of decentralization implementation. According to the Presidential Regulation of the Republic of Indonesia Number 137 of 2015, the details of the revenue sharing fund consist of:

- Details of income tax proceeds of Article 25
 and Article 29 of domestic personal
 taxpayers and income tax article 21 by
 province / regency / municipality as stated
 in annex VIII
- Details of revenue sharing by province / regency / municipality as stated in Attachment IX
- 3. Details of tobacco excise tax revenue by province as set forth in Appendix X
- 4. Details of natural gas and natural gas revenue sharing by province / regency / municipality as contained in annex XI
- Details of natural resources sharing of mineral and coal resources by province / regency / municipality as contained in annex XII

- 6. Details of natural resource revenue sharing funds by province / regency / municipality as set out in annex XIII
- 7. Details of natural resource revenue sharing fund by province / regency / municipality as stated in Attachment XIV
- 8. Details of geothermal resource revenue sharing by province / regency / municipality as specified in Attachment XV According to Listiorini, 2012 explains that: Revenue Sharing Fund is a fund sourced from the APBN allocated to the region by considering the potential of producing regions to see certain percentage figures to fund regional needs in the context of decentralization implementation.

According to the Ministry of Finance, 2008 explained that:

The passage of the transfer system in the Revenue Sharing Fund reflects the broadest possible autonomy in an effort to improve regional economic growth, the main purpose of the Revenue Sharing Fund is to reduce the vertical fiscal imbalance between central and local governments. Revenue Sharing Funds based on the source are divided into Tax Sharing Funds and Natural Resources Sharing Funds (Article 11 of Law No. 33 of 2004)

. According to Permenkeu Number 48 / PMK.07 / 2016 on Management of Transfer to Regional and Village Funds defines that:

Revenue Sharing Fund, hereinafter referred to as DBH, is the funds allocated in APBN to regions based on certain percentage figures to fund regional needs in the context of decentralization implementation.

Badrudin (2012: 54) in his book titled Economics of Regional Autonomy states that:

The revenue-sharing funds in the balancing funds group are funds sourced from APBN revenues allocated to regions based on percentage figures to fund regional needs in the context of decentralization implementation. Revenue-sharing funds are broken down by revenue objects that include tax-sharing and non-tax revenue sharing.

In addition, research from Wandira (2013), explains that the Revenue Sharing Fund is:

Potential source of local revenue and is one of the basic capital of local government in obtaining development funds and meet regional expenditures that are not derived from PAD other than DBH, DAU and DAK.

Based on some understanding above, the authors conclude that the Fund is a fund derived from APBN to increase economic growth and fiscal imbalance between the central government and local governments, revenue sharing based on the source is divided into the Profit Sharing Fund and Profit Sharing Fund of Natural Resources.

General Allocation Fund (DAU)

According to Law no. 33 of 2004 about the financial balance between the central government and local governments states that:

General Allocation Funds hereinafter referred to as DAU are funds sourced from APBN revenues allocated for the purpose of equitable interregional financial capacity to fund regional needs in the context of decentralization implementation. According to Badrudin (2012: 54) in his book entitled Economics Regional Autonomy defines that:

The general allocation funds in the balancing funds group are funds sourced from APBN revenues allocated for the purpose of equal distribution of financial capacity among regions to fund regional needs in the context of decentralization implementation. The general allocation fund for a region is allocated on the basis of fiscal gap and basic allocation. Fiscal gap is fiscal requirement minus the fiscal capacity of the region, the basic allocation is calculated based on the total salary of the Regional Civil Servant.

According to Abdul Halim (2014: 17) on regional financial accounting explains that:

The General Allocation Fund is a "bock grant" fund transfer, so the local government has the flexibility in using the General Allocation Fund in accordance with the needs and aspirations each region. The objectives of the General Allocation Fund are equitable as distribution of inter-regional financial capacity to fund the needs of the Autonomous Region in the context of decentralization.

As for how to calculate the General Allocation Fund according to Government Regulation No. 55/2005 on Balancing Funds explains that:

- a. The General Allocation Fund (DAU) shall be stipulated at least 26% (twenty six percent) of net domestic revenues specified in the APBN.b.
- b. The General Allocation Fund (DAU) for the provincial and district / municipality areas shall be respectively 10% (ten per cent) and

- 90% (Ninety per cent) of the General Allocation Fund as defined above.
- c. The General Allocation Fund (DAU) for a particular regency / municipality is determined based on the multiplication of the amount of General Allocation Funds for the Regency / City determined by the APBN with the portion of the Regency / City concerned

Regions having zero fiscal gap equal to receive a General Allocation Fund equal to the basic allocation. Areas that have negative fiscal values and negative values less than the basic allocation receive general allocation funds in the amount of basic allocations after deducting the value of fiscal gap. Areas that have negative fiscal value and negative value are equal to or greater than the basic allocation does not receive general allocation fund (Badrudin 2012: 55).

Based on some understanding above, the authors conclude that the general allocation funds are funds sourced from the state budget and expenditure (APBN) allocated to the provincial / district / city government to reduce fiscal gaps and financial equity to local governments.

Shopping Area

According to the Minister of Home Affairs Regulation No. 21 of 2011 on the second amendment to the Regulation of the Minister of Home Affairs No. 13/2006 on the guidelines for the management of regional finances, regarding regional expenditure contained in Article 51, regional expenditure is a duty of local government recognized as a deduction of net worth.

According to Darise Nurlan (2009: 131) regional expenditure covers all expenditures from the Regional General Treasury Account which reduces the equity of current funds, which is a regional obligation within a budget year that the Regional Government will not repay.

Regional shopping is classified according to:

- a. Function
- b. Organization
- c. Program
- d. Activities
- e. Group
- f. activities
- g. Type of shopping

Group And Type Of Shopping

Based on Permendagri No. 13 of 2006 as amended by Regulation of the Minister of Domestic Affairs No. 59 of 2007 has been amended Permendagri Number 21 of 2011 and Permendagri Number 64 Year 2013 expenditures are grouped into:

- 1. Shop directly
- 2. Indirect spending

Live Shopping

According to Badrudin (2012: 97) in his book entitled Economics Regional Autonomy defines that:

Development spending (public expenditure / direct spending) development spending is used to fund improving the quality of public services in the form of development of public infrastructure and facilities. Development

spending becomes the main focus in government expenditure analysis because it is directly touching on improving the quality of public services. regions are highly determined on the interests and needs of the region.

According to Baldric Siregar (2015: 31) Direct Shopping is a budgeted expenditure directly related to the implementation of programs and activities.

According to Erlina and Omar Sakti et al (2015: 158) Direct spending is a budgeted expenditure directly related to the implementation of programs and activities. The direct expenditure group of an activity is divided according to the type of expenditure which consists 1. Expenditure of employees, for expenditure of Honorarium or wages in implementing programs and activities local of government. 2. The procurement of goods and services shall be used for the purchase / procurement of goods whose value of benefits is less than 12 (twelve) months and / or the use of services in implementing the programs and activities of regional government. The purchase / procurement of goods and / or the use of services includes the expenditure of consumables, materials, office services, insurance premiums, motor vehicle maintenance, printing / duplication, rental of house / building / warehouse / parking, mobility leases, rental of office supplies and equipment,

food and beverages, official clothing and attributes, work clothes, special clothing and certain days, official travel, official travel and duty departments.

3. Capital expenditures are used for expenditures made in the context of the purchase / procurement or construction of tangible fixed assets which have a benefit value of more than 12 (twelve) months for use in government activities, such as in the form of land, equipment and machinery, buildings and buildings, roads, irrigation and networks, and other fixed assets. The value of the purchase / procurement or construction of tangible fixed assets budgeted in capital expenditures is only the purchase price / asset build. Expenditures of procurement committee and purchasing / development administrations to obtain any assets budgeted for capital expenditures budgeted for personnel are expenditure and / or goods and services expenditures.

According to the Minister of Home Affairs Regulation No. 31 of 2016 on the guidelines for the preparation of budget revenues and expenditures for fiscal year 2017 states that:

The direct budgeting budget in the APBD is used for the implementation of concurrent governmental affairs under the jurisdiction of the regional government comprising compulsory governmental affairs and elected governmental affairs. The governing department shall comprise mandatory governmental affairs relating to basic services and mandatory

governmental affairs not related to basic services. Direct budgeting is set forth in the form of programs and activities, whose performance benefits can be felt directly by the community in order to improve the quality of public services and the success of local government to the public interest.

Based on some understanding above, the authors conclude that direct expenditure is a direct expenditure on government activities and programs. Expenditures made directly to the activities of the government to improve services to the community.

Previous Research

Try Indraningrum (2011) conducted a study entitled The Influence of Local Revenue and General Allocation Funds to Direct Expenditure on District Government in Central Java Province. The results of the study indicate that local revenues and general allocation funds have a positive and significant impact on direct expenditure. Nurul Hidayah & Hari Setiyawati (2014) conducted a research entitled Influence of general allocation fund, special allocation fund and local revenue to direct expenditure in central java province. The results showed that the general allocation fund and the original revenues had a positive and significant impact on direct expenditure. While the special allocation fund does not have a significant impact. Ika Noer Rizky (2014) analyzes the influence of pad, dau, dak, and dbh on direct expenditure, as well as its impact on the economic growth of studies on districts / cities in eastern Java. the results of the study indicate that partial revenues of local revenue, general allocation funds, revenue sharing significantly affect direct expenditure. special allocation funds have no significant effect on direct expenditure, the results of the second model analysis show that local revenue, profit sharing and direct expenditure significantly affect economic growth, while general allocation funds and special allocation funds have no significant effect on economic growth. Veby V Tarigan (2015) conducts research entitled Influence of local revenue, general allocation funds, special allocation funds and revenue-sharing funds to Local Government Direct Shopping District / City of North Sumatra. The result of the research shows that all independent variables have positive influence on direct expenditure together, and partially only pad and dau which have significant effect to direct expenditure, while general allocation fund and profit sharing fund have no significant positive effect to direct expenditure.

Development of Hypotheses

The influence of local revenue on direct expenditure.

Regional Original Revenues (PAD) are all regional revenues derived from indigenous economic resources. The sources of indigenous revenues include local taxes, regional levies, the result of separated regional wealth management, other legitimate local revenue.

The greater the region's original revenues will make it more likely that the region meets the needs of expenditure without being dependent on the central government, indicating that local governments are self-reliant. This is supported by research conducted by Aris Rahmat & Nur Handayati (2016) and Veby V Tarigan (2015) stating that the original revenue of the region has a significant effect on direct expenditure. H1: Local Revenue partially has a significant effect on Direct Shopping

Effect of profit sharing on direct expenditure

DBH is a fund derived from APBN revenues allocated to regions based on percentage figures to fund regional needs in the context of decentralization implementation.

Increasing revenue sharing allows the region to meet immediate shopping needs. Source of local government revenues is not only derived from the local revenue but also from the balance funds one of the revenue-sharing funds. This is supported by research conducted by Lestari, Bagia et al (2015) examines the influence of the state budget of revenues and expenditures (APBN) on direct expenditure on local government districts in the province of Bali concludes that revenue sharing affects direct expenditure. The more revenue-sharing funds will

increase direct spending in the District / City Government in South Sumatra Province.

H2: Revenue Sharing Fund partially has significant effect on Direct Shopping.

The effect of general allocation funds on direct expenditure

The general allocation funds in the balancing funds group are funds sourced from APBN revenues allocated for the purpose of equal distribution of financial capacity among regions to fund regional needs in the context of decentralization implementation. The General Allocation Fund (DAU) aims at providing for equity by taking into account regional potentials, geographic conditions, area size, population, and income level. The increase in general allocation funds will increase direct spending to the district / city governments in southern sumatera province. The results of the study are in line with previous research conducted by Veby V Tarigan (2015) and Yeyen Rizkiyuni Husen (2014) indicating that revenue-sharing funds have significant and impact on direct expenditure. significant Based on the formulation of the problem, the theoretical basis, and the results of previous research that has been translated, then made the following.

H3: General Allocation Fund partially has significant effect on Direct Shopping

Effect of Original Regional Income, Revenue Sharing Fund and General Allocation Fund simultaneously have a significant effect on Direct Shopping

In addition to seeing the effects of each variable partially on direct expenditure, the researcher will also examine the effect of local revenue, revenue sharing and general allocation funds simultaneously have a significant effect on direct expenditure. Allegedly there is a significant influence simultaneously among all independent variables to direct expenditure. Based on the formulation of the problem, theoretical basis, and the results of previous studies that have been described, then made the hypothesis as follows: H4: Local Revenue, Profit Sharing Fund and General Allocation Fund simultaneously have significant effect on Direct Shopping

RESEARCH METHODS

Population and Sample

The population in the study amounted to 17 districts / cities. The authors obtained data on local revenue, profit sharing, general allocation funds and direct expenditure through the web www.djpk.kemenkeu.go.id. The sample is part of the number and characteristics possessed by that population. Sampling technique using Nonprobability Sampling through Purposive Sampling method. Purposive sampling is a technique of determining samples with certain considerations.

Data analysis technique

This technique is a method used by researchers in analyzing the data. Method of statistical analysis and use using analytical tool that is computer program econometric views (Eviews) 9 and Microsoft Excel. Analysis of data used in this research is chow test and Hausman test for determination of exact model, test of classical assumption, and hypothesis test.

Model Analysis

this research use multiple regression statistic (multiple regression) for panel data, relation between variables can be described by equation as follows:

 $BL_{it} = \alpha + \beta_1 PAD_{it} + \beta_2 DBH_{it} + \beta_2 DAU_{it} + ei_t$

Information:

Blit = Live Shopping

PADit = Local Original Income

DBHit = Revenue Sharing Fund

DAUit = General Allocation Fund

 α = Constants

 $\beta 1\beta 2 \beta 3$ = Regression Coefficient

ei = Error

it = cross section (research object) and times series (time series)

172

RESULTS AND DISCUSSION

Research result

regression model of panel data

Chow Test Results

Redundant Fixed Effects Tests

Equation: Untitled

Test cross-section fixed effects

Effects Test	Statistic	d.f.	Prob.
Cross-section F	1.475891	(14 27)	0.1869

Source: Output data diolah (Eviews 9.0)

Based on table 4.1 we get the F-statistic value of 1.475891 with the probability value of crosssection F of 0.1869, this means cross-section probability F> 0.05 then H0 is accepted so that the model of panel data that can be used is Common Effect Model (PLS). Chow test conducted between models with commond effect method and fixed effect which is selected by Common Effect Model (PLS) then model testing is completed up here, the result of regression obtained is as follows:

Regression Results with Common Effect Model (PLS)

Dependent Variable: Y Method: Panel Least Squares Date: 05/26/17 Time: 16:12

Sample: 2014 2016 Periods included: 3 Cross-sections included: 15

Total panel (balanced) observations: 45

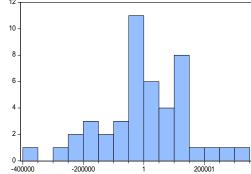
Variable	Coefficient	Std. Error	t-Statistic	Prob.
С	120258.1	79139.46	1.519571	0.1363
X1	0.516960	0.185860	2.781452	0.0081
X2	0.659523	0.045430	14.51744	0.0000
X3	0.534160	0.134123	3.982601	0.0003

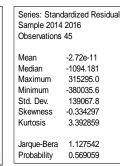
Source: Output data diolah (Eviews 9.0)

Based on the estimation results in Table 4.4 using the Common Effect Model (PLS) as a model of multiple linear regression analysis in this study.

Classic assumption test

Normality test





Source: Output data diolah (Eviews 9.0)

Based on the results table of normality test analysis above shows that the jarsebeque- Bera of 1.127542 is smaller than 2 and the probability value of 0.569059 is greater than 0.05 which means the normal distribution.

Multicolinearity Test Multicollinearity Test Results

	X1	X2	X3
X1	1.000000	0.076937	0.694382
X2	0.076937	1.000000	-0.279503
X3	0.694382	-0.279503	1.000000

source: Output data diolah (Eviews 9.0)

Based on the results table multicollinearity test analysis above shows that the correlation between the independent variable (independent) is the local revenue, profit sharing and general allocation funds. Between PAD and DBH variables are 0.0696937, PAD and DAU are 0.694382, DBH and PAD are 0.076937, DBH and DAU are -0.279503, DAU and PAD are 0.6943821, DAU and DBH are -0.279503 smaller than 0.90 which means no Multicollinearity.

Autocorrelation Test

	0.88533 Mean dependent	į
R-squared	4var	803682.5
Adjusted R-	0.87694 S.D. dependent	
squared	3var	410684.7
S.E. of	144065. Akaike info	
regression	8criterion	26.67862
Sum squared	8.51E+1 Schwarz	
resid	1 criterion	26.83921
_	<u>-</u>	
Log	596.268 Hannan-Quinn	
likelihood	9criter.	26.73848
	105.519 Durbin-Watson	
F-statistic	7stat	1.660479
Prob(F-	0.00000	
statistic)	0	

Source: Output data diolah (Eviews 9.0)

Based From the table of autocorrelation test results above shows that the dw value of 1.66 this means the D-W number between -2 and +2 then there is no autocorrelation.

Heteroscedasticity Test

Cross-sections included: 15

Total panel (balanced) observations: 45

Variable	Coefficient Std. Error	t-Statistic	Prob.
C X1 X2	29799.63 48761.74 -0.003933 0.114517 0.056057 0.027991	-0.034348	0.5445 0.9728 0.0519
X2 X3	0.084379 0.082640		0.0317

Source: Output data diolah (Eviews 9.0)

Based on table 4.5 heterokedastisitas test results obtained the value of independent variable coefficient of PAD of 0.972, DBH of 0.0519 and DAU of 0.3132 this means not significant> 0.05, so no Heterokedastisitas.

Multiple	Linear	Regr	ression A	Analysis
Regression	Results	with	Common	Effect
Model (PLS	5)			

Dependent Variable: Y

Method: Panel Least Squares Date: 06/04/17 Time: 14:34

Sample: 2014 2016 Periods included: 3

Cross-sections included: 15

Total panel (balanced) observations: 45

Variable	Coefficient	Std. Error t-Statistic	
С	120258.1	79139.46 1.519571	
X1	0.516960	0.185860 2.781452	
X2	0.659523	0.045430 14.51744	
X3	0.534160	0.134123 3.982601	

Source: Output data diolah (Eviews 9.0)

Based on the estimation result in table 4:12 by using approach of Common Effect Model (PLS) got equation result as follows:

BL = 120258.1 + 0.516960*PAD + 0.659523*DBH + 0.534160*DAU + e

based on the above equation then the explanation as follows:

- 1. The constant of 120258.1 indicates that if there are no independent variables (local revenue, profit sharing and general allocation funds) then the level of direct expenditure is 120258.1
- 2. B1 of 0.516960 indicates that each additional 1% local original revenue will be followed by an increase in direct expenditure of 0.516960 with the assumption that other variables remain.
- 3. $\beta2$ of 0.659523 indicates that each additional revenue share of 1% will be followed by a direct increase of expenditure is equal to 0.659523 with the assumption that other variables remain.
- 4. β3 of 0.534160 indicates that each addition of general allocation fund of 1% will be followed by an increase in direct expenditure amounted to 0.534160 assuming another variable remains.

Determination Coefficient Test (R2)

R-squared	0.885334	Mean dependent v
Adjusted R-squared	0.876943	S.D. dependent var
S.E. of regression	144065.8	Akaike info criteri
Sum squared resid	8.51E+11	Schwarz criterion
Log likelihood	-596.2689	Hannan-Quinn crit
F-statistic	105.5197	Durbin-Watson sta
Prob(F-statistic)	0.000000	

Source: Output data diolah (Eviews 9.0)

Based on the results of regression model calculation shows the value of correlation coefficient obtained for 0.885334. That is, that changes in PAD, DBH and DAU have a correlation or a close relationship to Direct Expenditure that is equal to 88.53 percent.

Hypothesis Testing

Test t (partial test)

The results of the partial regression coefficient test (t test)

Variable	Coefficient	Std. Error	t-Statistic
C	120258.1	79139.46	1.519571
X1	0.516960	0.185860	2.781452
X2	0.659523	0.045430	14.51744
X3	0.534160	0.134123	3.982601

Source: Output data diolah (Eviews 9.0)

Based on table 3.10 above can be known tount value of each variable that is:

1. Effect of local revenue on direct expenditure

Based on table 4.10 can be known niai t-statistic or tcount of 2.781452 with a

significant value of 0.0081. then shows that the ttable value is smaller than 1.68288 and the significant value in t count is less than 0.05, This means that the original revenue of the region has a positive and significant influence on the direct expenditure variable for the fiscal year 2014-2016 period.

2. Local revenue share funds on direct expenditure

Based on Table 4:10 can be known niai t-statistic or tount of 14.51744 with a significant value of 0.0000. then shows that the value of t count is smaller than 1.68288 and significant value in t count is smaller than 0.05, This means that revenue sharing has a positive and significant influence to direct spending variable for fiscal year 2014-2016 period.

3. General Allocation Funds to direct expenditure

Based on table 4.10 can be known niai t-statistic or tount of 3.982601 with a significant value of 0.0003. then shows that the value of t count is smaller than 1.68288 and significant value in t count is smaller than 0.05, This means that general allocation funds have a positive and significant influence on direct spending variable for the fiscal year 2014-2016 period.

F test (simultaneous test)

R-squared	0.885334	Mean depender
Adjusted R-squared	0.876943	S.D. dependent
S.E. of regression	144065.8	Akaike info cri
Sum squared resid	8.51E+11	Schwarz criteri
Log likelihood	-596.2689	Hannan-Quinn
F-statistic	105.5197	Durbin-Watson
Prob(F-statistic)	0.000000	

Source: Output data diolah (Eviews 9.0)

Based on table 4:11 it can be known the value of F-statistic or Fcount value of 105.5197 with a significant value of 0.000000. this indicates that Fcount ≥ Ftable is 2.83 and significant value Fcount ≤ Ftable of 0.05. the value of Ftabel is obtained by the terms df (n1) = k-1 and df (n2) = n-k where df is the freedom drajat, n is the number of observations, and k is the number of independent and dependent variables with probability levels of 0.05. thus H0 is rejected and Ha accepted. Thus, the variable of Original Regional Revenue, Profit Sharing Fund and General Allocation Fund together have a significant influence on Direct Shopping.

Discussion of Research Results

From the research results, the original income of the region is known that partially the original revenue of the region has a positive and significant impact on direct expenditure. This research also proves that the revenue sharing fund is known that partially profit sharing has positive and significant influence to direct expenditure. the general allocation fund is known that partially the general allocation fund has a positive and significant impact on direct expenditure. Local Revenue, Profit Sharing Fund, and General Allocation Fund simultaneously have a significant effect on Direct Shopping. This means that the Local Government in making decisions relating to Direct Spending should be able to utilize properly, Local Revenue, Revenue Sharing Fund, and General Allocation Fund together.

COVER

Conclusion

Based on the research that has been done, it can be taken some conclusions as follows: partially the original revenue area, revenue sharing and general allocation funds significantly influence the Direct Expenditure and simultaneously Local Revenue, General Allocation Fund, Special Allocation Fund and Profit Sharing Fund together with significant effect on Direct Expenditure on Regency / Municipality Government in South Sumatera Province.

Suggestion

Based on the results of the discussion and conclusion above then some suggestions that can be conveyed by researchers: (1) For the district / city government in South Sumatra province is advised to continue to develop the potential of natural resource tax revenue optimally so that funds generated from these potentials can be utilized to undertake development and infrastructure in order to improve the productivity of the economy, regional investment activities,

and the welfare of local communities; (2) Further research is to add the research sample by adding observation period and adding other independent variable related to direct expenditure so that the result of the research will be more comprehensive and accurate.

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GENDER EQUALITY:

WOMEN'S PARTICIPATION IN POLITIC IN INDONESIA

Dr. Hj. Heryani Agustina, Dra., M.M., M.Si.

Abstract

Gender equality is one of Millenium Development Goals or MDGs and Sustainable Development Goals or SDGs. One of gender equality forms is women' participation in politic, whether as the constituents in general election or regional election, political party officer, legislative member, or head of local area. General Election' law has decided 30% quota for women candidates in parliament (legislative institution), but the implementation of this law has not implemented yet, in central (House of People Representatives) or in local area (Regional House of People Representatives). There are many factors that inhibit the fulfillment of 30% quota of women candidates, whether it is political, social-cultural, or religious inhibition.

Key words: gender equality, women' representatives in parliament, women's political participation

Introduction

Problem of gender equality or justice is one of global issues that drawn the attention of many countries in the world. This attention becomes more intensive since United Nation (UN) declared 8 Millenium Development Goals or MDGs in 2000. One of the MDGs is "urging gender equality and women empowerment" that is targeted to be reached in 2015. Next in 2015, MDGs was expanded into 17 Sustainable Development Goals or SDGs. One of SDGs is "gender equality" or gender equality that is targeted to be reached in 2030.

According to UN (2015), gender equality is done with providing access for women and girls with equal access to education, health care, proper job, and representation in political and economic decision-making process that will push sustainable economy and are useful for society and humanity. Gender equality is not only fundamental and Human Rights problems but also important foundation in creating peaceful, wealthy, and sustainable world's life.

One of gender equality forms is women's participation in politic, whether as constituents in general election or regional election, political party officer, legislative member, or head of local area. To implement this, General Election law has decided 30% quota for women candidates. This law actually gives an adequate room for women to participate actively in political decision-making process, in central as House of People Representatives member or as province and city/regency House of People Representatives member. Besides 30% quota for women candidates, women's active participation in politic can be seen from number of women participated in head of local election in local area election. But, the fact shows that women's active participation as legislative member and head of local area is still minimum. This paper will study women's active participation in politic as legislative member and head of local area in Indonesia with the inhibition factors.

Gender Equality Concept

Gender is a characteristic that stick to men and women that is constructed socially and culturally, for example women are meek, beautiful, emotional, etc. While men are considered strong, rational, manly, gentle, and must not cry. That characteristics and nature are exchangeable characteristics. The change of that characteristics and nature can be happened from time to time and from place to place, and also that change can be happened to different class of society. Every thing that can be exchangeable from women to men's characteristics, can change, whether it is time or class (Fakih, 2007).

Gender is cultural concept that is used to identify differences in roles, behavior and other things between men and women that developed in society based on social changes. The determination of gender's role in many society systems, mostly refers to biological and gender consideration. Society is always based on species differentiation between men and women. Body organs that women have are very important for their emotional and thinking maturity development. Women tend to have slower emotional level. While men are more able to produce testosterone hormone that make them more aggressive and objective (Umar, 2001).

Since human lived for the first time in the world, and life continued to Ancient Greek era, women have been placed in secondary position, men's subordinate. Since political philosopher era like Plato and Aristoteles in Ancient Greek era, political world was mentioned as men's world. Although the era has developed and changed, but women position has not changed. Even in Cold War era, women are still placed as individual with lower social position than men (Winarno, 2014).

Gender differences history happened through very long process. Gender differences are formed by many things that are socialized, taught, and then enhanced by constructed them socially and culturally. Through that long process, at the end it is believed as the divine thing, whether it is for men or women. This then is reflected as natural thing and become basic gender identity. Gender identity is someone's definition about himself, as a man or woman, that is the complex interaction between biological condition and many behavior characteristics that developed as the result of socialization process (Fakih, 2007).

Naturally, men and women are not the same and both of them never be the same. Many people define or mix unchangeable and changeable human characteristics. This gender differences also explain that people reconsider their role, sticked to men and women. That's why gender equality and justice does not make women the same as men, because it is impossible.

Gender equality is a concept that all humans, men and women, are free to develop their personal ability and make choice without limitation that is decided by stereotype, gender role, and prejudice. Gender equality means the differences of behaviour, aspiration, and needs between men and women are considered, respected, and liked equally. It doesn't mean that men and women must be the same, but their rights, responsibility, and oportunity will not depend on whether they were born as a man or woman. Gender equality means equal treatment for men and women suitable with their needs. This include the same or different treatment but consider the equality in rights, benefits, duty and chance (ILO, 2000).

These days, women are still marginalized because there is still a discrimination. This discrimination treatment to women triggered gender equality and justice movement that is known as feminism, that demand the equality of rights between men and women. Since

World War II, feminism movements have done public movement to introduce women's rights, such as: The Convention Against Discrimination in Education in 1960; Mexico Declaration in 1975 about Equality of Women; The Convention on the Elimination of All Forms of Discriminatio Against Women (CEDAW) in 1979 that became International Bill of Rights fo Women in 1981; The Vienna Declaration on the Elimination of Violence Against Women in 1993; The International Conference on Population and Development (ICPD) in 1994 where one of issues discussed is gender equality and violence elimination against women; The Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women in 1994; The Fourth World Conference on Women in 1995; The United Nations Security Council Resolution 1325 (UNSRC 1325) in 2000 that one of them is about the rights and protection for women and girls during and after the weaponry conflict; The Maputo Protocol in 2005 that guarantee women' rights to parcipate in political process; The UE Directive in 2002 that defined principles of the equal treatment for men and women; The Council of Europe's Convention on Preventing and Combating Violence Against Women and Domestic Violence in 2014, and The Council of Europe Gender Equality Strategy 2014-2017. In The Council of Europe Gender Equality Strategy 2014-2017 decided five strategic goals: (1) combating gender stereotypes and sexism, (2) preventing and combating violance against women, (3) guaranteeing equal access of women to justice, (4) achieving balanced parcipation of women and men in political decision-making, and (5) achieving gender mainstreaming in all policies and measures (www.wikipedia.org).

Feminism movements have spread all over the world. In Indonesia, feminism movements were started by RA. Kartini, Dewi Sartika, etc. Feminism movements grow from time to time and emerge many feminism types that are suitable with background and goals that they bring to defend women's rights. Winarno (2014) differentiate feminism movements into liberal feminism, radical feminism, cultural feminism, marxis/socialist feminism, postmodern feminism, and postcolonial feminism. Liberal feminism demands the same rights between men and women, while radical feminism demands women to be dominative over men. While cultural feminism does not refuse "women's values" as liberal feminism but those values is fair because becomes needs in political and ecological world. Marxis/socialist feminism demands equal treatment for women by destroying capitalist system. Postmodern feminism places gender as one of deciding factors among other factors such as social class, identity, ethnic group, age and sexual orientation. Postcolonial feminism criticizes colonialism of women, in physic, knowledge, values, and point of view or society mental. Regardless the point of view and goals, feminism movements have the similarity, they demand the same rights for women, including women's rights in politic.

Women's Participation in Politic in Indonesia

The implementation of gender equality in Indonesia can be seen from women's participation in politic. The form of women's participation in politic is not only as the constituents in general or regional election, but more important is to be political party officer, legislative member, and head of local area. About women's participation in politic, there is Mexico Declaration in 1975 about Equality of Women. This declaration mentioned that women are vital actors in promoting world's peace in many sectors, start from family, society community and participation in politic. Indonesia becomes one of 101 countries that ratifies Mexico Declaration to become legal foundation in implementing women's rights in certain countries in order to fulfil human rights standard, including women's rights and participation in politic.

Women's participation in politic in Indonesia can be seen from women constituent in general election, president election, and head of local area. As a description, number of constituents in Constituents List in president election 2014 (www.data.kpu.go.id) was 188.224.161 persons that consist of 94.280.151 men (50,09%) and 93.944.010 women (49,91%). This shows that women constituents is almost the same as men. But in legislative election, many women contituents did not elect women candidates. Many women constituents also did not elect or use their rights to vote.

Besides seen from number of women constituents, women's participation in politic also can be seen from women's representation that was chosen in parliament (legislative institution). Based on citizen census 2010, the number of Indonesian citizen is 237.641.326, while women is 118.010.413 or 49% of total number of Indonesian citizen. This 49% number is aslo reflected in women constituents' list in president election 2014 as mentioned above. This data shows ideal condition of Indonesian women representation in representative institution that should reach the same ratio as women Indonesian citizens that is 49%. That's why demand of women representation propotionally in parliament (legislative institution) is a natural and rational thing. This demand is also universal because it happened in many countries.

In order to empower women and rights to participate in political activity, UN declared fulfilment resolution 30% quota of women in legislative institution as a guarantee effort for women's rights to participate in national politic. Women representation in politic in Indonesia has been guaranteed by Law number 39/1999 about Human Rights. In Article 46 of that law, it is stated that "General election system, party, choosing legislative member, and appointment system in executive and yudicative area, should guarantee women representation as required". Next, in Law number 10/2008 jo Law number 8/2012 about Election of House of People Representatives, Local Representatives Committee, and Local House of People Representatives has decided 30% quota for women candidates in those three legislative institutions.

Women representation in House of People Representatives since 1955 until now, can be seen from the following table:

Table

Number of House of People Representarives Members 1955 - Now

No.	Period	Number of House of People Representatives Members	Number of Women	Number of Men
1.	1955-1956	289	17 (6,3%)	273 (93,7%)
2.	1956-1959 (constituent assembly)	513	25 (5,1%)	488 (94,9%)
3.	1971-1977	496	36 (7,8%)	460 (92,7%)
4.	1977-1982	489	29 (6,3%)	460 (93,7%)
5.	1982-1987	499	39 (8,5%)	460 (91,5%)

No.	Period	Number of House of People Representatives Members	Number of Women	Number of Men
6.	1987-1992	565	65 (13%)	500 (87%)
7.	1992-1997	562	62 (12,5%)	500 (87,5%)
8.	1997-1999	554	54 (10,8%)	500 (89,2%)
9.	1999-2004	546	46 (9%)	500 (91%)
10.	2004-2009	550	61 (11,1%)	489 (88,9%)
11.	2009-2014	560	103 (18%)	457 (82%)
12.	2014-2019	560	97 (17,3%)	463 (82,7%)

Source: Woman Research Institute, Puskapol UI, and other sources, 2016

The above data shows that women representation in House of People Representatives since the old order untill reformation era is alway fluctuate. Women representation in House of People Representatives since the first reformation era (1999-2004) was only 9% and then increased into 11,1% in 2004-2009, and then increased again into 18% in 2009-2014, but decreased into 17,3% in 2014-2019.

Propotion of women legislative members who are failed to be chosen reached 30% affirmative action in general election 2014. That propotion decreased from 18,2% in 2009 into 17,3% in 2014. While the women candidates who nominated and are in constituents' list from political party increased from 33,6% in 2009 into 37% in 2014. In legislative election 2014, it creates women representation 97 chairs (17,32%) in House of People Representatives, 35 chairs (26,1%) in Local Representatives Committee, and the average of 16,14% in Province House of People Representatives and 14% in Regency/City House of People Representatives (www.beritasatu.com). That data shows the realization of 30% quota for women in legislative institution (parliament) is too good to be true.

Women representation in parliament after reformation especially in House of People Representatives in general election 2004 and 2009 increased. This is a progress compared to general election in 1999 when number of women chosen in House of People Representatives was only 9%. While in the new order era number of women who became legislative members was 12% in general election 1992 and 10% in general election 1997. Achievement in general election 2009 was not spread equally in all election areas, including provinces and regency/city. There was inconsistency, for example in election area where number of women elected as member of House of People Representatives was high, but the same thing might not happen in women chosen as province or regency/city House of People Representatives members in the same area. Even there are some election areas that has no women as the chosen candidates (www.puskapol.ui).

Eventhough nationally women representation in province or regency/city increased, but in local level, the chosen legislative member still dominated by men. It can be seen from total province House of People Representatives members in Indonesia are 2.005 persons, with 321 women (16%) and 1.684 men (84%). While in regency/city House of People Representatives members in 461 areas are 15.758 persons. From that number, 1,856 (12%) are women and the rest 13.901 (88%) are men. This showed the phenomenom of upside down pyramid. Women

representation is getting lower in local area compared to national level. Even, in regency/city level, there are Local House of People Representatives that do not have women members. From 461 regencies/cities, there are 29 regency/city House of People Representatives that do not have women members, spread from Aceh, East Nusa Tenggara, West Nusa Tenggara, Maluku, North Maluku, and Papua. If it is seen from total number of all legislative members in all level, women representation is still in small number and far from representation system that consider balance composition (www.puskapol.ui).

The indicator that often used to measure women representation in parliament (legislative institution) is number of women's chair in parliament. That indicator actually cannot measure the power of women representation because that number is the result of chair agregation, not the result that is reached by all women candidates in general election. The result of all women candidates in general election can be bigger and better from the result in parliament.

In general election 2014, the number of women candidates is 2.467 from total 6.619 persons, it equals to 37%. That number is gained agregatively in national level for women's candidancy in House of People Representatives. General election 2014 implemented the rules that every political party that do not fulfil 30% of women candidancy in one election area, that political party could not join the election in that area. So, all political parties in general election 2014 in every election area has fulfil the minimum 30% of women candidancy. But towards the determination of the list of the candidates for legislative, some political parties said that they are difficult in fulfilling minimum 30% of women candidancy requirement. This is illogical, because in 2009 there was only 8 election areas left that has not fulfil the requirement yet, moreover 5 years is enough time to prepare the candidates and recruitment of women's candidancy. It showed that political parties did not consider how to do the recruitment and political education for their women's candidancy to contribute as the effort to increase number of women representation, while the political party just try to fulfil administrative requirement to concentrate in election area, so they do not think about who are the women that they would nominate (www.puskapol.ui).

In Indonesia since reformation era, women political participation especially women representation in political decision-making become government and legislative institutions' important agenda. Many affirmative and reinforcing policies are still in progress. In inclusive democration, society as one of important democration pillars has important role to create women's political participation that is wider and more meaningful. Women's participation in politic is very important because their presence can increase women's group welfare by representing, guarding and influencing agenda and decision-making process, and participating in development process. But in its implementation, women political representation in parliament is under 30% quota. While the result of WRI (Women Research Institution) survey stated that Indonesian society agree if men and women are given the same chance to get involved in politic (www.wri.or.id).

The lower number of women's participation in politic is also shown in head of local area election in Indonesia. Data shown that women's participation in local election 2017 was decreasing compared to local election in 2015. According to General Election and Democration Group, there were only 44 women or 7,17% from 614 candidates of local areas in general election 2017. Those women are fighting in 41 areas. Thirty eight of them were nominated by their parties and three are independent. This proportion is significant compared to local election in 2015. In local election 2015, there were 123 women from 1.646 candidates or 7,47% or decreased 0,30% in general election 2017. From 44 women fought in

local election 2017, they were dominated by three former legislators, members of party, and relative network. The detail is 23 women of former legislator or 52,37%, 19 women of party's member or 43,18% and 14 women of relative network or 31,82% (www.nasional.kompas.com).

Inhibition Factors

The cause of low women's participation in politic in Indonesia can be seen from politic, social-cultural, and religious aspects. Seen from political aspect, one of the biggest inhibition in fulfilling 30% quota of women representation in parliament is the political party itself, related to the forming of women cadres. Women as political party committee and cadres is seldom. Until now, political party is seldom to give chance for women to be political party committee and cadres. Political parties still underestimate women's capacity in politic. This is getting worse by the fact that political parties are not serious in doing recruitment and education through political forming of cadres for women in mass level.

Politically and normatively, there is no rules of law in politic that discriminate women. In fact, women representation in legislative institution, whether it is in regency, province, or central House of People Representatives is still low. The cause is General Election Law that arrange 30% quota of women candidates has not completed by sanction rules for political party that ignore the law yet. This happened in general election 2009 when there were 13 political parties that did not fulfil 30% quota of women representation in the list of legislative members. There is desire of General Election Comittee to ensure political party fulfil that quota through General Election Comittee Rule Number 7/2013. That rule declared that General Election Comittee will not publish list of legislatives candidates for the political party that is not able to fulfil the requirement of women representation in election area. Unfortunately, this General Election Comittee idea is challenged by House of People Representatives.

While the low of women participation as candidates in local election 2017 according to Maharddhika, researcher of General Election and Democratic Group, caused by attitude and behaviour of political parties. Political parties tend to oriented to electability and power of capital. The chance of women candidancy is closed by capital domination and electability men have. If they have high electability, pragmatical political party hostaged women consolidation effort to go forward in local election (www.nasional.kompas.com).

Other inhibition in implementing women participation in politic is social-cultural aspect in the form of patriarchy family system. According to Budiman (1985), patriachy family sistem has been rooted strongly in many world culture, including Indonesia. Patriachy ideology in this world has been represented since ancient people history. In the era of hunting and mixing, people lived in small groups. All men could marry all women in the group, and children are taken care together by all group's members (poligamy and poliandry). At that time, there was working system shift sexually that men are responsible for collecting food, while women took care of children. And then, the ability to plant and breed the animals appeared. People started to know social class, especially the one that based on the level of ownership and hunting ability. They knew the way to collect wealth that would be inherited to their children if the owner died. Men as the ones who collected wealth then "force" monogamy marriage system, so he would be able to know which one is his child.

Besides the patriarchy family system, till now there is an assumption in the form of stereotype that is labeling in society to one gender that politic is the hard world, even cruel, so it is not suitable for women who is known as meek. This is what Winarno (2014) said that

since philosophers era like Plato and Aristoteles in Ancient Greek Era, political world is mentioned as men's world. Eventhough world has changed and devoloped, but women's position is unchanged. According to Fakih (2007), women marginalization has occured in household in the form of discrimination to women and men family members. Marginalization or limitation in decision making occured because it is supported by custom or religious interpretation.

Stereotype that marginalized women can be found in almost every tribe and culture in Indonesia. Javanese people for example, as the biggest ethnic group in Indonesia, there is stereotype that women are *tiyang wingking* (people at the back). This stereotype emerged as the consequence of family traditional working shift where women are placed to work in the kitchen. Women role as wife in the family is also no more than 3 places; well (washing), kitchen (cooking), and bed (fulfiling his husband biological needs). A women in a family is valued from her ability *masak* (to cook), *macak* (to do the make up), and *manak* (to give a birth). That stereotype is the characteristic or signature of patriachy culture that placed men in the higher position than women. The same thing happened if we se the history of ethnic groups in Indonesia, almost all tradition leader, ethnic group leader, and king are men. Women's role is only as the supporting person who support men's success.

Besides that, in Indonesia society culture, there is opinion "women do not need to get high education" that inhibit women to get education as high as possible. Eventhough many people no longer believe that opinion along with changing era, but it shows that culture is one of inhibitions in implementing gender equality. This affects political area characterized by the low number of women representation in legislative institution. The 30% of women representation in legislatif institution is just a theory and dream. This becomes a challenge for women to show their power to be society's representation who really represent society's aspiration. On the other side, if women representatives in legislative work, there is a debate about women properness to fulfil 30% quota and ability or individual quality of the women themselves as a person who formulate public policy in legislative institution.

Women representation in legislative institution is concrete form of acknowledgement to women for participating in political process and formation of public policy. But, women's involvement in forming public policy is not only a number (quantity) but also how to make sure the quality of those women. If we talk about women's quality, it will face the individual quality of women that has many shortage compared to men's ability. The political party itself does not want to speculate by nominating women who are lack of quality. Some women House of People Representatives members themselves are doubted in quality because some of them are celebrities who rely on their popularity in society.

Besides social-cultural aspect, religion also considered to inhibit gender equality and women participation in politic. The effort to implement gender equality basically is a process of social changes that demand equal rights between men and women. In this context, Lauer (1999) said that religion can be one of social changes inhibition.

With no intention to offense a religion, Islam for example in Al Quran Q.S An-Nissa (4:34) mention "Men have authority over women by right of what Allah has given one over the other and what they spend from their wealth....". Based on that verse, women are placed as the side who are led and protected by men. According to Islamic teaching, women are not leader of society, country, and other with women's emancipation reason. This religious teaching forbid women to be leader, except leader of the family. This is shown when Megawati nominated herlself as president candidate in general election 2014. At that time,

some people especially those whose background is Islam told about this lesson, and some people think that Megawati is not proper to nominate as president. Megawati is considered to disobey her nature as women who is led by male leader.

The opinion that Islam against gender equlity must be corrected. In Al Quran itself, there are many discussions about gender relation, relationship between men and women, their rights in fair conception. Gender equality is acknowledged by Al Quran, it does not mean it is should be the same between man and women in every aspect. To keep the balance of the nature (sunnatu tadafu'), there should be differences that each gender has its own fuction and duty. In Islamic view, women have the same position as men. In Allah SWT eyes, thing that differentiate men and women is their level of faith. From creation point of view, nobelty, and rights to get reward for their goodness, women have the equal position as men. Women's duty that must be done as member of family is as wife for her husband and mother for her children. While women's duty as member of society in relationship to get job is ordered by emergency rukhshah. It means eventhough it is allowed, women should prioritize goodness, for the household or society. If the bad things are much more than the goodness for the family, so the profession outside the house should be left (Umar, 2001).

The same thing also exist in Christian point of view. According to bible, men and women are the same because they are created from the picture and figure of God (Genesis 1:27). The bible also mention that women is created to fulfil men's needs (Genesis 2: 20-22). According to bible, there are different rights and duty between men and women, especially in marriage. Women must obey her husband and husband must love his wife (Efesus 5: 22-25). In Indonesian culture, a wife must obey his husband, the same as mentioned in bible, but it does not mean that husband take control of his wife. There is no prohibition for wife or women to work outside to earn money (www.academia.com).

Closing

Gender equality does not mean that women and men must be the same, but rights, responsibility, and chance, they do not depend on whether they were born as men or women. This also happened in political area through proportional women representation in legislative institution because the number of women in Indonesia is not very different from men. That's why, low number of women representation in legislative institution in Indonesia should be increased in the future.

Seen from political aspect, that effort can be done by streghten women organization, built strong acess to media, and increased women participation in politic. Political party should improve the quality of women cadres through recruitment and political education as a part of cadres forming in political party. While from social-cultural and religious aspects, gender equality should be done through education, education in family, school or society. By this education, we can avoid blind or narrow stereotype that placed women in marginal position.

On the other side, government as regulator should create condusive athmosphere that make women possible to participate actively in politic by decree of many regulations that support it. In these regulation, there should be sanction for political party that cannot fulfil 30% quota of women nomination in legislative institution as declared in law. On the other side, government as the facilitator need to facilitate women to participate actively in politic by providing many similar chances and access for women to involved in political world.

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Paris Climate Agreement and the United States of America Unilateral Action: The Decline of the World Climate Change Agenda (An Internasional Law Perspective)

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Abstract. The 1994 United Nations Framework Convention on Climate Change (UNFCCC) has entered into force in 1994 as an international agreement under which the Paris Climate Accord or Paris Climate Agreement was established and has been entered into force in November 2016, into global agreements of countries on climate change. The global agreement on addressing climate change is critical because Earth's temperature has risen at a rate of 1 °C, therefore this agreement aims to curb rising earth temperatures due to greenhouse gas emissions up to 1.5 °C or at least below 2 °C. But the global climate change agenda through global agreement seems to decline due to the official announcement of the United States exit from the Paris Climate Agreement under the leadership of Donald Trump, whereas the United States is the second ranked country with the largest greenhouse gas emissions in the world. The issue that will be discussed in this paper is how the impact of the policy of United States exit from the Paris Agreement on the global climate change agenda? and what are the future prospects of the Paris Agreement? This paper is a conceptual article in which each problem will be studied based on the principles applicable in international law; the analysis used is qualitative and then described to explain the problems studied. The Paris Climate Agreement is very important for countries to reduce the temperature of the earth, in addition to the Paris Climate Agreement is a global agreement in dealing with climate change, and the countries also adhere to the rules of the Paris Climate Agreement because of long-term needs in maintaining a sustainable life for humanity in the future. The exit of the United States as one of the countries with the largest greenhouse gas emissions in the world is very influential on the global climate change agenda, this is because the common goal to reduce the earth's temperature rise due to greenhouse gas emissions up to 1.5 °C or at least at below 2 °C will be very difficult to realize.

Keywords: Paris Climate Agreement; United States of America unilateral action; world climate change agenda.

I. INTRODUCTION

The issue of sustainable living is a very complex, many countries have made both regulatory and national action efforts to address this challenge. Not only at the national level, many countries have also held bilateral, multilateral meetings at regional and inter-regional levels so that issues of interest to all people/countries can be handled properly.

One of the efforts made by many countries related to the issue of sustainable living is to unify the vision and make a collective agreement to reduce the use of gas emissions so that the increase in earth temperature can be reduced to not exceed 1.5 °C. This is very important, as more countries are involved in this agreement, the enforcement can be

maximized and become a warning for countries that do not want or have not been involved in this agreement.

According to the Intergovernmental Panel on Climate Change (IPCC) Assessment Reports 5 or AR5, the earth's temperature has increased by about 0.8 °C over the last century. By the end of 2100, global temperatures are expected to be 1.8-4 °C higher than average temperatures in 1980-1999. When compared to the pre-industrial period (1750), the rise in global temperature is equivalent to 2.5-4.7 °C. The process of global warming is mainly caused by the inclusion of heat energy into the oceans (approximately 90% of total warming), and there is evidence that the ocean continues to warm up during this period. As an island nation with the second lowest and longest beach in the world, Indonesia is vulnerable to climate change. As a tropical country with significant forest cover and peatlands,

Indonesia has high potential both as source of emissions and as sinks. Therefore, as a country ratifying the Climate Change Convention (UNFCCC) and the Kyoto Protocol, Indonesia is very concerned with the Paris Treaty. The Paris treaty agreed at COP-21 in Paris, France, has entered the signing date for the States Parties to the Climate Change Convention (UNFCCC). Indonesia has signed the Paris Agreement in New York, USA, dated April 22, 2016[1].

The 21st Conference of Parties (COP) of the United Nations Framework Convention on Climate Change (UNFCCC) in Paris becomes very important because of 4 reasons: first, the agreement based on the previous COP results to produce a legal agreement binding on all countries in the reduction of GHG emissions that come into force in 2020; secondly, the existence of the Intended Nationally Determined Contribution (INDC), a national commitment on how much they contribute to addressing climate change; third, the existence of the Green Climate Fund, the climate financing mechanism; and fourth, the agenda of the solution, namely to exchange information on various solutions that have been implemented, both at the local and global level[2]. Conference of Parties (COP) is deliberately designed as a meeting of leaders of each country to discuss climate change issues, this COP becomes an annual event to see the progress of the country's readiness to improve and prepare everything to limit global warming, one of the most Significant effect is the reduction of greenhouse gas emissions. Not all countries can actively participate in an international meeting, but this time because the agenda is the issue of sustainable living, the interest of the leaders of the country is very high, it is seen from the positive progress of the agenda agreed in the year.

After the COP-21 which took place in Paris, France from 30 November to 11 December 2015, then in the following year COP-22 was held on 7-18 November 2016 in The international Marrakech, Morocco. community appreciates the policies and operational steps that Indonesia has taken to reduce greenhouse gas emissions. Siti Nurbaya, Minister of Environment and Forestry at the Indonesian Pavilion, on Monday, November 14, 2016, revealed that the appreciation for Indonesia was delivered at the negotiation meeting and the parallel event held during the 22nd Conference of Climate Change (COP). Appreciation is given to Indonesia due to the policies and operational steps to reduce GHG emissions[3]. This is quite encouraging, because Indonesia is often get negative news from foreign media due to forest fires and environmental destruction that continues to happen in Indonesia.

The summit of the UNFCCC 2017 Parties (COP 23) was held at the end of the year precisely on November 6-17, 2017. It is also a good time to reflect on the challenges and results throughout the year that affect the targets to be achieved by 2020 and the preparation of the implementation of the Paris Agreement that will begin in 2020. The world has agreed to jointly limit global warming not more than two degrees Celsius and adapt to the effects of climate change. One of the biggest challenges is political and economic development, domestic and international, which triggered the dynamics of the implementation of the global agreement. Although agreement has been reached, the possibility of a change of commitment is always open. President Donald Trump's decision on the US withdrawal from the Paris

Agreement and election results in key countries sparked doubts about the effectiveness of the technical preparation discussions for the Paris Agreement from 2017 to 2019. Such a change of commitment is also feared to cause psychological effects for political actors, businesses, and communities in various countries are reluctant to contribute to the handling of climate change[4]. Thus, it needs a joint commitment and a comprehensive explanation of the background, process, and objectives of this climate change agenda to avoid being counter-productive due to the rejection of many parties due to the unclear and incomplete agenda being carried out.

Five months before the UNFCCC 2017 COP-23 was held, there was a startling event, US President Donald Trump announcing that the US withdrew from the Paris agreement on climate change agreed in 2015. Trump said it would start moving to negotiate a fair new deal, which will not harm businesses and workers in the United States. Trump described the Paris deal as an agreement aimed at harming and impoverishing the United States. During the presidential election campaign yesterday, Trump said he would take steps to help the oil and coal industry in his country. Step Trump reap opposition from within the country. They said the withdrawal was a lifting of US leadership over a major global challenge, climate change. Former President of the United States, Barack Obama, who approved the Paris deal, condemned the move by Trump. Obama accused what Trump rejects the future. Elon Musk, a technology entrepreneur, made sure he left his role as an adviser in the Trump government as a form of protest[5]. The United States' stepping-off is a severe blow to many countries who have long ago devised a shared commitment to curb global warming in preparation for the coming life.

The exit of the United States is a national policy that can not be intervened by any country. However, the policy has made the agenda of climate change to be disturbed can even be said to hamper the pace of environmental improvement that is currently declared. Based on this, then the issue to be studied in this paper is how the impact of the policy of United States exit from the Paris Agreement on the global climate change agenda? and what are the future prospects of the Paris Agreement?

II. DISCUSSION

A. The United States exit from the Paris Agreement

The United States accounts for about 15 percent of global carbon emissions, but it is also a significant financial and technological resource for developing countries in their efforts to combat the rising earth temperatures. The Paris Agreement is the result of an agreement at the 21st COP Climate Change Conference in Paris. The Paris Agreement agreement, which is a substitute for the Kyoto Protocol, contains an agreement limiting global temperature rise to below 2 degrees Celsius and seeks to limit the increase to 1.5 degrees Celsius[6]. Yuyun Indradi, Greenpeace Southeast Asia forest campaigner, said that Indonesia is still being considered in the 2015 Paris Climate Agreement as Indonesia is one of the biggest carbon emitters in the world. With Indonesia committed to reducing carbon emissions by 29% by 2030, it is quite an impact on the overall commitment of the Paris Climate Agreement[7]. Therefore, many regret the policy adopted by the United States under the leadership of Donald Trump.

The Paris 2015 Agreement binds nearly 200 countries to commit to keep global temperature rise 'well below' 2 degrees Celsius and 'attempt to limit' temperature increase at 1.5 degrees Celsius. Based on data from environmental organizations World Resources Institute, forest and land fires in Indonesia in 2015 alone release 1.62 billion metric tons of carbon dioxide. The data put Indonesia in the rank of four emissions-releasing countries from the previous sixth position. The problem is that although Indonesia and other countries insist on keeping the promise of reducing carbon emissions, it will not mean much without the role of the United States which in fact accounts for about 15% of global carbon emissions. Indonesia and other countries must cover the gap left by the Americans, and that is not an easy job. It becomes increasingly unrealistic to increase the target of each country, because each country has its own economic thinking. On 2 June 2017, Indonesia's Environment and Forestry Minister Siti Nurbaya said Indonesia will keep its commitments in the 2015 Paris Climate Conference. Indonesia's climate change control agenda is based on constitutional orders, not on international orders, not on the orders of the United States[8]. Indonesia can be a reflection of countries when it can enforce its environmental legislation consistently.

The decision to withdraw the US will not undermine the government's commitment to implement the constitutional order. In addition to Article 28 H paragraph (1), continued Minister Siti, environmental message is also affirmed in Article 33 of the 1945 Constitution of the Republic of Indonesia, namely to manage resources in a sustainable and environmentally sound. Protecting the people from the effects of climate change is also part of the 1945 Constitution's of the Republic of Indonesia order to protect the entire homeland and the nation of Indonesia. The House of Representatives has ratified the Treaty of Paris on October 19, 2016, followed by the signing of Law of the Republic of Indonesia Number 16 Year 2016 on the Ratification of the Paris Accord by President Joko Widodo. This law should be run not on international orders, but on the grounds that the executive must implement the law [9]. This can be a reference for countries in their commitments related to the global climate change agenda.

A scientifically recognized scientifically recognized climate change overview prepared by the Intergovernmental Panel on Climate Change (IPCC). The IPCC prepares a comprehensive Assessment Reports every five years on the scientific, technical and socio-economic, its causes, potential impacts and strategies to address climate change. The IPCC also produces a Special Report that examines specific issues and Methodological Reports, which provide practical guidance for greenhouse gas calculations. The last review report is the Assessment Reports 5 or AR5, which is issued in four parts in stages, from September 2013 to November 2014. The IPCC report outlines the evidence that climate change is already happening. Earth's temperature increased by about 0.8 °C over the last century. The last three decades are in a warmer fashion than in the past decade. Under a modeling scenario, estimated at the end of 2100, global temperatures will be warmer 1.8-4 °C than the average

temperature in 1980-1999. When compared to the preindustrial period (1750), the rise in global temperature is equivalent to 2.5-4.7 °C. The process of global warming is mainly caused by the inclusion of heat energy into the oceans (approximately 90% of total warming), and there is evidence that the ocean continues to warm up during this period. The oceans absorb a lot of carbon dioxide, so the condition becomes more acidic. The global sea level has risen by 20 cm since the beginning of the last century and has continued to accelerate. During the period 1901-2010, the average sea level rose by 0.19 m. The rate of sea level rise two times faster in the period 1993-2010 dibadingkan period 1901-1993. The report of these specialists specifies that in the past ten years, in some parts of Indonesia there has been decline in annual precipitation rates. While the average increase of sea level in 1901-2010 was only 0.19 mm/year to 3.2 mm/year in the period 1993-2010[10]. Sea level rise two times faster in the period 1993-2010 to be a warning for us all in responding to climate change is very fast movement.

The IPCC report confirms that human activity is the cause of climate change, especially in the last 50 years. The human influence (anthropogenic caused) is evident from the increase in greenhouse gas emissions (carbon dioxide, methane, nitrogen oxides and some industrial gases) from human activity, the highest in history and unprecedented since 800,000 years ago. The concentration of CO2 gas is now 40% higher than it was in the pre-industrial era. This increase is mainly due to the burning of fossil fuels and deforestation. Further evidence of the influence of human activity is also detected from the occurrence of ocean warming, changes in rainfall, melting of glaciers and ice caps in the north pole, as well as the occurrence of a number of extreme climates on earth. In Indonesia alone, more extreme cuasa occur that disrupt economic activity. Farmers and fishermen can no longer determine the time of planting, harvesting and the period of fishing that can produce optimal catch. Floods and droughts have occurred everywhere as well as the incidence of rob flood has also been more commonly experienced masayrakat city located on the seafront. Heat waves (El Nino) that cause peat fires and wet waves (La Nina) that caused flooding has undergone a change in the occurrence. If greenhouse gas emissions and global warming continue, without serious efforts to reduce greenhouse gas emissions, global temperatures will likely increase by more than 2 °C in the next century, even up to 5 °C. The risk of occurrence of some extreme events, especially heat waves and heavy rain, is expected to increase further in the coming decades. The global sea level is expected to rise to 0.26-0.81 m by the end of the century and will continue to increase in the coming centuries [11]. Climate change must be pressed down, because if it continues like this, then some predictions of scientists associated with the earth's temperature will be more quickly realized.

Climate impacts will increase as climate change events continue. Most aspects of climate change will last for centuries even if greenhouse gas emissions can be stopped. Most of the impacts of climate change events can not be changed (irreversible). The risk of damage will continue to increase over the centuries, especially the process of rising

sea levels. In the last ice age (120,000 years ago), when world temperatures increased 2 °C warmer, sea levels rose 5-10 meters higher due to melting of the ice sheet. The IPCC report states that greenhouse gas emissions are largely driven by increased global prosperity. The average temperature will increase by 3 -5 °C by the end of this century compared to the pre-industrial era. Maintaining a temperature rise below the 2 °C limit will be more difficult if not all parties contribute according to their respective fields. Such joint efforts also require changes, including technology, institutions and behavior. Reducing emissions should be done in all sectors and all regions. Reduced energy use can be done through several ways, such as energy e siensi. Many countries already have policies to reduce emissions, but importantly their implementation. Large-scale investments in clean technology need to be integrated, and mitigation needs to be integrated into broader political considerations, such as economic growth and employment. The handling of change requires action and international cooperation, as it is a shared and global problem. At present, the annual global emissions are approximately 50 billion tons of carbon dioxide equivalent. Burning fossil fuels is the largest source of emissions (2/3 of the total emissions), and mostly for development, especially industry and agriculture. Population growth also has an impact on emissions. As mentioned above, the increase in emissions is mainly due to increased welfare, especially in Asia which is starting to emerge from poverty. This condition is followed by increased energy consumption and the use of fossil fuels[12]. This IPCC report should be the material for every country in its national policy. Because without real data as presented by the IPCC, people will be indifferent to programs run by the government primarily related to the environment.

There is no doubt that the withdrawal of the United States will make the world more difficult to achieve the objectives to be achieved by the Paris Climate Agreement, which is to maintain a global temperature drop well below 2'C. The United States accounts for about 15% of global carbon emissions but is also at the same time an important source of finance and technology for developing countries in an effort to cope with rising temperatures. In addition, there are also questions about moral leadership because with the exit of the US it will have consequences for other diplomatic efforts. Michael Bruen of the US environmental group Sierra Club argues that the withdrawal is a 'historical error' that will make future descendants look back in amazement at world leaders who are distant from reality and morality. The key relationship in reaching a Paris deal is between the United States and China. President Barack Obama and President Xi Jin Ping managed to find enough common ground for the socalled 'high-ambitious coalition' with small island nations and the EU. China has quickly reaffirmed its commitment to the Paris 2015 Climate Agreement and will issue a statement with the European Union for greater commitment to carbon reduction. "There should not be any left behind, but the EU and China have decided to move forward," said EU Climate Commissioner Miguel Arias Cañete. It is almost certain Canada and Mexico will be important players from the Americas in the war against rising temperatures [13]. Canada and Mexico are two countries also quite strongly

opposed to US policy related to the withdrawal of the Paris Agreement on the global climate change agenda.

One of the loud voices that want the US to stay with the Paris deal comes from major US companies. Google, Apple and hundreds of other companies including fossil oil companies such as ExxonMobil have urged President Trump to stay on the deal. ExxonMobil's top leadership Darren Woods wrote a personal letter to President Trump, who said, among other things, that the US is "in a good position to compete" by implementing a climate deal and staying with it means 'one seat at the negotiating table to ensure a fair playing field'[14]. Despite much criticism, the fact remains that the United States remains unmoved and remains in its decision to step down from the Paris Agreement on the global climate change agenda.

The shift in the United States away from coal is reflected also in developing countries. Britain will stop coal as a source of electricity by 2025 while in the United States the number of jobs in the coal industry is now only half the solar energy sector. Developing countries will likely still depend on coal as a major source of energy for decades, but its impact on water quality and general outrage over pollution will be a limiting factor. The decline in renewable energy prices also encourages new economies to jump to greener sources of energy. In a recent Indian auction, for example, the price of solar energy is 18% cheaper than the price of electricity generated by coal plants[15]. Renewable energy is the main choice for industry players today, because they want or will not in the future, industry players will still be able to survive when the conventional energy source is currently thinning and will run out, while the company has long ago switched to renewable energy.

Although the President of Trump resigns from the climate agreement, US carbon emissions will continue to decline. The estimate is a drop to half, as President Obama planned. This is because energy production in the country comes more from gas than coal. A high-pressure fracking or drilling revolution to expel gas from rocks shows an increase in gas production which also causes a decrease in natural gas prices. In some countries, as in the UK, fracking technology is still fueling controversy. But obviously energy producers prefer gas because it is flexible and can be integrated better with renewable energy sources, which are also growing rapidly[16]. Although US carbon emissions will continue to decline in the future, but without a strong commitment and concrete steps related to the global climate change agenda, it can be futile, as there are many other sectors as contributors to emissions of gas world climate.

Although the United States has declared its resignation from the Paris Agreement on the global climate change agenda, the United States can only retreat early in November 2020 or the United States out of the UNFCCC, why? The following is very interesting by Fabby Tumiwa of the Institute for Essential Services Reform[17]:

During a speech many times Trump said that the Paris Agreement is a bad deal for the US Trump. He reasoned that the participation of the United States in this agreement had an impact on economic competitiveness and job creation. Trump cites the results of a NERA Consulting study that says Americans are losing \$ 3 trillion over the next few decades, and lose 6.5 million job opportunities. The NERA

study is actually funded by two environmental antiregulatory pro-business groups, the American Chamber of Commerce and the American Council for Capital Formation, which is also financially supported by Koch Brothers. Therefore, the claims based on the study are highly questionable, let alone the study does not take into account the impacts for US business firms in the field of renewable energy. Trump's decision is actually contrary to the opinion of the majority of Americans who would not want his country out of the Paris Agreement. In a survey conducted by the Harvard School of Public Health and Politico in April, about 62 percent of Americans want to stay in the Paris Agreement. Another survey also found that US voters supported to keep participating in the Paris Agreement with a ratio of 5 to 1 with voters disagreeing.

A number of business groups, including US giant firms included in the Fortune 500, including Apple, Google, HP, Microsoft, Morgan Stanley, also strongly support the United States to remain in the Paris Agreement. They argue that it can strengthen competitiveness, create jobs, markets and economic growth, and reduce business risks. Following Trump's announcement, a number of CEOs of leading US companies such as Tesla, Disney, General Electric, and giant financial institutions such as Goldman Sachs, JP Morgan's and Blackrock expressed their rejection of Trump's decision. Even Tesla CEO Elon Musk and Disney CEO Bob Iger declared withdrawal from the presidential advisory board. If the majority of the public and the US business leader's giants challenge this political decision, why would Trump make such a controversial decision? For MIT economist Paul Krugman, Trump's decision to withdraw from the Paris Agreement has nothing to do with competitiveness or employment but because it does not like the Obama administration's decision, "..mainly it's about spite: Obama made liberal likes, so it must die." In other words, Krugman said that the reason Trump came out of the Paris Agreement was trivial, he just wanted to turn off any initiatives Obama ever made. If true, it is ironic that one's ego or a group of people defeats the billions of humanity's interests and threatens the sustainability of civilization.

After Trump's announcement, the United States can not automatically go out as a party from the Paris Agreement. In accordance with the Paris Agreement Article 28, a party that ratifies (party) may renounce this agreement after three years of entering force into force for that party by giving notice of the resignation notification. The Paris Agreement was agreed in 2015, but it was only enforced in November 2016. Thus, if it is consistent with the provisions of article 28, then the United States can only be released officially at the earliest in November 2020. If the United States does not want to wait that long, then the options available are the United States out of the United Nations Framework Convention on Climate Change, which entered into force in 1994. The UNFCCC is an international treaty on climate change, which is the umbrella of the Paris Agreement. In his speech, Trump did not mention the United States going out of the UNFCCC, but he said it would renegotiate how the US would reentered with the Paris Agreement, or with an entirely new deal. Until now it is unclear how the new deal will be negotiated by Trump. In situations where the United States remains in the Paris Agreement (as party) until November 2020, the United

States delegation can still follow the negotiations at the Ad Hoc Working Group on the Paris Agreement (APA). If the United States wishes to undermine this agreement, it may be possible that US negotiators make disturbing efforts and slow down the ongoing negotiation process to prepare modalities, procedures and regulations as the operational instrument of the Paris Agreement. In accordance with the APA mandate, these instruments must be completed by 2018, so they can be authorized before 2020.

If this scenario occurs and the agreement is not reached by 2018, the Paris Agreement implementation may be delayed, and lead to a situation of distrust among the countries supporting the Paris Agreement. This situation may open up opportunities for the United States government (under Trump) to offer alternative agreements to specific countries. The act of lowering the product of a global agreement is not new to US leaders who come from Republicans. In the context of climate change negotiations, the United States has refused to ratify the Kyoto Protocol, after Bush replaced Clinton as President. While the US is one of the parties who gave birth to the Kyoto Protocol (KP) in COP-3 of 1997. The consequence is the US can not participate in the KP negotiation track, but there is a party UNFCCC, and negotiate the implementation of the UNFCCC.

The actions of the United States government through unilateral action as a form of opposition to a global agreement are also being carried out. In 2002, the United States government created an instrument that "rivaled" the Millennium Development Goals (MDGs) agreed in 2000. One of the US objections to establishing the MCA is the MDGs target-setting approach. To emphasize their position on the MDGs, the US government created the Millennium Challenges Account (MCA) and established its own institution, Millennium Challenge Corporation (MCC), to manage funds granted to developing countries that meet eligibility criteria established by the US government. Funds are awarded to projects that meet the priorities and other criteria set by MCC. From the two cases above it can be seen that the US does not hesitate to ignore or exit international agreements and walk alone, as long as the agreement or agreement is considered not in accordance with US interests.

As the country with the largest greenhouse gas emissions in the world after China, the US exit from the Paris Agreement can have two impacts: first, the achievement of the 2/1.5 °C temperature rise target, and secondly, funding to support the international negotiation process and funding climate to support mitigation action, adaptation action and capacity building in developing countries[18].

B. The Prospect of the Paris Agreement on the World Climate Change Agenda

Monday, November 30, 2015 is a historic day for climate change conference. More than 40,000 people attended Paris, as well as over 100 heads of government participated. They are part of the history of the UN conference on climate change. In Paris, the negotiators will be present at a meeting formally known as the 21st Conference of Parties for the UNFCCC. They pass important international treaties such as reducing greenhouse gas emissions globally and slowing the effects of climate change. What made this meeting so special?

This is not the first time COP has been held, at some past climate change meetings, climate change summit leaders in the past are trying to build a top-down climate deal in which nations will agree to agree on guidelines to reduce their greenhouse gas emissions. The agreement was born from an approach such as the 1997 Kyoto Protocol, which countries are required to commit to binding on greenhouse gas reductions, developed in order to provide a target of flexibility in addressing climate change. Climate change supporters organized a conference in 2009 in Denmark as an opportunity to reach a comprehensive agreement that would really lead to emissions reductions. But unfortunately, the conference was organized badly. China and other countries refused to cooperate. In the end, the negotiations collapsed and resulted in the Copenhagen Accord failing[19].

The Paris conference focuses on bottom-up deals. Governments around the world have made their respective plans called Intended Nationally Determined Contributions (INDC) outlining how they plan to reduce greenhouse gas emissions according to the political and economic nature of each country. At the COP 21 meeting there will be a Paris Agreement that only provides a legal framework to verify that the country is committed to reducing emissions and providing climate finance for poor countries. A bottom-up approach may sound less ambitious than rigid international standards. But climate change negotiators hope the flexibility allows each country to make their own commitments. The 'incident' of avoiding developed countries in the Kyoto Protocol is not expected to be repeated. The Paris COP was held because scientists say climate change has been devastating more than ever. Average temperatures hit a record high in 2014, and the United Nations affirms that 2015 will probably be the hottest record[20].

In the face of that reality, countries such as the United States, China and Canada have shown renewed interest in tackling climate change. Even oil producers such as Saudi Arabia, which is currently facing hot temperatures, have proposed plans to tackle global warming. Most negotiators see finances as a sticking point that can make a strong agreement. Developed countries agreed in 2009 to finance climate change projects in developing countries of US \$ 100 billion annually, starting in 2020. While money flows to the coffers of the Green Climate Fund established for that purpose, far from being enough to support the \$ 100 billion one-year commitment. Not only that, many critics are skeptical that rich countries will meet that goal. Meanwhile, many developing countries have said they will not be able to follow up their own climate plans without receiving financial aid[21].

How to cope with the process of adapting to the impacts of climate change will also be a key point of debate. Many of the most vulnerable developing countries in the world, including island countries could be erased from maps due to rising sea levels, wanting to know that the international community will support efforts to protect their land from rising sea levels that will occur even if the world does not managed to slow the rate of global warming. In 2010, the Climate Change Summit inaugurated the 2 degree Celsius (3.6 F) figure as the maximum target of global temperature rise of 2100, the level most scientists believe will help prevent the most damaging effects of global warming. The

problem is that temperatures have risen about 1 degree Celsius above the average level according to the UK Meteorological Agency. The rise in global temperatures in pre-industrial times is expected to reach 4 degrees Celsius (9 F) by the end of this century, unless steps are taken to reduce greenhouse gas emissions. Moreover, according to a study, countries including the US has made the earth's temperature to heat up to the threshold of 2 degrees Celsius[22].

At this Paris COP, experts expect the United States to reduce the temperature rise and strengthen its commitment every 5 years. However, many countries affected by climate change are skeptical that major emitters can reduce geothermal increases. Therefore, the affected countries ask the big country to reduce the use of fossil fuels. President Barack Obama has sought to position the United States as a global leader in the climate. He hopes to restore the years in which his predecessors did not believe what climate change is. In the United States, Obama has encouraged reductions in greenhouse gas emissions. Like the Clean Power Plan program, which asks to reduce 32 percent of carbon emissions from a US-based power plant from 2005 to 2030. At the international level, Obama has enlisted his country to sign bilateral climate agreements, including a joint commitment with China. Obama hopes this move a sharp shift away from Bush-era delay tactics-will give the rest of the world's confidence that the US has considered climate change to be a serious issue. Most of the countries especially China are reluctant to make cuts without the US, the second largest emitter in the world. Meanwhile, Obama's actions give the United States an increasing role in upcoming climate negotiations. Ben Rhodes's National Security Deputy Counselor explained that Obama's role was in stark contrast to a climate conference in Copenhagen 6 years ago, where he emerged at the last minute in hopes of negotiations getting a final touch on a significant climate deal. However, the effort was widely seen as a failure. Obama himself confessed after the conference that the treaty was "not

China is the largest country in the world as the emitter seeks to weaken negotiations at past climate conferences, but under the leadership of President Jin Jinping the country seems to have changed. China has launched a nationwide cap-and-trade program to track and obtain carbon emissions reports. But most importantly, committed to reducing carbon emissions by 2030. Commitment is very important and good news for the results of the Paris meeting later. There is no meaningful climate change deal without China's participation. Why? Because this country produces more than a quarter of the world's carbon dioxide emissions. And many countries that have large carbon emissions are reluctant to negotiate as long as China's largest emitter is also reluctant to sit together. Much of the content of the agreement will depend on whether its legal form makes it 'binding'. Most 'hard-line' climatic action advocates see a binding agreement necessary to ensure that countries follow up on their commitments. Although climate negotiations may sound abstract, yet a strong agreement creates positive developments as negotiators return home. China, for example, has committed to a cap-and-trade program and will reduce emissions by 2030. Meanwhile, India will increase its forest cover[24].

A year later, the UNFCCC's 22nd COP took place from 7-18 November 2016. The main agenda of the conference was to discuss the implementation of the Paris Accord. Under the Paris Accord, each country presents its GHG emission reduction targets, aimed at keeping global temperature rise below 2 degrees compared to pre-industrial times. Nurbaya explains, throughout the year 2016 many policies and operational steps Indonesia that directly impact on emissions reduction. Including moratorium and restoration of peatland, forest and land fire control, and avoided deforestation. All of these policies and operational steps have clear indicators that are measurable and can be monitored and verified. The Minister of Environment and Forestry of the Republic of Indonesia Siti Nurbaya asserted that the policy for emission reduction in Indonesia is not to please other countries. But the mandate of the legislation to improve the welfare of the people of Indonesia. "Our policy is apparently inline with that of the international community," he said. Related to the conference materials, Minister Nurbaya advised the Negotiation Team of Indonesia to always expose the achievements that have been achieved by Indonesia, including the implementation of the Paris Accord. He explained that Indonesia has ratified the Paris Accord and has submitted the NDC documents to the UNFCCC secretariat[25]. Indonesia has also launched the National Registry on Climate Change Control System (SRN PPI) to record emission reduction efforts from each sector. The system is built to be easy and lightweight with devices such as computers, laptops, tablets and smartphones. SRN PPI is a system for managing and providing web-based data and information about action and resources for adaptation and mitigation of climate change in Indonesia. The system aims to: 1) Record the action and resources of adaptation and mitigation of climate change in Indonesia, 2) Government recognition of the contribution of various parties to climate change control measures (adaptation, mitigation, financing, technology, capacity building) in Indonesia, 3) Provision of data and information to the public on adaptation and mitigation actions and resources and their achievements; and 4) Avoid double counting of action and resources on adaptation and mitigation as part of the implementation of clarity, transparency and understanding (CTU) principles [26].

Then the following year, precisely November 6-17 this year (2017) The 23rd UNFCCC COP takes place in Bonn Germany. Representatives from 200 countries, including those from the United States-who have withdrawn from the Paris 2015 Climate Convention meet in Bonn, Germany, at the Conference of the Parties or Conferences of the Parties, COP. The delegates are trying to agree on a 'manual' to be implemented next year but there are clearly some obstacles, including the financing of poor countries to prepare for the Paris Climate Agreement. Throughout the conference in Bonn, Indonesia established a pavilion, and among others invited several bupatis and governors to share experiences in preserving the environment. While the Peat Restoration Agency, BRG, invites two village heads, as well as to share experiences on dealing with peatland fires and preventive measures to prevent similar fires from occurring in the future. The Bonn conference is the first ever UN climate agency meeting since President Donald Trump stepped down from

the 2015 Paris Climate Agreement, which championed his predecessor, President Barack Obama. This meeting is held annually with the signing of the UNFCCC Framework, an agreement to set the GHG emission limits to the atmosphere for each country. Held in turn, Indonesia which ratified the convention from the beginning was elected as COP president to host the year 2007 by holding COP 13 in Bali. At that time was born the concept of REDD or reduction of greenhouse gas emissions from deforestation and forest destruction, which continues to roll and grow to date. The President of COP 23 was FIJI but was 'too heavy' for the small country to hold a meeting attended by about 20,000 people so it was transferred to Bonn, Germany, which is the UNFCCC headquarters. In reality, COP is a technical and complicated negotiation, such as how the mechanisms need to be taken so that each country can achieve its GHG emission limits[27].

It was originally the Kyoto Protocol of 1997, which established binding obligations among developed countries to reduce GHG emissions in the 2008-2012 period. Then in 2010, in Cancun, Mexico, it was agreed that global warming should be pressed below two degrees Celsius (2'C), which is relatively suited to pre-industrial temperatures. The Paris Climate Agreement confirms that the world's countries are committed to keeping the Earth's temperature rise threshold below 2 degrees Celsius (2'C) and trying to push it down to 1.5'C. Therefore, each country is also bound to reduce emissions by 2020 in accordance with its commitments. The impact of climate change on sea level rise and the increasing frequency and strength of current cyclone storms alone are considered very influential on small island states. Fiji, for example, suffered heavy losses from Hurricane Winston in February 2016, causing the deaths of 44 people, 40,000 homes damaged, and about 350,000 Fijians or 40% of the total population affected by the storm. Damage to infrastructure and communication breakdown lasted for two days after the storm subsided with total losses estimated at US \$ 1.4 billion or approximately Rp. 18.9 trillion[28].

Indonesia has supported this global environmental agreement from the beginning, from the Stockholm Conference in 1972, with the first day of the conference-the 5th of June set as the World Environment Day. In the country, Indonesia began to draft the first environmental legislation in 1982 with Law of the Republic of Indonesia Number 4 of 1982 on Basic Provisions on Environmental Management or UULH 1982. The legal instrument was subsequently replaced by Law of the Republic of Indonesia Number 32 Year 2009 on Protection and Environmental Management (UUPPLH), which includes elements of 'protection' as well as severe sanctions for violators. The Indonesian commitment is quite ambitious. President Susilo Bambang Yudhoyono at the G20 meeting in Pittsburg in 2009, declared the target by 2020 to reduce Indonesia's GHG emissions by 26% from business as usual level or without 'action plan' with own capability and 41% with international assistance. Indonesia's commitment is strengthened in 2016 by increasing its commitment to GHG emission reduction by 29%[29]. Here are some points from 2017 Global Climate Finance Landscape[30]:

- The climate funding stream reached a record high of 437 billion US dollars in 2015, followed by a 12

percent decline in 2016 to 383 billion US dollars, although still higher than in 2012 and 2013. Taking into account the annual fluctuations, the average funding flow in 2015/2016 by 12 percent higher than in

- The increase in 2015 is driven by surging investment in renewable energy, especially in China, and for home roof solar panels in the United States and Japan.
- Increased investment by the private sector shows a growing market for renewable energy from wind and solar, so the need for government support is no longer great as before. Nevertheless, in general, government investment remains the basis for private investment from year to year.
- During 2015-2016, 79 percent of funding is raised from countries where investments are made. An increasing trend in domestic investment demonstrates the importance of a strong policy and regulatory framework by national governments to support climate change mitigation and adaptation projects.
- A drastic increase in investment for solar energy and offshore wind energy provides hope that a shift from fossil-based energy towards renewable energy is beginning to happen and will help the world curb the rate of global warming. Nonetheless, investments in renewable technologies and other sectors are far from being worth about \$ 1 trillion annually. Other sectors that still require investment are electricity, industrial energy efficiency, transportation, agriculture, water, deforestation reduction, and adaptation.
- Total investment for fossil-based fuels is still far greater than pro-climate investment. This reduces the effectiveness of green investments and also increases the risk in the financial system, for example oil or coal company assets would be "stranded assets" prematurely impaired assets or losses.
- Although funding flows are still far from being required, the report notes some positive trends that may affect the prospects of increasing climate finance in the coming years: Some countries are beginning to spell out their NDC plans so as to provide clarity on investment opportunities to make them happen; governments and financial institutions take initiatives to green the flow of public finances; industry-wide discussions about transparency in reporting on the financial risks posed by climate change; and the wider use of different types of mixed and innovative funding.

III. CONCLUSION

The United States has declared its resignation from the Paris Agreement on the global climate change agenda, but legally the United States can only retire early in November 2020 or the United States out of the UNFCCC. As the country with the largest greenhouse gas emissions in the world after China, the US exit from the Paris Agreement can have two impacts: first, the achievement of the 2/1.5 °C temperature rise target, and secondly, funding to support the international negotiation process and funding climate to support mitigation action, adaptation action and capacity building in developing countries.

The prospect of the Paris Agreement on climate change is very progressive, although the United States has withdrawn from the Paris Agreement but from the financial side. Increased investment by the private sector. An increasing trend in domestic investment demonstrates the importance of a strong policy and regulatory framework by national governments to support climate change mitigation and adaptation projects.

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Death Penalty in Constitutional Dimensions and Human Rights in Indonesia

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Abstract. The implementation of death penalty in Indonesia is still a topic of debate among legal thinkers. For those who contend with death penalty, it is contrary to the constitution and human rights. As for the death penalty, it is argued that it is a proper form of punishment for the perpetrators of serious crimes such as drug trafficking, premeditated murder, gross violations of human rights, and various crimes that have a wide negative impact on society. The existence of death penalty has also received legal recognition through the decision of the Constitutional Court which considers that death penalty is not contradictory to the constitution and human rights values.

Keywords: death penalty; constitution; human rights.

I. INTRODUCTION

"Why should we prioritize the rights of the perpetrators of crimes, rather than the rights of the victims of the crime themselves?"[1]. The statement was once conveyed by Achmad Ali when giving expert information (expertise)[2] before the session of the Constitutional Court of the Republic of Indonesia concerning the case of examining the constitutionality of death penalty in Law of the Republic of Indonesia Number 22 Year 1997 on Narcotics[3] as well as the judicial review of Law of the Republic of Indonesia 02/PNPS/1964 on the Procedures for Implementation of Death Penalty[4]. The above statement seems to justify and reinforce the constitutionality of the Constitutional Court of the Republic of Indonesia which reject the application of judicial review of Law of the Republic of Indonesia Number 22 Year 1997 on Narcotics over the Constitution of the Republic of Indonesia 1945, that death penalty is not at all contrary to the constitution and does not violate the basic values of human rights as well as a form of sympathy for victims of crime.

The debate on death penalty has been going on for a long time with different arguments. For the death penalty counter, the imposition of death penalty is considered as an inhumane and ineffective punishment as well as contrary to the right of life guaranteed by the constitution either through national legal instruments or international legal instruments[5]. Meanwhile, for the pro-death penalty group, the death penalty is related to the deterrence effect for the most serious crime, such as terrorist, narcotics, corruption, murder in a sadistic way, and a series of crimes which is considered very heavy and disturbing and injure the sense of community justice.

Nowadays, the pro-death penalty are no less numerous than the followers of the death penalty cons. An example of debate and disagreement on the implementation of death penalty can be taken in the United States. Uncle Sam's country consists of 50 states (state), only 12 states that do not apply death penalty, and 38 states still retain death penalty. Nevertheless, the abolition of death penalty has been intensively conducted in recent years. On the other hand, there are still a number of countries that recognize and apply death penalty. Currently there are 68 countries that still apply the practice of death penalty, including Indonesia. While the state that abolishes death penalty for all types of crime is as much as 75 countries. In addition, there are 14 countries that abolished death penalty for ordinary criminal category, 34 countries that de facto did not enforce death penalty despite the imposition of death penalty. Such debates and differences will remain and continue in the future.

This paper is not representative of support for the death penalty who continuously support the execution of death penalty, nor is it a new chapter of the long debate with the death penalty contestants who are constantly fighting for the death penalty to be abolished, but this paper represents sympathy of the victims of serious crimes whose effects of these crimes can be felt widely by anyone. This paper only explains that death penalty is not at all contrary to the constitution and basic human rights values adopted in Indonesia. This article also does not neglect the right to life, the right not to be tortured, a person's human right not to be diminished under any circumstances, but as a citizen of a lawful country, we shall also recognize that in exercising such rights and freedoms, any persons shall be subject to the restrictions established by law and the constitution with the sole intent of ensuring the recognition and respect of the rights and freedoms of others.

On the basis of the foregoing thought, the problem in this paper is to find out how far the normative basis of death penalty which is a form of punishment in Indonesia recognized in the constitution, which in no way conflict with the basic values of human rights adopted by Indonesia.

II. RESEARCH METHOD

Type of research in this writing is normative-juridical by using the statute approach[6]. Technique of collecting data is done by library study which then all the data is analyzed descriptively to answer topic problem to be discussed.

III. RESULT AND DISCUSSION

A. Death Penalty in the State Legal Framework

According to Frederick Julius Stahl, a country can be categorized as a state of law if it has met four important elements consisting of: 1). The existence of recognition and protection of human rights; 2). There is separation and/or power sharing; 3). Any government action should be based on prevailing laws and regulations; and 4). The existence of state administrative courts in charge of handling cases of unlawful acts by the government. The concept of the legal state put forward by Stahl above shows clearly that the protection of human rights is the first and foremost element of a legal state[7].

Indonesia as a legal state also has the obligation to fulfill all the above elements of the legal concept without exception, including guaranteeing and providing human rights protection for every citizen. Discussion of this paper begins with the study that the state of law actually requires the implementation and execution of death penalty. Beyond the polemic and the long debate, whether the death penalty is a denial of basic human rights values, but the author still assesses the death penalty is a form of empathy for the victims of serious crimes. In addition, according to the opinion of the author, death penalty is a media in the achievement and enforcement of human rights itself.

Even in the Indonesian legal system, death penalty is a legitimate positive law, expressly provided for in the provisions on types of punishment in Article 10 of the Penal Code. In addition, death penalty in *lex specialis* is regulated in special laws, such as anti-corruption laws, drug laws, anti-terrorism laws and human rights tribunals.

However, how to respond to the request of the death penalty for the execution of death penalty is abolished in the legal system in Indonesia, a statement that assesses death penalty contradictory to the 1945 Constitution of the Republic of Indonesia can be counter by arguing that our constitution besides guaranteeing human rights, also allowing human rights to be restricted provided that, in accordance with the provisions of applicable law, or for the sake of moral considerations, public order and security of the community as stipulated in Article 28J of the 1945 Constitution of the Republic of Indonesia[8].

Not all crimes are worthy of death penalty. For minor crimes, of course, not charged with severe rewards, let alone death penalty. On the other hand, not all serious crimes are worthy of death. According to Achmad Ali[9], a serious crime

worthy of death sentence is a "very serious" crime that is very cruel, or has a large humanitarian impact. Including premeditated and rigorous planning murder, for example killing and subsequently mutilating the victim in large numbers. There is also a criminal act of terrorism which, by its very cruel act, has caused the loss of life and property. The death toll of the terrorists is usually not just one or two people, but tens or even hundreds of people. Not to mention the psychological impact on hundreds of millions or even billions of human beings who are no longer peaceful and secure, with the possibility at any time can be victims of bombing and other terror mode

In addition, corruption which is categorized as "korupsi kelas kakap" or by various terms "mega corruption" or "severe corruption" can be categorized as a very serious crime. The perpetrators of corruption have robbed the state money which at once of course the people's money, with a very large amount. So the impact has devastated the country's economy and resulted in the increasing of the poor and the suffering of their lives.

In addition to the above forms of crime, there is also a crime of narcotics circulation whose crime impact destroys the next generation of the nation and humanity, and indirectly contributes to the spread of the HIV/AIDS virus, a disease that has not yet found its healing medicine, which has destroyed the lives of millions of people all over world. From a series of previous serious crimes, there is also a crime of genocide and crime against humanity with various forms and modes also bring tremendous impact for human survival on earth.

Especially for the criminal act of narcotics circulation, one of the criminal law expert from Airlangga University, Didik Endro Purwoleksono (when giving expert testimony before the trial of the Constitutional Court regarding the case of judicial review of the constitutionality of death penalty in Law of the Republic of Indonesia Number 22 Year 1997 regarding Narcotics of the 1945 Constitution of the Republic of Indonesia) supporting the execution of death penalty for narcotics dealers. Didik Endro Purwoleksono assumed that with the threat of death penalty only, the criminal sanction imposed on the perpetrators of narcotics crime is still very light, not worth the actions that destroy the generation of the nation and threaten the life of nation, state, and society, especially if the threat of death penalty is abolished. In other words, with the inclusion of death penalty only, the circulation of narcotics is still vibrant and carried out by the old actors, let alone they know that the criminal threat will not be subject to death penalty. They will surely be eager to distribute the narcotics[10].

Likewise leading advocate Adnan Buyung Nasution believes that drug dealers should be rewarded with death penalty. He revealed that in principle, he rejects death penalty. However, he considers that narcotics crime is already classified as the most serious crime. The death penalty according to Adnan Buyung Nasution deserves to be imposed on the narcotics dealer because the crime is categorized as a cruel crime, let alone the people also want or demand for a punishment that will make the narcotics perpetrators of deterrent[11].

Of the several types of serious crimes mentioned above which for the perpetrators are worthy of death is the manifestation of the form of justice and sympathy for the victims of these serious crimes. According to the authors, a state law that guarantees basic human rights values, is still very much in need of the application of death penalty in terms of providing justice for the victims and their families. In line with that, Achmad Ali also argues that the reason why people agree with the prosecution, punishment and execution of death penalty for perpetrators of serious crimes, because only the death penalty that makes the balance of justice balance in terms of these serious crimes. Added again according to Achmad Ali, that to prevent mistakes, then the judges only sentenced to death the convict who really has been very convincing as the culprit. All the evidence has supported that there is no doubt. Especially if the defendant has publicly acknowledged that he was the perpetrator of the crime he charged[12]. Therefore it is necessary the conviction of a judge in sentencing the death penalty to someone who has committed a serious crime, in addition the judge must also consider the sense of justice and common sense[13] from victims of serious crimes or to their families.

Therefore, the authors believe that the execution of death penalty for a state law like in Indonesia, is still very necessary for the enforcement and protection of human rights because the execution of death penalty actually supports the creation of a legal state that always based on the basic values of human rights and of course essential justice. The writer's opinion is also endorsed by David Anderson who considers that a civilized state institutionalizes the fairest possible punishment by imposing death penalty for serious offenders, and this is also in accordance with Sila II Pancasila "Just and Civilized Humanity", as listed firmly in the Preamble to the 1945 Constitution of the Republic of Indonesia[14].

B. Objectives of Death Penalty as a Deterrent Effect

Essentially, death penalty actually has the power of deterrence against serious offenders, and is urgently needed to prevent the increasingly widespread crime in the serious category whose impact and negative effects can be felt by the wider community. One of the modern concepts of punishment purposes is detterence/preventie which according to Andi Hamzah[15] is the purpose of punishment intended to provide a deterrent effect or prevent, so that both the defendant as an individual and others who potentially become criminals will be deterrent or afraid to commit a crime, see the criminal sanctioned to the defendant.

The purpose of punishment which intends to provide a deterrent or preventive effect is in accordance with the view of the utilitarians who see punishment in terms of benefits or usefulness, where seen is the situation or circumstances that want to be produced by the imposition of death penalty. This view is oriented to the front and also has the nature of prevention (preventive)[16]. So that an individual who has the potential to commit a similar crime is committed by a convicted criminal offender, can think long to do it again. Therefore, the threat of death penalty contained in a number of legislation is considered very effective to prevent the occurrence of crime in the serious category

C. Death Penalty Not Contradictory with the 1945 Constitution

In accordance with the existence of the Constitutional Court as the guardian of the Constitution mandated by the 1945 Constitution, for groups that cons penalty of death see an opportunity to attempt to eliminate death penalty under the pretext, death penalty is very contradictory to our constitution, especially in Article 28A of the 1945 Constitution which states: "Everyone has the right live, sustain life and life". Then the aforementioned article by the death penal conflict group is connected again with Article 28 I Paragraph (1) which reads:

"The right to life, the right not to be tortured, the right to freedom of thought and conscience, the right of religion, the right not to be enslaved, the right to be recognized as a person before the law, and the right not to be prosecuted on the basis of retroactive law are human rights that do not can be reduced under any circumstances".

The question then arises, is it true that the execution of death penalty violates human rights to live for anyone who has the death penalty status? Achmad Ali[17] replied to the question representing the criminal counter-conscious group by turning to the question "Why the question is not reversed to be, whether serious crimes such as narcotics, terrorism, heavy corruption, the sadistic murder is not part of the most violent crimes, most inhuman and harassing the lives and human dignity of all people and children of men? If the answer is "Yes!", And it is true "Yes", then there is nothing more violating the human right to live, other than the perpetrators of the serious crimes, and not the lawful and legal courts that have sentenced him to death.

The connection that death penalty is contrary to the basic values of human rights, according to the author is wrong. Because in Law of the Republic of Indonesia Number 39 Year 1999 on Human Rights in Article 1 it is affirmed that human rights are a set of rights inherent to the nature and existence of human beings as creatures of God Almighty and is a gift that is obligatory to be respected, upheld and protected by the state, law, government, and every person for the honor and protection of human dignity and prestige.

From the provisions of the aforementioned article it is clear that there is a strong correlation between the will of God Almighty with the existence of human rights. That human rights are a gift from God, and for certain things God has also allowed the imposition and execution of death penalty for serious perpetrators such as terrorists, premeditated murder with sadistic modus operandi, genocide, narcotics circulation, corruption "big classes", and various forms of crime that openly violate the basic values of human rights itself. In other words, the authors judge that the imposition of death penalty can actually be a media in terms of enforcement of basic values of human rights and not as a realisitis form of rebellion against the basic values of human rights that is the right to live.

Related to the constitutional review of a number of articles in Law of the Republic of Indonesia Number 22 Year 1997 on Narcotics which regulates the sanction of death penalty for narcotics and illegal drug dealer, then according to the author is appropriate that the judges of the Constitutional Court of the Republic of Indonesia have rightly decided that death penalty is not contradictory to the constitution contained in Article 28 A and Article 28 I Paragraph (1) of the 1945 Constitution of the Republic of Indonesia. The conclusion of the Constitutional Court is based on the provisions of Article 80 Paragraph (1) letter a, Paragraph (2) letter a, Paragraph (3) letter a; Article 81 Paragraph (3) letter a; Article 82 Paragraph

(1) letter a, Paragraph (2) letter a and Paragraph (3) letter a of Law of the Republic of Indonesia Number 22 Year 1997 on Narcotics shall not be contradictory to Article 28A and Article 28I Paragraph (1) of the 1945 Constitution of the Republic of Indonesia.

In addition, the constitutional panel of judges is of the opinion that Law of the Republic of Indonesia Number 39 Year 1999 on Human Rights in Article 9 Paragraph (1) contains the provisions on the right to life and in Article 4 it is determined that the right to life includes human rights which are not can be reduced under any circumstances and by anyone. However, in the elucidation of Article 9 of Law of the Republic of Indonesia Number 39 Year 1999 on Human Rights states that the right to life can be limited in two cases, namely in the case of abortion for the benefit of his mother's life and in the case of death penalty based on court decision. In addition, Article 73 of Law of the Republic of Indonesia Number 39 Year 1999 on Human Rights also contains provisions concerning restrictions on human rights as follows: "The rights and freedoms provided for in this law can only be limited by and based on law, solely to ensure the recognition and respect of human rights and fundamental freedoms of others, morals, public order, and the interests of the nation"[18].

IV. CONCLUSION

Indonesia as a legal state shall recognize the existence of the execution of death penalty as a form of criminal process which is not contradictory to our basic constitution of the 1945 Constitution of the Republic of Indonesia and is not contrary to the basic values of human rights. As the guardian of the constitution, the final interpreter of the constitution and the protector of human rights, the Constitutional Court of the Republic of Indonesia in its final and binding decision (subject to the examination of the Constitution) a law on narcotics whose criminal provisions contain the threat of death penalty and the law on the procedures for the execution of death penalty of the 1945 Constitution of the Republic of Indonesia), decides that the threat and imposition of death penalty is not contrary to the constitution and human rights. This affirms that Indonesia as a legal state still needs to maintain the existence of death penalty in our legal system, for the sake of the achievement of justice and the upholding of human rights.

The threat of death penalty on a number of laws and the implementation of death penalty has received recognition from the Constitutional Court of the Republic of Indonesia that it is not contrary to the constitution and human rights. The only thing that needs to be reviewed is the technical implementation needs to be revised, so as to reduce the pain of the convicted person. In addition, there needs to be a more intense socialization from the government to the public, regarding the threat of death penalty on a number of criminal laws that fall into the category of serious crimes. This is intended, so that the purpose of punishment that is the detterence of the results can be maximized and the assessment of various circles, that the adannya threat of death penalty has a positive impact and is directly proportional to the decrease in the volume level of serious crime category in society.

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- [4] Decision of the Constitutional Court of the Republic of Indonesia Number 21/PUU-VI/2008 concerning Judicial Review of Law of the Republic of Indonesia Number 02/PNPS/1964 on the Procedures for the Execution of Death Penalty. The Decision was pronounced in court open to the public on October 15, 2008.
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- [17] Achmad Ali, Op.Cit., p. 39.
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COLLABORATION OF ECONOMIC COMMUNITY, POLITICAL COMMUNITY, AND CIVIL COMMUNITY IN INVESTATION SOCIAL CAPITAL FOR PRESERVATION OF MARINE AND COASTAL ENVIRONMENT IN THE PEMUTERAN VILLAGE, BALI

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ABSTRACT

This study aims to examine and analyze about base factors collaboration of economic community, political community, and civil community in investing social capital and forms of the social capital invested for preservation of marine and coastal environment in the Pemuteran village, Bali. This study uses qualitative method, with *kajian budaya* approach. The technique of data collection, involves observation, serious interviewing, library/document study. Data is carried out in qualitative descriptive, and imlemented in narration shap. The result of this study shows, there is the factors that base the collaboration among the communities of economic, politic and civil, to invest the social capital in appearing ecological everlasting ofmarine and coastal in Pemuteran Village there are: situation is based on awareness to natural ecology condition, ecologic inteligence, the purpose reasson, that has economical charracter, politic, sociological, socioreligious, and development policy. The shape of social capital that's collaborated by economic, politic, and civil community in developing the everlasting of marine and coastal environment, involving the idelogy of *tri hita karana*, *nyegara gunung*, *menyama beraya*, kinship system, neighboring relationship of *Desa Pakraman* and office Vilage.

Key words: Collaboration of economic-political-civil community, social capital, marine and coastal preservation

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INTROUDUCTION

Pemuteran Village, as one of the villages in Gerokgak District, Buleleng Regency, is 3,033 hectares in width, and its coastal line is 7 kilometers in length. In other words, the marine and coastal environment of *Pemuteran* Village is wide enough. Marine and coastal environment which is wide enough means that Pemuteran Village has sufficient natural capital, which is one of the community capitals. Such a natural capital can be used as space giving livelihood to the local people. Its existence as the space giving livelihood to the local people should be maintained, especially if it is related to tri hita karana, an ideology which is used as the basis of morality and dynamics the local people's lives. As an ideology, tri hita karana is a local wisdom that contains the value of social harmony, ecological and theological. In addition, it is used as a reference referred to by the local people in their way of behaving. As a result, it is presented in the awig-awig Desa Pakeraman Pemuteran (the locally applicable law). This is what Basri, et al (2017) means, that every society has a set of local wisdom that becomes a world view for the people concerned.

The two ideal texts mentioned above should have avoided the environmental degradation from taking place. Furthermore, according to the local people, the sea is their (rice) field which can provide them with what they need daily. From the Hasbullah's perspective (2006), the sea and the coastal area is a social arena where a competition for capitals and interests takes place. None is usually responsible for the competition for capitals and interests in a publicly-owned social arena like this, as what took place at Pemuteran Village from 1980 to 1998. This phenomenon cannot be separated from the ideology referred to by cowboyism (Korten, 1993), market religion (Atmadja, 2006), and libido economy in *terectasy* life (Piliang, 1998), in which the culture of consumerism always does its best to satisfy the interests of the capitalistic economy, or phenomenon there is a struggle of interests or extreme ideologies are neatly structured (Basri, et al, 2017).

However, since 2000 the reverse has taken place; the people living at *Pemuteran* Village have been aware that they should preserve the marine and coastal area. The process of preserving the marine and coastal area has involved three groups of people; they are the economic community, the political community, and the civil community with their respective

interests/ideologies. The economic community refers to the ideology of capitalism, which always accumulates the capitals it has; the civil community (the Traditional Village and the Non Government Organization) refers to the social, ecological, and theological harmony; and the political community gives more priority over the sustainability of the power it has and mediates the other two communities with their different interests. However, the fact shows that the political community tends to collaborate with the economic community for two reasons. The first reason is that it needs more capitals and the second reason is that it is necessary to increase the local revenues. Based on what was initially observed, the three community groups could work together to preserve the marine and coastal environment at Pemuteran Village. Therefore, it was necessary to explore the quasi collaboration among the economic community, political community, and civil community in the investment of social capital to preserve the marine and coastal environment at Pemuteran Village, Gerokgak District, Buleleng Regency.

RESEARCH METHOD

This present study is a cultural one using qualitative method, and descriptive-qualitative technique of analysis (Miles and Huberman, 1992; Ratna, 2006; Maryeni, 2005). It was mainly aimed at formulating a critical ethnography of the coastal community in general, and the system of social capital used to preserve the marine and coastal environment at Pemuteran Village.

The present study was conducted at Pemuteran Village, Gerokgak District, Buleleng Regency. The data used in the present study were qualitative and quantitative data, which were obtained from the primary and secondary sources. The instruments used for collecting the data were an interview guide, several data cards, a digital camera, and a video camera which was used for observing the result of the survey and interviewing process

The informants in the present study were purposively determined and included the dwellers of Pemuteran Village. Snow ball technique was also used to add the number of the informants needed. The number of informants depended on the extent to which they were already redundant and valid. The techniques used to collect the data in the present study were adjusted to the types of the data used and the sources from which the data were obtained. They were observation, interview, and documentation study.

The data were descriptively and qualitatively analyzed. In this relation, the data were intensively obtained, categorized and formulated, depending on the data obtained from the field. In addition, the data were also interpreted (Basrowi and Suwandi, 2008). The data were interpreted using interpretative and qualitative approaches, which were then combined with different critical theories. Deconstruction was done to obtain the hidden meaning (Hoed, 2011). The results of data analysis were presented qualitatively and quantitatively. Being qualitatively or informally presented means that the results of analysis were presented using narrations.

RESULTS AND DISCUSSION

A. The Factors Underlying the Economic Community, Political Community, and Civil Community to Preserve the Marine and Coastal Environment

There are several factors underlying the economic community, the political community, and the civil community to collaborate to invest the social capital to preserve the marine and coastal environment at Pemuteran Village. *First*, the environmental condition underwent degradation. It was necessary to pay attention to three variables such as territorial variable, self lengthening, and social connotation.

Territorially, the coastal environment is the environment where the sea and the main land physically and objectively meet. From self lengthening dimension, the marine and coastal environment is perceived as space which provides people with livelihood. From social connotation dimension, as far as the local people are concerned, the coastal area is the arena which has social meaning; it is public, private and holy space.

In that context, along the coastal area residences, agriculture, fishery, religiosity, tourism and communications develop. They are harmful enough to the environmental preservation and the sustainability of the marine and coastal ecology. The environmental degradation taking place along the marine and coastal environment at Pemuteran Village resulted from the fact that the sea belongs to everybody, the paradigm of modern development, and the fact that the technology used to exploit the natural sources was environmentally unfriendly. Such facts implied the paradox of the environment-oriented/sustainable environment. As a result, the economic community, the political community, and the civil community developed social capital to

preserve the environment. The social capital developed at Pemuteran Village was meaningful to the local community and environmental preservation.

Seond, the second factor was the ecological smartness. Such an environmental awareness could not be separated from the ecological smartness the local people had, which was poured into the ecology-oriented local genius. The universe is the source which is not only to be exploited but also should be used as a collective house which should be continuously protected, looked after, and organized. It is not to be damaged. Such local genius contributed to the solidarity between human beings and the nature; the human beings became aware that they were part of and could not be separated from the ecosystem.

Such awareness showed that preservation, harmony and the welfare of people and their environment were highly important. The involvement of the economic community, the political community, and the civil community in the investment of the social capital to preserve environment was certainly related to the ideologies of *tri hita karana* and *nyegara gunung*. It seemed that such texts led to the formation of many different social texts such as *pecalang segara*, *Karang Lestari* Foundation, and what was called *pokmaswas*.

Third, the economic factor, which was related to the awareness that the attempt made to invest the social capital to preserve the environment would positively increase the fishermen's income as they could increase the quantity of fish caught. In addition, if the marine and coastal environment was preserved, the entrepreneurs in tourism would have opportunity to develop marine tourism. This would be highly meaningful to the local government, as it would increase the local revenues.

Fourth, the political factors, as the attempt made to invest the social capital to preserve the marine and coastal environment would positively develop the network of the power, the partnership with the ruler, and preserve the power the different groups of the local people had. To the political community, the investment of the social capital to preserve the environment would enhance the image that the government treated it wisely, and, as far as the context of environment-oriented development is concerned, this could indicate the success achieved in development. The label of the success in development was meaningful to the political community as it could enhance the support to and the trust in the ruler provided by different parties. The involvement of the economic community in such an attempt could certainly ease it to obtain permits to run and sustain its businesses. The civil community would find it easy to

obtain support from the local, national, and international communities to carry out their programs.

Fifth, the sociological factor; the phenomenon of the environmental degradation taking place along the marine and coastal area at Pemuteran Village could be easily known by every group of people as it was exposed through mass media. This could be the basis for labeling the local people as degrading the environment. Such a negative label could certainly lead to embarrassment. In relation to that, therefore, many groups of people did their best to improve the ecosystem of the coastal and marine environment. The social capital was strengthened by socializing and developing the social network with the political community, economic community, and civil community, and by making awig-awig (the local law), and establishing the Karang Lestari Foundation, the Bio Rock Foundation, Pecalang Segara, and what is called Pokmaswas.

Sixth, the magic religious factor; the attempt made to invest the social capital to preserve the coastal and marine environment reflected the existence of human beings as socio-religious creatures. In this context, human beings believe that the universe is created and controlled by a supra natural strength. Such a belief was implemented by building holy places, performing ritual activities, and preserving the environment by many different groups of the local people.

Seventh, the developmental policy; the attempt made to invest the social capital to preserve the marine and coastal environment supported the policy on sustainable development. The main agendas of the sustainable development was synchronizing, integrating, and giving equal proportions to the three main aspects of development such as the economic aspect, the socio-cultural aspect, and the environment aspect.

B. The Forms of the Social Capital Invested

The social capital invested to preserve the marine and coastal environment included the ideologies of *tri hita karana, nyegara gunung, menyama braya*, the kinship system, the neighborhood system, *Desa Pekraman* (Traditional Village) and *Desa Dinas* (Administrative Village), *Pecalang Segara, Pokmaswas, Karang Lestari* Foundation, and *Anak Pemuteran* Foundation. This means that the social capitals invested included two main forms of texts; they are the ideal texts which included ideas, values, and norms which were developing in the

community, and the social texts which included various patterns of behavior in the community life.

The social capital was formally and informally invested by the economic community, the political community, and the civil community. The social capital was formally invested through formal institutions using legal and formal administrative system. The social capitals were informally and amicably invested. The social capitals were economically, socially, and ecologically beneficial; however, the roles played by many different groups of people with their different interests could not be avoided; as a result, the collaboration developed by the three groups of people was a quasi.

CONCLUSIONS

The conclusions of the present study are as follows.

- 1. The present study revealed that the collaboration among the economic community, the political community, and the civil community in the investment of the social capitals to preserve the maritime and coastal environment at Pemuteran Village was based on several factors; they are: the awareness of the environmental condition, the environmental smartness, the economic interests, sociological factor, political factor, socio-religious factor, and the policy on development. The environmental condition was related to the degradation in the marine and coastal environment as a consequence of environmentally unfriendly exploitation. Such awareness of the environment could not be separated from the ecological smartness the local people had, which was poured into the local genius of *tri hita karana*. The ecological smartness would make the local people to be aware that they were part of the one ecosystem. In addition, the economic, political, sociological, and socio-religious factors, and the policy on development also contributed to the collaboration among the economic community, political community, and civil community.
- 2. The forms of the social capital invested by the economic community, political community, and the civil community to preserve the marine and coastal environment included the ideologies of *tri hita karana*, *nyegara gunung*, *menyama beraya*, kinship system, neighborhood relation, *Desa Pekraman* (the Traditional Village), and *Desa Dinas* (the

Administrative Village). It was true that the investment of the social capital was useful socially, economically, and ecologically. However, on the other hand, the interests of various groups of people in the community could not be avoided; as a result, the collaboration developed by the three groups of community was a quasi.

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THE ROLE OF MODERATOR IN COMPLETION THE INDUSTRIAL RELATIONS DISPUTES THROUGH MEDIATION IN THE EMPLOYMENTS AGENCIES OF PAPUA PROVINCE

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ABSTRACT

The aims of this research to know about mechanism of mediation in completion the industrial relations disputes in The Employments Agencies Papua Province and constrains faced by mediator in complete industrial relation disputes. Research of methodology which is used is normative juridical and empiric juridical research method that is study library (law material study) and field study (interview) against mediator in completing industrial relations disputes through mechanism of mediation. The result of the research show that basically the mediator in the Employments Agencies Papua Province in doing his duty to completing industrial relations disputes has been suit with mechanism of mediation, but there are some constrains which is faced by mediator in completing industrial relation disputes such as the limitation of the mediator of industrial relations and lack of monitoring to the districts to achieve information, data about company conditions and lack of budget which provided. Besides that, the written advice which published by mediator sometimes not implemented by one of the party or both of the party which disagree, it is surely can be disadvantageous one of o both of the party which disagree.

Keywords: mediator; industrial relations disputes; mediation

A. BACKGROUND

Talking about employee problem is a complex problem. It is because employee problem closely related with continuous wheel of development is being run. In running the wheel of development employee factor is a dominant means from various other components because employee besides as a subject of development also as an object of the development itself.

Work relationship in basically is a relationship between workers and employers after the existence of work agreement that is an agreement where the workers bind themselves to other party for work by get paid and the employers state their ability to employ the worker and pay the salary.

Based on Legislation No. 13 Year of 2003 (Article 1 number 15) about employee mentioned that work relationship is a relationship between employer with employee/labor based on employment agreement which has job elements, salary and order. So, it is clear that work relationships occur because of the employment agreement between the employers with the employee/labor.

In Indonesia itself industrial relationship which is known as long as it is a relationship which formed between actors of goods industry and/or service which is contains of elements employers/businessman and employee/labor and the government which is based on the value of Pancasila and Basic Legislation of Republic Indonesia Year of 1945 (Article 1 number 16 Legislation No. 13 Year 2003).

The conducive of industrial relationship between the businessman and the employee become a main key to avoid termination of employment (PHK), increasing the employee welfare and also expanding new job opportunities to tackle unemployment in Indonesia.

The fact which is happened nowadays illustrate that the industrial relationship is not always running well and smoothly. Every industrial relationship there will be differences of opinion and interest between the employer/businessman and employee/labor which can disputes/conflicts.

The meaning of Industrial Relationship Disputes has been clearly stated in Article 1 number 1 Legislation No. 2 Year of 2004 about Completion of Industrial Relationship Disputes that is "Industrial Relationship Disputes is differences of opinion which caused contradictions between the businessman or group of businessmen with the employee/labor or labor union because of a dispute about right, interest dispute, employment agreement dispute and dispute between labor union in the company.

Industrial Relationship Disputes which is happened actually can be completed by the parties who disagree through bipartite negotiation that is a negotiation between the employee/labor and the employers/company. But because both of the parties no one is willing to budge so the solution is incomplete the disputes.

The neutral mediator contains a meaning that the mediator is not take side (impartial), doesn't have interest with the dispute that happened, also not benefited or harmed if the dispute can be completed or if the mediation deadlocked. (Takdir Rahmadi; 2010: 14)

Based on regulation which generally accepted, dispute completion by mediation there is no element of coercion between the parties and mediator, the parties ask voluntarily to the mediator to help resolve the conflict. Because of that the mediator authorized only to assist the parties in order to reach agreement which only decided by the parties whose disagree.

As an outside party of the disputing parties, the mediator doesn't have authorization to force. The mediator obliged to meet or confront the disputing parties. After knowing the principal case the mediator can arrange the completion proposal which is offered to the disputing parties. The mediator must be able to create conducive condition which can guarantee the creation of compromise between the disputing parties to gain win - win solution. If the completion proposal which is offered by the mediator approved, then the mediator can be drawing up a written agreement to be signed by the parties.

B. PROBLEM

The problem in this research is how the mechanism of mediation in Completing Industrial Relationship Disputes in Employees Agencies Province of Papua and what the constraints which is faced by the mediator in completing Industrial Relationship Dispute?

C. RESEARCH OF METHODOLOGY

Research of method which is used in this research is normative law research that is law research which is contained in the legislation and empirical law research that is law research that study and collect field data which is in the research location which is relate with the problem that researched through interview which is done to the mediator in Employee Agencies Province of Papua. In this research the tools which is used in the collecting data is study of library and interview.

D. DISCUSSION

1. Mechanism of Mediation in Completing of Industrial Relationship Dispute in Employee Agencies of Papua Province

Employee Agencies Province of Papua is one of Device Area Organization (DAO) who are in Province Papua District Government environment. Employees Agencies of Province Papua is an Agencies who responsible against the problem which is related with employees and transmigration.

Related with handling problem of Industrial Relationship Disputes in Employee Agencies Province of Papua, so the field whose handle the problem is International Relationship (IR) Field, through Section of the Dispute which has duty prevention and resolution of employment disputes.

In case completing industrial relationship disputes through mediation efforts, Employees Agencies Papua Province is an institution who handle problem of industrial relationship disputes through the mediation in the level of province or districts which doesn't have mediators. If there is industrial relationship dispute between employee/labor and employers/businessman which occurred in the districts which there is no mediator or a competent government official to completing the dispute, then those dispute resolution case delegated to Labor Office which domiciled in the province of Papua.

In doing the mediation of industrial relationship disputes, Employee Agencies Province of Papua have done the processing of mediation according to the existence mechanism and successfully dealt with well. It can be seen from numbers of industrial relationship disputes cases which handled by Employees Agencies Province of Papua over the last 3 (three) years since 204 until 2016 which mostly ends in mutual agreement/collective agreement between both of the party which are disagree compared with the result which issued by mediator.

In Article 4 paragraph (3) Legislation No. 2 Year of 2004 mentioned that the institution who authorized in the field of employees should offer the resolution through conciliation or arbitration, but in fact in the Employee Agencies Province of Papua no conciliation or arbitration settlement model was found, it is because the conciliation or arbitration institution doesn't exist in the Province of Papua. Then after the parties record the dispute in the Labor Office Province of Papua by attaching bipartite evidence of the negotiations next step which is done is resolution through mediations. Case recording written on Dispute Agenda which contain of date of receipt of the complaint, the party who complaint, identity both of the parties, problem of dispute, dispute resolution and the mediator who handle.

In implementation, before report the dispute to the mediator the parties whose disagree should to hold the bipartite negotiations first. Bipartite negotiation is a negotiation which is done by both of the parties whose disagree without involving by third party. It ca be seen from the treatise which is attached when one of party or both of the parties reported the dispute to the mediator.

If the bipartite negotiation is failed, then one of the parties reported it to the authorized institution to completing the dispute, it is Employee Agencies of Province Papua. In the report, both parties should to attach the evidence of negotiation or treatise which is state that bipartite negotiation is failed to taken. After that have just done the process of mediation by the mediator.

Before the mediation hearing implemented on both sides whose are disagree give the opportunity once more by the mediator to do the negotiation even in bipartite level the negotiation is considered a failure because no agreement was reached. If the negotiation which is done in this government level meet an agreement between both sides, then the mediation hearing no need to be done. Both sides whose are disagree make a collective agreement which was witnessed by the mediator.

The mediation hearing is done depend on the needs, but usually only done in one meeting has been found an agreement. If in one hearing has been found an agreement from both sides, then it is no needs to have a hearing again. But if in the mediation hearing difficult to met an agreement from both sides, so the mediator give options or choices which is taken from information of the parties while the hearing which next delegated to the parties again will they agree or not against the choices was given.

If in the mediation hearing both the parties has meet an agreement, then a collective agreement (CA) is made which is signed by both parties and the mediator which is then registered to the Industrial Relations Court (IRC) by one of or both of the parties whose are disagree to obtain the Registration Proof Certificate. If both of the parties didn't meet an agreement, then the mediator issued a written advice. Written advice can change into collective agreement when the advice is approved by each parties and the dispute is considered complete. If the written advice not approved by the parties, then one of or both of the parties can raise the issue to the Industrial Relationship Court (IRC).

The mediator authorization is only until the written advice concerned. If one of or both of the parties willing to raise the dispute case to the level of Industrial Relationship Court (IRC) level or not it is not the mediator of Employee Agencies Province of Papua business anymore.

2. The Constraints which is Faced by the mediator in Completing Industrial Relationship Dispute

Mediation is one of industrial relationship dispute resolution's media which is probably can make the completing of dispute is not as expected by the parties whose are disagree. Generally the parties whose are disagree know that mediation is not the only way to completing industrial relationship dispute, so each parties will work how their interest is not harmed by other party, so in the process of mediation will found the constraints which can complicate the process of completing industrial relationship dispute so that if these obstacles can't be faced by the mediator, then most likely the process of completing industrial relationship dispute through this mediation will be failure and will not find a way out so it needs other media to complete it.

In order to implementing the duty or action in completing dispute/disagree of industrial relationship, not infrequently appears a barrier. As well as what happens in completing industrial relationship dispute between employee/labor with employer/businessman which is done by the mediator in Employee Agencies Office Province of Papua. The mediator which duty in Employee Agencies Office Province of Papua and whose are achieve Competence Certification numbers 8 (eight) persons. But there are some between those mediators who currently occupy structural positions, so then who usually handle the problem of industrial relationship dispute which is done by Employee Agencies Province of Papua only 4 (four) persons of the mediators. Those

four mediators which is in Employee Agencies Province Papua has fulfill all the conditions which is determined in the Decision of Employee and Transmigration Minister.

Based on interview result with the mediators in Employee Agencies Province Papua it was found a fact that those constraints which is faced by the mediators in completing industrial relationship dispute in Employee Agencies among others:

- 1. Difficult to bring businessman to attend in the meeting or hearing which is held by the mediator. Businessman usually has their own busy so don't have time to attending in the meeting and only represented by personal staff only. It is can make the process of mediation will become longer even there is settlement period, because company representative should report the result of the meeting to the businessman first.
- 2. Negotiation treatise bipartite level which is done between employee/labor with employer/businessman sometimes there is no/not is attached, it is due to non-bipartite negotiations between both parties. So after the dispute case registered to Employees Agencies Office Province of Papua, then the industrial relationship mediator before doing mediation previously hold the clarification or bipartite negotiation between employee/labor with the employer/businessman in government level.
- 3. Sometimes there is a company who doesn't have company regulation and also doesn't have collective agreement letter between employers and employee, so both of the employee and employers lack of understanding their rights and obligation in doing the duty and in the absence of company regulations which also applied, so it complicating the mediator in giving understanding for the employee nor the company itself about what the violation which has done both by the employee nor by the company I there is a dispute between both of the parties.
- 4. Each party is avoided the regulation which is determined. Before the process of mediation is done a mediator have told to the parties to obey the rules apply while the process of mediation takes place, but in fact there still from the parties which infringe the rules that made, for example each party looks like want to strike down each other by revealing weakness and worse of other party, besides that many of the parties whose present not in time even don't want to attend when called by the mediator to do the mediation hearing.
- 5. The parties not cooperative and force the opinion. Very often occur in mediation hearing that each party force their opinion, the employers for example often insist that they never do the rights violation. The employee also sometimes the demands they are asking are too burdensome of the employers, so the employer stick to their stance, therefore the process of mediation will failure to reach an agreement. Besides that, each party doesn't want open, they often cover the fact which is occur, then the mediator hard to found the fact which is real happen.
- 6. Sometimes in the ongoing negotiation process those parties whose are disagree often stuck in a cycle which show the position in giving opinion, both parties whose are doing the negotiation often don't understand what is the driving force or motivation behind their position or demand then each party always assume that their opinion which should to obeyed without notice the condition or other opinion.
- 7. Lack of the mediator compared with numbers of company which exist. It is especially occurred in the local districts. In district, the officials who master the law

- of employment numbers is a little while the dispute which is occur pretty much even in some region which don't have a mediator whereas the dispute cases which is occur sometimes complicated and hard to completed.
- 8. The mediator in Employee agencies of Papua Province in completing numbers of industrial relationship dispute's cases often do not work well. It is caused due to lack of budget availability from the government both central or local for the mediator which is in the province to directly go to the district to in order to completing the disputes which occur in the region which don't have a mediator. Vice versa for the mediator which in region quite difficult to delegate the industrial relationship dispute's case in district region which can't handled and completed by the mediator which in the district region to be handled by the mediator in Province agencies. It is caused due not availability enough of budget and also transportation which is inadequate. Therefore, communication and consulting by the mediator which in the province and in the district region only by phone and via e-mail. And if there are files which need to be signed by mediator in province, then the suggestion's files sent by email or delivery service.
- 9. Decision of mediation sometimes not implemented. Even the resolution of industrial relationship dispute by mediation more used by employee/labor or employer/businessman in completing the dispute which occur, however thee are weakness in those mediation, one of them is the decision which is agreed sometimes not implemented by one party.

The mediator has been made powerless by Legislation No. 2 Year of 2004 because the mediator doesn't have force effort to the party who rejected the suggestion, which also not continuing the completing of the disputes to Industrial Relationship Court (RC) to obey and implementing suggestion content. The mediator can issue the suggestion, but the mediator can't enforce the suggestion. The mediator who issued the suggestion but don't have authorization to force the party who rejected the suggestion obey and implement the suggestion if the party who rejected the suggestion not continuing the completing of the dispute to Industrial Relationship Court, then the mediator only can be completing the dispute, but can't finish it. It is occurred because the legislation limiting the mediator role in completing the dispute by mediation.

E. CONCLUSION

From the discussion above, so the writer can draw conclusion that mechanism of industrial relationship dispute through mediation effort in Employee Agencies Office of Papua Province basically already in accordance with the regulated provisions in Legislation No. 2 Year of 2004about Completing the Industrial Relationship Dispute and the Regulation of Republic Indonesia Employee and Transmigration Minister No 17 Year of 2014 about Appointment and Dismissal of the Industrial Relationship Mediator and Rules of Mediation. But result of mediation in the form of written advice which is issued by the mediator sometimes not implemented by both of the parties whose are disagree, meanwhile the mediator doesn't have authorization to do forcing effort against implementation of the written advice which is issued by those mediators. Therefore, if the written advice which is issued by the mediator after reunite the perception of the parties whose are disagree not implemented, then one of the party whose are disagree will be harmed.

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INDONESIAN IN PRESENTASIONBY STUDENT

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Abstract.

Presentation functionality is increasingly felt. Therefore, the use of Indonesian in the presentation should be noted. This research aims to describe the use of Indonesian by students in their presentations. The study used the qualitative descriptive method. The results showed that the language used by students in their presentations was not completely used standard Indonesian, both in phonology, morphology, syntax, and semantics. Nonstandard Indonesian uses in phonology were (1) omission, addition, and substitution phonemes; (2) The spelling letters in abbreviation and acronyms. Nonstandard Indonesian use in morphology were (1) voiceless consonants that are not eliminated in the process of nasalization, (2) the substitution of affix -nya to affix -kan, (3) the use of word forms with false analogy, and (4) the use of passive forms was not in accordance with the persona. Nonstandard Indonesian use in syntax were (1) the omission of Subject (S), Predicate (P), S and P, and (2) the use of the S and P was double. Nonstandard Indonesian uses in semantic were (1) addition of inappropriate words and phrases, (2) substitution of prepositions, conjunctions, klitik, standard words with the conversation words or local language. The main problem of nonstandard Indonesian use in the presentation was because of the competence and performance of the speaker. The solution for the use of nonstandard Indonesian can be done by making the oral discourse in the presentation as a learning material, either integrated with Speaking subject or synergized with linguistics subjects.

Keywords: presentation, standard Indonesian, phonology, morphology, syntax, semantics

I. INTRODUCTION

The presentation is very beneficial for the students. It has been included as part of the assignment to master the subject. Students also often use this presentation skill in their organizations to express thoughts, ideas, and opinions. Based on that reason, there are many reasons why students are asked to give presentations and reviews. These will be influenced by their academic courses and situational and organizational factors^[1].

After graduation, students still need this presentation skill as it is often used as part of job recruitment model by the agency, institution, organization, or company. During the last few years we have noticed an increasing trend for presentations to be used by employers as part of reviews their recruitment and selection procedures^[1].

In more detail, presentations are useful in many situations, such as pitching for business, putting a case for funding, addressing staff meetings, or even as part of the application procedure for a new job^[2].

Presentations are an extremely complex and expensive form of human communication. The interaction is relatively short but the combined time of all the people Involved costs a lot. The only explanation as to why people continue to give presentations despite their complexity and cost is that they are tremendously impactful. People give presentations before commencing expensive projects and after finishing^[3].

Those opinions above suggest that students should master the presentation skill as it is very useful for their academic and work lives. During presentation, students express their thoughts, ideas, opinions to others. Therefore, to be understood by people, speakers have to deliver speech with similar language used by the audience. The language used in the presentation is the standardize language in formal situation. The presentation can be regarded as a form of formal conversation^[4]. The standardizelanguage is the principal language, formal language, the primary language which is subject to the agreed provisions on spelling, grammar, vocabulary, terms^[5].

The consistency of standard language usage by students in the presentations can be determined by analyzing their verbal languages during presentation.

II. RESEARCH METHODOLOGY

The method used in this research is descriptive qualitative method with discourse analysis technique. Discourse analysis was conducted on 34 students of oral discourse. Data were recorded, transcribed, described, analyzed, classified, and compared with standard Indonesian rules.

Data were classified based on the level of linguistics and nonstandard category^[6]. Therefore, the analyzed data were related to phonology, morphology, syntax, and semantics. Data related to the phonology are phoneme pronunciation and spelling letters. Data related to the morphology are the use of form of the word. Data related to the syntax are use of the sentence. Data related to the semantics are the use of the word choice. There are four categories of nonstandar language use: (1) addition, (2) the omission, (3) substitution, and (4) reordering.

III. DISCUSSION.

A. The Nature of Presentation

Presentation is a communication process performed by the communicator to deliver message to the audience by explanation^[7]. Presentation refers to the process of formal delivery of information^[8].

In a presentation, there is communication between speakers and listeners. Listeners will respond by understanding, asking questions, arguing, or suggesting. Therefore, the presentation can be considered as a form of formal conversation^[4].

Communication in the presentation involves verbal communication, nonverbal communication, and the speech content. The presentation is the act of offering a speech to an audience, integrating the skills of nonverbal communication with the speech content^[9].

Based on the opinions above, it can be concluded that the presentation is to deliver message by using verbal and nonverbal aspects as communication tools.

Verbal aspect used in the presentation is standard language or the default language because it is a medium to speak formally. Therefore, the language used in the presentation must meet the criteria of the standard language such as phonology, morphology, syntax, and semantics.

Characteristics of standard Indonesian are^[10]:

- 1) The use of conjunctions-conjunctions like *bahwa* and *karena* consistently and explicitly
- 2) The use of the particles *kah* and *pun* consistently
- 3) The use of grammatical functions (subject, predicate, and object) explicitly and consistently
- 4) The use of me(N)- and ber- consistently
- 5) The use of the phrase pattern consistent Aspek + Pelaku + V, for example, $sudah \ saya \ baca$. (Compare substandar characteristic Pelaku + Aspect + V, for example, $saya \ sudah \ baca$ in the sentence $Surat \ ini \ saya \ sudah \ baca$).
- 6) The use of synthetic construction, such as *mobilnya*, *membersihkan*, and *memberi tahu* (nonstandard: *dia punya mobil*, *bikin bersih*, dan *kasih tahu*).
- 7) The limited number of the lexical and grammatical elements from regional dialects and local languages which are still considered unfamiliar.
- 8) The use of consistent polarity to call someone such as *saya tuan*, *saya saudara* (nonstandard*aku nama*, *nama nama*)
- 9) Lexical elements such as *silakan*, *harap*, *kepadanya* (nonstandard: *padanya*), *pada* + *persona* (nonstandard: *di* + *persona*), *pada* + *waktu* (nonstandard: *di* + *waktu*), *with* (nonstandard: *sama*).

Especially for pronunciation, the best pronunciation is natural pronunciation. Pronunciation is not artificial. Good pronunciation means that pronunciation does not pronounce with regional or foreign pronunciation^[11].

Characteristics of Indonesian language above is referenced to analyze the Indonesian language used by students in their presentation.

B. The Use Indonesian in The Presentation

Based on the data obtained it is known that there is still the use of non-standard Indonesian language, both in the field of phonology, morphology, syntax, and semantics. The error frequencies found are as follows (a) in the phonological of 0.9% (427 of 45736), (b) in the morphology of 0.2% (15 of 7892), (c) in the syntactic of 25 % (162 of 646), and (d) the semantic (word choice) of 1.2% (92 of 7892). For more details about these types of errors can be seen in the following description.

1. Pronounciation in the Presentation:

From the pronounciation data, there has been found nonstandard pronunciation of Indonesian pronunciation. Types of nonstandard phoneme pronunciation are :

- a. Omission of phonemes
 - /a/ in the middle of a word (eg/parilaku/-/prilaku/); /s/ in the middle of a word (eg/transfusi/ /tranpusi/) at the end of words (eg/seks/ /sek/); /?/ at the end of words (eg/xusu?/ /husu/)
- b. Addition of phonemes
 - /h/ at the beginning of the word (eg/isap/ /hisap/) and at the end of words (eg/sila/ /silah/); /a/ at the end of words (eg/narkotik/ /narkotika/
- c. Substitution of phonemes
 - /i/ with /e/ (eg./praktik/-/praktek/); /i/ with /e/ (eg/risiko/ - /rasiko/); /f/ with /p/ at the beginning of the word (eg./fisik/ - /pisik/), in the middle of a word (eg/efek/ - /epek/), and at the end of words (eg. /promotif/- /promotip/); /k/ with /h/ in the middle of a word (eg./bronkitis/- /bronhitis/); /p/ with /f/ at the beginning of the word (eg./pikir/ -/fikir/); /v/ with /p/ at the beginning of the word (eg./visual/- /pisual/) and in the middle of a word (eg./ultraviolet/ - /ultrapiolet/); /z/ with /j/ at the beginning of the word (eg./ $\underline{z}at$ / - / $\underline{j}at$ /); /ay/ with /ey/ in the middle of a word (eg./bagaymana/ - /bageymana/) and at the end of words (eg.sampay/ -/sampey/); /aw/ with /ow/, /o/, /u/ in the middle of a word (eg./kəpulawan/, /sawdara/ - /kəpulowan/, /sodara/, and /sudara/), and at the end of words (eg/kalaw/ - /kalow/); /ai/ with /e/ (eg/migrain/ -/migren/); /x/ with /h/ at the beginning of the word (eg./xusus/ - /husus/) and in the middle of a word (eg./axir/ - ahir/); /n/ with /n/in the middle of a word (eg/kanker/ - /kanker/); /š/ with /s/) at the beginning of the word (eg./§ariat -sariat) and in the middle of a word (eg./ma<u>š</u>arakat/ - /ma<u>s</u>arakat/)
- d. Errors in spelling letters when reading an abbreviation or acronym <u>EIDS</u>, <u>KFA</u> (ka <u>ef</u> a), HIV (ha i <u>fe</u>) pronounced <u>AID</u>, <u>KPA</u>(ka <u>pe</u> a), HIP (ha i <u>pe</u>)

2. The Use form of the word in Presentation

From the data of the use form of the word, it has been found that nonstandard word forms are substitution form of the word.

- a. Voiceless consonants such as /k/ and /s/ that are not eliminated in the process of nasalization.
 - Eg.: *mengkonsumsi*, *mensupley*. There is no form *mengkonsumsi* and *mensupley*^[12]. The standardize word form which has similar meaning is *mengonsumsi* and *menyuplai*.
- b. Subsitution affix —nya with affix —kan
 Eg.:misalkan.The use of the word misalkan in the sentence above example is inappropriate with the rules because misalkan is a passive form ofmemisalkan. But, the sentence above is not the passive voice and -kan in

the sentence above refers to the previous statement. Therefore, the correct word is *misalnya*.

- c. The use of word forms for false analogy.
 - Eg.:dikarenakan. Dikarenakan is used for conversationlanguage^[12]. Words that have similar meaning with dikarenakan are karena and disebabkan which are the standard words.
- d. the use of passive forms was not in accordance with the persona.

Eg.: Selanjutnya tentang cara pencegahan penyalahgunaan narkoba yang akan disampaikan oleh saya sendiri.

The use of the word *disampaikan* in sentence is inappropriate with the language rules because clause *yang akan disampaikan oleh saya sendiri*is passive verbal clause with the first subject. Verb used should have been verb without prefixes *di-*^[13], such as *sampaikan*.

3. The Use of Sentence in the Presentation

From the data of use of sentence, it has been found the ungramatical sentences which are classified below:

- a. Omission of Sentence Function
 - 1) Omission of Subject (S)
 - a) The S did not exist

Eg.: Saya kembalikan kepada moderator. The sentence above is not grammatically because there is no S. If we offer questions about S, it may not obtain an answer. This can be proved by testing the presence of the subject. "Apa yang saya kembalikan?". The correct sentence should be "Acara saya kembalikan kepada moderator".

b) The S does not exist because the presence of a preposition in front of the S.

Eg.:Bagi para remaja yang menggunakan juga akan terganggu perkembangan normalnya.

The above sentence does not grammatically because it does not have the S due to the presence of the preposition bagi. If we offer questions about subject, "Siapa yang akan terganggu perkembangan normalnya?" The answer is not "Bagi para remaja", but "Para remaja".

c) The omission of the S because the presence of two conjunctions so that the independent clause was not clear.

Eg.:Jika menkonsumsi air putih minimal delapan gelas per hari, maka kita akan terhindar dari masalah kenaikan berat badan sehingga berat badan kita pun akan terjaga.

The above sentence does not grammatically because the main clause and dependent clause are unclear. This is due to the use of two conjunctions, *jika* and *maka*. To be clear, conjunctions used should be one only.

- 2) Omission of Predicate (P)
 - a) The P does not exist

Eg.: Terima kasih kepada moderator yang telah mempersilahkan saya untuk menyampeykan materi.

The above sentence does not grammatically because it has no P. If we search queries about the(P) in this sentence, it will not obtain an answer. This can be proved by testing the presence of predicate "Bagaimana terima kasih?" The correct sentence should have been: Terima kasih sayaucapkan kepada moderator yang telah mempersilahkan saya untuk menyampeykan materi.

b) The P does not exist because the P begins with the word "yang"

Eg.:Nah, selain itu juga, pada penggunaan alat suntik pada tato atow tindik <u>yang</u> sangat berpengaruh pada penyebab HIV EIDS, HIV AIDS.

The above sentence does not grammatically because the function of P does not existbecause presence of the word "yang". This can be tested by the presence of P "Bagaimana penggunaan alat suntik pada tato atow tindik?". The answers are "Sangat berpengaruh".

3) Omission of S and P

Eg.: Karena memiliki banyak kerugian yang ditimbulkan oleh jat, oleh salah satu jat yang berdampak pada rusaknyah pandangan mata.

The sentence above has no S and P. It only has the description (Ket). The correct sentence should have been: Rokok berbahaya bagi kesehatan mata karena memiliki zat yang merusak mata.

- b. Addition of a Sentence Function
 - 1) Double S in the sentence

Eg.: Mata juga, kita menggunakan mata untuk melihat dan mengetahui berbagey hal yang ada di dunia ini.

The sentence does not grammatically due to double S which are *mata* or *kita*. If the subject is *mata*, the sentence should have been "*Mata digunakan untuk melihat dan mengetahui berbagey hal yang ada di dunia ini*". If the subject is *kita*, the sentence should have been "*Kita menggunakan mata untuk melihat dan untuk mengetahui berbagey hal yang ada di dunia ini*".

2) Double P in the Sentence

Eg.:Hal yang paling sederhana yang dilakukan oleh mata kita saat mendeteksi cahaya adalah memberikan, adalah mengetahui apakah lingkungan sekitar ...

The sentence does not grammatically due to double P which are memberikan or mengetahui. The correct sentence should have been "Hal yang paling sederhana yang dilakukan oleh mata kita saat mendeteksi cahaya adalah memberikan informasi untuk mengetahui apakah lingkungan sekitar tersebut gelap atau terang".

4. The Use of Word Choice in the Presentation:

From the data of use word choice, it has been found the word choices nonstandard. Types of nonstandardword choices are :

- a. Addition of inappropriate words and phrases
 - The inappropriate use of conjunctions or prepositions

Eg.: <u>Kalau</u> fungsi batang pohon mengetahui apa tidak?

Kalau is a conjunction that marks the condition $^{[12,13]}$. In sentence *kalau* is not used for marking the condition. Therefore, the use of it is not correct.

- 2) The inappropriate use of intrasentence conjunctions in the beginning of the sentence
 - Eg.: (a) Dan apabila mata terasa capai
 - (b) *Kemudian*, selain ituh, sinar ultrapiolet yang berlebihan pada mata juga bisa meningkatkan risiko katarak.

Conjunctions *dan* and *kemudian* are intrasentence conjunctions ^[12] whereas in the sentence *dan* and *kemudian* are used as a intersentence conjunction. Thus, its use are not appropriate. Therefore, the use of ist should be eliminated.

- 3) The addition of the inappropriate phrase of place E_σ:
 - <u>Di sana</u> si masyarakat tersebut akan dibina atow dilatih dalam hal-hal yang bersipat positip, seperti itu.
 - b) Nah, <u>di sinih</u> saya akan menjelaskan apa sih manpaat air putih hangat atau panas.

The use of the word *sini* in a phrase *di sini* and *di* in a phrase *di sana* in the sentences does not comply with the rules. *Di sini* and *di sana* suggesting places^[12], while the use of those words does not refer to their meaning. Therefore, the use of such phrases should only be removed or replaced with an appropriate phrase such as *dalam hal ini*.

- b. Substitution of prepositions, conjunctions, klitik, standard words with the conversation words or local language
 - 1) Substitution of preposition *kepada* with preposition *ke*, preposition *pada* with preposition *di*, preposition *ke* with preposition *kepada*. Eg.: (a) *Saya kembalikan ke moderator*.
 - (b) Yang ketiga, yang ketiga memakey kaca mata disaat yang tepat.

Preposition *ke* is preposition to mark place ^[13], whereas in the sentence (a) it is used to mark human relationship. Thus, it should have preposition *kepada*. Preposition *di* is preposition to form a phrase that marks place ^[13], whereas in the sentence (b) above *di* is used as a preposition that indicates the time. Therefore, the correct presposition is preposition *pada*.

2) Substitution of conjunction

Eg.: Materi yang akan saya sampaikan pada kesempatan kali ini, maaf ya ada kesalahan, bukan manfaat duduk di antara dua sujud, tetapi manfaat gerakan duduk dalam solat.

Conjunction tetapi is used to express opposition (Badudu, 1992)^[18]. In the sentence, tetapi is used

not to express contradiction, but to declare substitution. Therefore, the use of it is not appropriate. It should be replaced with the word *melainkan*.

3) The inappropriate use of klitik

Eg.: Terima kasih kepada Saudara moderator yang telah mempersilahkan saya menyampeykan materi<u>nya</u>.

Klitik *nya* is klitik persona for the third person ^[13]. In the sentence above klitik nya refers to the first person. Therefore, the use of klitik *nya* in the sentence is not appropriate.

- 4) The use of word choice from conversation
 - Eg: (a) Semoga materi yang saya sampeykan barusan...
 - (b) Selain itu, ada juga cara bagaimana *sih* mengatasi sakit kepala.
 - (c) Sudah pada tahu di sinih?

According to *Kamus Besar Bahasa Indonesia*^[12]*barusan* is used in conversation. Words that have similar meaning with them are are 'baru saja, belum lama, baru sebentar'. The word sih is the word of confirmation in the interrogative sentence of conversation ^{12]}. Pada is preposition to mark time^[12], but pada in the sentence (c) above does not indicate time but it means semua. The reason is because of the effect of Sundanese language ^[14].

C. The Cause of Using Nonstandard Indonesian in the Presentation

The cause of nonstandard language use in the presentation can be categorized into two types such as competence and performance.

Nonstandard language use caused by competence is that the speaker does not master the competencies of language rules. Competence is language "knowledge" of a speaker^[15].

Nonstandard language use caused by performance is due to the context of the conversation or matters beyond the competence of the speaker. Performance is the implementation of language (productive) or the implementation of language understanding (receptive)^[15].

Nonstandard language use in phonology caused by competence is the omission of the phoneme /a/ (/parilaku//prilaku/), substitution of the phoneme /i/ to /e/ (/praktik/-/praktek/), /i/ to /a/ (/risiko/ - /rasiko/, /p/ to /f/ (/pikir/ -/fikir/), /k/ to /h/ (/bronkitis/ - /bronhitis/). The speaker thinks that the right words are prilaku, praktek, resiko, fikir, bronkitis whereas the default are perilaku, praktik, risiko, pikir, and bronkitis^[13]. Other cause is the use of context in the form of spoken language.

Nonstandard language use in morphology is caused by competency. Voiceless consonant in the process of nasalization are not eliminated (mengkonsumsi should have been mengonsumsi, mensupley should have been menyupley), word forms such as misalkan, dikarenakan, dan disampaikan (passive form: disampaikan oleh saya) replacing word forms: misalnya, karena or disebabkan, and sampaikan (passive form: saya sampaikan) caused by the speaker that does not master the rules of word forms.

Nonstandard language use in syntactic is caused by competence such as the omission of the function S due to the function S after prepositions, the omission function S because of using two conjunctions that loss main clause, and the word addition before P. Other cause is the use context in the form of spoken language.

Nonstandard language use in semantic is caused by competence such as the substitution of the preposition *kepada* with preposition *ke*, preposition *pada* with preposition *di*, and substitution of conjunction *melainkan* with conjunction *tetapi*. Other cause is the use of context in the form of spoken language.

D. Solutions for the Use of Nonstandardize Indonesian

In the spoken language there is greater flexibility in the structure of the language as well as in the use of vocabulary influenced by local dialect, local language, speaker, and place^[11]. However, that spoken language can not be used arbitrarily^[16]. Although the of nonstandard Indonesian use is acceptable in the spoken language due to many factors, this does not mean speaker can speak nonstandard Indonesian whole time. Similarly, in the presentation, the speaker should try to use standard Indonesian formally based on Indonesian rules.

The findings of nonstandard Indonesian use should have been suggested for teachers to be overcomed. So that the use of it will not occur in the next generation. One suggestion is making the findings of of nonstandard Indonesian use as a learning material, both in the speaking subject or in linguistic such as Phonology, Morphology, Syntax, and Semantics. It is relevant with one of the language-learner analysis functions. The analysis of language learners can be the basis to predict realistically about learning and teaching languages^[17].

IV. CONCLUSIONS

In order to improve the quality of standard Indonesian in the presentation, the analysis of the use of standard Indonesian consistency needs to be done. Through the analysis can be know types and causes of nonstandard Indonesian so that it can be find a solution.

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Kajian Konservasi Ikan Lais (*Ompok hypopthalmus*) Di Ekosistem Rawa Banjiran Sungai Rungan Kota Palangka Raya

Fish Conservation Studies Lais (*Ompok hypopthalmus*) In Swamp Ecosystem flood Rungan River city of Palangkaraya

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Abstract

The results showed that the flood waters swamp Rungan river water quality parameters for fish habitat Lais is the average pH of between 3.65 to 5.55 (acidic because it is influenced by the local peat); DO between the 3.28 to 3.75 mg/l; the temperature ranges between 26 - 28°C; water depth between 1.7 to 6.48 m and the brightness of the water from 25 to 32.50 cm. With a total of 353 fish were caught on the tail, the total length of fish Lais range between 12-29 cm and weigh between 10-250 grams. Sex ratio Lais fish more males (61%) of fish Lais females (39%). Gonad Maturity level IV (mature) in December. Analysis of the type of fish meal shrimp Lais namely 45%, fish 18%, 17% and food insects unidentified 20%. Lais fish conservation strategies can be done with the domestication activities.

Keywords: Catfish Ompok hypopthalmus, BioEkologi aspect, conservation

I. Introduction

Lais availability of fish resources in the city of Palangkaraya, is still limited to catches of nature. The absence of fish domestication efforts Lais to conservation and sustainability in the waters of a flood swamps, on the other hand the existence of human activity, especially the activity of overfishing, water pollution due to mining activities in the river and the influence of uncertain seasons. All of this affects the existence of the fish population in the waters Lais. As a result, the number of catches decline and the price of fish Lais be expensive (economically important fish).

For that we need their efforts to conserve fish is that its presence dialam lais preserved. One Lais fish conservation activities that can be done is domesticated or adopters Lais fish in a container to be maintained and enable can be cultivated. When the conservation efforts can be done, it can be applied to communities around the swamp flood.

According Kottelat M., et al (1993), the fish is classified in the family Siluridae Lais and the Order Siluriformes (catfish). According to Lowe-McConnell (1987) in Sulistyarto B (2007), that the freshwater fish in tropical Asia dominated by the family Cyprinidae and Siluridae.

Lais fish spawning occurs in any change in the dry season to the rainy season. According Simanjuntak (2007), that the fish spawning Lais memgikuti hydrological patterns and pace swamp inundation spawning a flood of type simultaneously (total spawner) and including fish iteroparous. Fish Lais (Ompok hypothalamus) is eating on the surface it is known to take food such as fish Lais adult insects that fall keperairan from the trees around the lake (Minggawati, 2010).

The existence of a submerged riparian vegetation can be used for spawning fish also shelter and foraging (Hartoto, 2000). As for the area of swamp forest is a potential area for freshwater aquaculture as a place of care young fish and spawning aggregations.

Lais fish conservation efforts for pengelelolaan and sustainable use in a swamp flood Rungan River can be done with dosmestikasi activity. To perform the required information regarding the domestication of biophysical waters, population structure, hormonal developments and types of fish makanakan Lais.

The purpose of this study was to analyze the biophysical aspects of fish habitat and conservation strategies domestication Lais Lais fish in the river flood swamps Rungan.

II. Methods

The method in this study is a survey and testing in the laboratory. Methods The survey was conducted in populations large and small, but the data is studied data from a sample taken from the population that is found relative events, distribution as well as the relationship of one variable to another variable in the same place. Fish population in the study is that fish Lais (Ompok hypopthalmus). Sampling fish is done by using purposive sampling where Lais fish sampling conducted every month using a variety of fishing gear nets, traps (tampirai), fishing and longline fisheries. Samples of fish were caught in accordance with the separate collection area. While Lais fish samples kept in containers taken from nature. Water quality samples were measured every month in conjunction with the sampling of the fish at the sites.

III. Result and Discussion

Based on the survey results revealed that in general the fish habitat Lais can be described as follows: the bottom waters in the form of fine sand mixed with moss, water color brown murky, the water flow is slow, and the aquatic environment is forest vegetation high and low level, where this forest will be submerged in during the rainy season and dry during the dry season. Branches and twigs and leaves are submerged in water is potentially used Lais fish to shelter, feed and water quality memijah.Parameter average is for pH between 3.65 to 5.55; DO of 3.28 to 3.75 mg/l; the temperature ranges between 26 - 28oC; water depths between 1.7 to 6.48 m and the brightness of the water from 25 to 32.50 cm.

Based on the results of sampling fish from the month of October 2015 s.d April 2016, total fish caught is 353 tail, with a total length of fish Lais range between 12-29 cm and weigh between 10-250 grams. Growth Patterns fish alometrik Lais is positive in that the value of b> 3, which is more towards the growth of the weight of fish. Sex ratio of male fish Lais Lais fish more than females, with a ratio of 215: 137, or 61% fish and 39% male Lais Lais female fish.

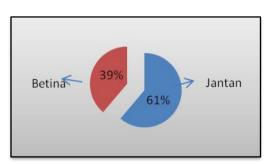


Fig 1. Percentage Number Fish Males and Female Caught

Lais fish gonada development when the research is ranged between gonads Maturity Level I - V. Hasi research showed that in December and January looks a balance of fish Lais Lais male and female fish are ready to spawn with female and male fish ratio is 1: 2 and 1: 3, meaning that the

peak spawning Lais is in December and January, and supported also by the condition of deep water because of high intensity rainfall in December and January. Thus it can be said that the spawning Lais keep pace swamp flood inundation during the rainy season.

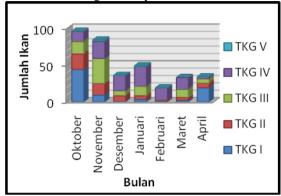


Fig 2. Distribution of fish TKG Lais of the Month October to April

Analysis of fish meal Lais to perform surgery and observe the gastric contents, obtained four types of food, namely: shrimp, insects, fish, and foods that children are not identified. With the composition of types of food is expressed in percent based on the index of the largest share, ie 45% of shrimp, fish 18%, 17% and food insects unidentified 20%.

Minggawati research results I., et al (2015), that the composition of the main meals of fish Lais in October 2013 until January 2014 was the shrimp (61%). The availability of natural food fish in waters of this research activity conducted sampling plankton and benthos, the analysis shows the average abundance of phytoplankton 631.4 ind / 1 and zooplankton 431 ind / 1 and benthic 5069.4 ind / m2, the abundance of plankton in the waters of the swamp Rungan river flood can be said to be low, while for benthic overflow with people most of the class of insects, and nematodes annalida.

Lais fish conservation strategy can be implemented with domestication by knowing the biological and ecological aspects of fish Lais in nature. Domestication Lais fish in a container maintenance: 1. To make the fish spawning Lais in container maintenance, can be done in December. 2. Activities domesitikasi Lais fish in a container maintenance especially reproductive activities can be carried out in October-December where TKG are in progress I - IV. 3. Domestication Lais parent fish can be done in December. 4. For management of waters swamp fish Lais Oxbow, conducted by behavioral biology Lais fish in their natural habitat.

IV. Conclusion

Lais fish conservation efforts can be accomplished through the domestication by knowing the biological and ecological aspects of fish Lais in nature.

Conservation strategy to spawning Lais in container maintenance, can be done in December. Reproductive activities can be carried out in October-December where TKG are in progress I - IV. Domestication Lais parent fish can be done in December.

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BUILDING PROFESSIONALISM OF THE GOVERNMENT APPARATUS IN THE PUBLIC SERVICE

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Abstract.

One of the efforts to realize the implementation of good governance including the implementation of public service needs to be supported by the professionalism of the government apparatus. Government officials should have professionalism in the public service, because the government apparatus is the first and main component in carrying out tasks related to public service functions. In addition, the government apparatus should be a channel of devotion and loyalty to the public service and not the opposite of abusing power or authority. The tendency for these remain within the government apparatus is the lack of professionalism in the public service or the lack of skills and proficiency in the public service, there is still a lack of willingness to adapt to developments or changes in the public service, so that public services organized government apparatus are not in accordance with the expectation of the public.

Keywords: Professionalism, Government Apparatus and Public Services.

I. INTRODUCTION

Public service is the most important task of government / government apparatus. This was stated by SaduWasistiono in Istianto^[1] that the most important task of the government is to provide public services to the public / society. Therefore, government organizations are often referred to as "Public Servants". In reality, many government apparatuses have not realized the importance of public services. Although there has been much education and technical training and long-term education for the government apparatus but often more emphasis on the administrative aspects of leadership and a little scientific substance.

Denhardt & Denhardt in Hardiayansyah^[2] stated it is imperative for the government / local government to improve the quality of various services provided to the public, the issue of the quality of public services is also triggered by the influence of paradigm shifts in administrative science, including global changes that occur in various fields of life and in all over the world. the New Public Service (NPS) as the latest paradigm of public administration places public services as the main activities of public / local administrators. One of the essences of the NPS principles is how public administrators articulate and share the interests of citizens.

But often the expectation of the implementation of the role or function is experiencing a mismatch between what is expected by the public with the services provided by the organization of public service providers, resulting in various problems or complaints that the public expressed to the organization of public service providers. Even more so, the birth of various fatal bureaucratic pathologies, such as abuse of authority, behavior that does not consider public ethics in service and weak public integrity [3].

The statement above shows that the lack of attention to the elements of professionalism in carrying out the duties and functions of the government apparatus will have an impact on the declining quality of professional public services. The professionalism of the government apparatus in public service is namely skilled, responsible, performs his/her duties and functions in accordance with his expertise in public service.

The professionalism of the government apparatus is a reflection of his/her knowledge, expertise and skills or competency, to suit the constantly changing demands of the environment and strives to always possess technical skills, organizational skills, and the skills to connect and work with others. As stated by Supriyatno^[4] a person who claims to be a professional always works hard to maintain the quality of his/her work continuously and always try to improve his / her skills / capabilities in order not to be out of date. These skills and competencies include technical, organizational and human relations skills.

The implementation of good governance can only be realized if supported by professional government apparatus that prioritizes the fulfillment of public accountability and responsibility in public service. Public accountability and responsibility are professional standards that government officials must achieve or implement in providing public services.

The importance of the professionalism of the government apparatus in the public service, described in Article 3 paragraph (1) of Law no. 43/1999 on the Amendment to Law no. 8/1974 on the Principles of Personnel which states that: "Civil Servant is a member of state apparatus responsible for providing services to the community professionally, honestly, fairly and equitably in the administration of state duty, government and development".

Human is an important element in any and all organizations, the success of the organization to achieve its goals and objectives and its ability to face various challenges, both external and internal are determined by human capabilities. So, it is not an exaggeration to say if human resources are the determinants of success or failure to achieve the vision, mission and goals of an organization. Therefore, every government apparatus is required to be able to perform its duties and functions professionally to produce a number of outputs that are in accordance with the goals of the organization and the wishes of the community [5]

In Law no. 25 Year 2009 on Public Service also explained that today the implementation of public services is still faced with conditions that have not been in accordance with the needs and changes in various areas of life in society, nation and state. Furthermore, in article 4 of the law is also explained that one of the principles of the implementation of public service is a professional means that the implementer of service or government apparatus must have competence in accordance with the task field. The explanation of the law shows that it is deemed necessary to increase the capacity of the government apparatus that provides services, given that the government apparatus providing public services has a strategic role as a driver of bureaucratic reform. The direction of development policy in the field of state apparatus is "to increase professionalism, neutrality and prosperity of human resources apparatus. Improving the quality of human resources apparatus directed to realize the professional, neutral and prosperous apparatus "It indicates the importance of professionalism of government apparatus in order to improve the quality of public services. But in reality, there is still a public trend positioned as a servant rather than being served. Complaints such as service procedures are less easy, slow, unfair, less informative, less accommodative, less consistent, lack of facilities, infrastructure, lack of legal certainty, time and cost and still founded illegal levies and actions that indicate deviations.

According to Yunus^[6] The problems that arise about the role of bureaucracy in the provision of services to the community in Indonesia indicate the existence of pathology and stigma of bureaucratic public service, among others, because the front-line bureaucracy officials serve theirselves as an employer than the service, the power rather than the desire for change, is more oriented to the status quo than the improvement of service, concerned with procedure rather than substance and more selfish than society. Such circumstances can not be ignored just like that. It needs to be observed and attempted ways to overcome them, so that the interests and needs of society can be protected and satisfied.

Until now there are still many unprofessional government apparatuses, or in another subtle languages "low professionalism" but always regard themselves as official rulers. The number of public scrutiny against the state apparatus indicate that people are not satisfied with the performance of the state apparatus. Lack of awareness of the apparatus in improving personal professionalism through the improvement of capabilities in accordance with the technology and actual conditions will be an obstacle in the implementation of tasks [4]

II. RESEARCH METHODOLOGY

The method used in this research is descriptive analysis method. Descriptive analysis method is a study conducted to determine the value of independent variables, either one variable or more without making a comparison between variables one with other variables. The collection data techniques in this study is literature study. Literature study is data collection activities by studying references or reading sources related to this research studies.

III. DISCUSSION.

A. Concept of Professionalism

Professionalism, which means improving the ability and morality of government administration in order to be able to provide services that are easy, fast, precise, at an affordable cost. The word "professionalism" has always been a jargon on every conversation in scientific forums as well as in offices. Because putting the word professionalism shows appreciation to someone who has expertise in dealing with every issue that concerns a variety of complex problems but quickly can be overcomed well. Therefore, every problem if handled professionally then the results are also more satisfactory excellently and quality^[4]

Korten & Alfonso in Tjokrowinoto [7] professionalism is fitness between bureaucratic-competence with task requirement. Compliance between the ability of the apparatus with the needs of the task is a requirement for the formation of professional apparatus. This means that the skills and abilities of the apparatus reflect the direction and objectives to be achieved by an organization. If an organization strives to provide excellent public services so the organization is based on professionalism to the goals to be achieved.

A person can be said to be professional if he / she: (1) Skilled, reliable and responsible in carrying out the work in accordance with the expertise possessed, (2) Believed by others because experts in their field (3) Capable of delivering the expected results of his work in accordance with his area of expertise [4]

Tjokrowinoto [7] argued that what is meant by professionalism is the ability to plan, coordinate, and perform its functions efficiently, innovatively, flexiblely, and has a high work ethic. In that opinion, the ability of the apparatus is more defined as the ability to see opportunities available for economic growth, the ability to take the necessary steps with reference to the mission to be achieved and the ability to improve the ability of the community to grow with their own power efficiently, undertake innovations that are not tied to administrative procedures, flexible, and has a high work ethic.

Siagian ^[5] states that what is meant by professionalism is reliability in the execution of tasks so that it is done with high quality, timely, meticulous, and with procedures that are easily understood and followed by the customer.

Ancok [8] states what is meant by professionalism is the ability to adapt to a rapidly changing environment and perform its tasks and functions by referring to the vision and values of the organization control.

Based on the description of the concept of professionalism in the opinion of the experts above can be summed up as follows:

- 1. Fulfillment between the ability to match the needs of the task. If the apparatus strives to provide excellent public services then the apparatus is based on professionalism.
- 2. The ability to plan, coordinate, and perform their functions efficiently, innovatively, flexibly, and has a high work ethic.
- 3. Reliability in the execution of duties with high quality, timely, carefully, and with procedures that are easily understood and followed by the public.
- 4. Professional government apparatus in principle contains two meanings, namely: (1) Demanded to have the skills and expertise that can be relied upon to support the smooth implementation of the task. (2) Contributing to the dedication of the attitude and actions of the government apparatus in performing the duty must always prioritize the public interest rather than the personal interest.

Thus the professionalism of the government apparatus in the public service in principle implies that: (1) The government apparatus is required to adjust the capability it possesses with the task needs to be implemented If the government apparatus strives to provide quality public service then the government apparatus has professionalism. (2) Government apparatus that has the ability to plan, coordinate, and perform its functions efficiently, innovatively, flexibly, and has a high work ethic, has the reliability in the execution of tasks timely, accurately, and with procedures that are easily understood and followed by public. (3) Having reliable skills and expertise in the performance of duties and, (4) Having high integrity of the attitude and actions of the government apparatus prioritizing public interest rather than personal interests.

B. Measurement of Professionalism of Government Apparatus in Public Service

One of the efforts to develop the professionalism of government apparatus in public service is the need for measurement of professionalism in public service. According Ancok [8] measurement of professionalism in public services as follows; (1) The ability of the government apparatus to adapt to the environment both internally and internally (2) The ability of the government apparatus to adapt to global phenomena and national phenomena; (3) Referring to mission and values (mission & values-driven professionalism). This means that the government apparatus in public service should refer to the mission and values of professionalism.

While according to Tjokrowinoto^[7] bureaucracy can be said to be professional or not can be measured through the following competencies:

- a. The ability to see opportunities for enhancing national economic growth, taking risks in taking advantage of opportunities, and the ability to shift the allocation of resources from low productivity activities to open high productivity and provide opportunities for employment creation and increased national income.
- b. The Ability to take decisions and necessary steps and refer to the mission to be achieved, and not simply refer to the applicable regulations.

c. This capability is required for the executing apparatus or lower ranks that serve to provide public services. The professionalism required in this case is professionalism empowerment that is closely related to the style of development. In this concept, bureaucracy acts as a facilitator or improves people's ability to grow in their own strength (enablers).

Professionalism is measured in terms of its speed in performing functions and refers to simplified procedures. In that opinion, the concept of professionalism in the apparatus is viewed in terms of:

- a. Creativity. The ability of the apparatus to face barriers in providing services to the public by innovation. This needs to be taken to end the sloping assessment of the public to the public bureaucracy that is considered rigid in its work. The formation of creative apparatus can only occur if; there is a conducive climate that can encourage the government apparatus to seek new ideas and new concepts and apply them innovatively; the willingness of leaders to empower subordinates, among others through participation in decision-making concerning work, quality of work, career and problem solving tasks.
- b. Innovation. The embodiment of desire and determination to seek, find and use new ways, new methods of work, in the execution of its duties. The most fundamental obstacle to innovative behavior is the sense of satisfaction with the work achieved.
- c. Responsiveness. The ability of the apparatus in anticipating and facing new aspirations, new developments, new demands, and new knowledge, the bureaucracy must respond quickly in order not to be left behind in carrying out its duties and functions.^[5]

Based on the description of the measurement of professionalism according to experts it can be concluded that the measurement of professionalism of government apparatus in public service as follows:

- 1. Ability to adapt to internal and external environment
- 2. Ability to adapt to global phenomena and national phenomena.
- 3. Refers to the mission and values of professionalism.
- 4. Expertise possessed by the government apparatus in accordance with the needs of the tasks assigned to him.
- 5. Ability to see opportunities that exist.
- 6. Ability to take decisions and necessary steps and refer to the mission to be achieved, and not merely referring to the applicable rules.
- 7. The ability of the government apparatus to face barriers in providing public services with innovations.
- 8. The ability of the government apparatus in anticipating and facing new aspirations, new developments, new demands, and new knowledge.
- C. Efforts to Developing the Professionalism of Government ApparatusIn Public Service

In the effort to developing professional government apparatus in public service, the following steps are needed:

- 1. Consistent. It means to be determined, always focus on the goal orientation to be achieved and set. Having a new paradigm and broad insight into looking at a brighter future.
- Competence. It means having a combination of knowledge, skill and attitude, that is the ability to implement knowledge, skill and attitude dynamically, to produce innovative and creative work and give birth to "business instinct" and spirit in effort to improve service quality to society.
- 3. Commitment. It means having the determination to put forward the public interest as big as possible. This commitment is not only limited to being believed and spoken, but must be shown in action and behavior. This is important because people generally prefer proof of promise.
- 4. Coordination. It means having the ability to coordinate with other work units in order to perform the task effectively and efficiently.
- 5. Creativity. It means to have new ideas that spontaneously arise from someone because it is considered important or urgent in life and work. The ideas are processed to be innovative that can be applied to the work of a better or more beneficial individual or organization. The innovation can be good and adopted into good and true value.
- Competition. It means to have the soul to compete in improving the performance of the organization or work unit
- 7. New paradigm. It means to have a foresight and have broad insight so that it can see a better future. [4]

A person who has a soul of professionalism always encourages himself to realize professional work. The quality of professionalism is supported by the following characteristics: (1) The desire to always display behavior that approaches ideal regulation. Someone who has a high professionalism will always try to manifest themselves in accordance with the expert who has been established. She will identify herself to someone who is seen to have such a gift. The meaning of "ideal regulation" is a device of behavior that is considered the most perfect and used as a reference. (2) Improving and maintaining professional image. High professionalism is shown by the great desire to always improve and maintain professional image through the embodiment of professional behavior. Its manifestation is done through various ways such as appearance, way of conversation, use of language, body posture, attitude of daily life, relationship with other individuals. (3) The desire to always pursue opportunities for professional development that can enhance and improve the quality of knowledge and exposure [9]

Islamyin Yunus ^[6] suggests that on the other hand to improve the professionalism of public services need to create a conducive working environment atmosphere, so it will emerge attention and motivation among them to work hard, more professional, dedicated with discipline. Thus it can generate sympathy and desire of the community to participate in the process of governance, community and development.

Therefore every service apparatus must understand some principles, namely *accessibility principle*, closer service to society like one roof service, *continuity principle* that service must be available continuously for society with certainty and clarity, *technical principle* that every kind of service process must be handled by personnel who truly understand the technical service based on the clarity, accuracy and stability of the system, *the principle of profitability* in effectiveness and efficiency provides economic and social benefits. Finally, *the principle of accountability* that processes, products and service qualities must be accountable.

Mulyarto in Yunus ^[6] suggested that improving *professionalism empowerment* is to play a role as a facilitator or improve the ability of the community to grow and develop with their own ability. Therefore, it is necessary that the apparatus has high dedication and discipline and can attract the sympathy of the service users, since the success of the service depends on both parties.

To improve the professionalism of public service in the frontline bureaucracy according to Islamy in Yunus [6] are: (1) Repositioning vision and mission of public bureaucracy that shifted from rule governance paradigm which give best service to society to goal governance paradigm which give service in accordance with the needs and interests of the wider community (2) Providing good service behavior with the restrictions of legislation and other provisions, has ambiguity goals where the profit and loss is not the limit of success and failure in service. Every bureaucrat must be visible, because their behavior always gets the spotlight. Having high moral and ethical standards with dedicated, fair, honest and lasting decisions must take into account the various interests of the community (3) Developing total quality management so that the process, product, and quality of services provided by the bureaucracy can increase.

Based on the opinion of experts on the effort to developing the professionalism of government apparatus in public service can be concluded as follows:

- 1. Consistent, meaning it must be determined, always focus on the goal orientation to be achieved and set.
- 2. Competence, it means to have a combination of the ability to implement knowledge, skills and attitudes dynamically.
- 3. Commitment, it means having the determination to put forward the public interest as big as possible.
- 4. Coordination, it means having the ability to coordinate with other work units, in order to perform the task effectively and efficiently.
- 5. Creativity, having new ideas that spontaneously arise from someone because it is considered important or urgent in the work.
- Competition, it means having a competing soul in improving the performance of the organization or work unit.
- 7. The new paradigm means having a foresight and a broad perspective so that it can see a better future.
- 8. Always try to manifest himself skilled in his work.
- 9. Improving and maintaining professional impression such as appearance, conversation, language usage.
- 10. She/he is pursuing professional development opportunities that can enhance and improve the quality of her/his knowledge and skill.

- 11. Creating a conducive working environment atmosphere.
- 12. Improving *profesionalism empowerment* that plays a role as a facilitator or improve the ability of people to grow and develop with their own ability.
- 13. Repositioning the vision and mission of the public bureaucracy that shifts from the paradigm that provides the best service to the community to the paradigm that provides services in accordance with the needs and interests of the wider community.
- 14. Having high ethics and ethical standards, namely dedicated, fair, honest.

IV. CONCLUSIONS

Professionalism is a multiinterpretative concept. Empirical studies show that professionalism can facilitate the government apparatus in improving public services. Nevertheless, the lack of professional studies, especially in government apparatus (government bureaucracy) has an impact on the weak theoretical explanation of professionalism towards its behavior, especially behavior related to public service. Although scientific studies have proved that professionalism is an important factor for the improvement of public services, empirically shows the lack of professionalism of the government apparatus in public service. With such background it would be important to build professionalism of the government apparatus in public service.

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Profile of Mathematics Education Students' Understanding with Moderate Mathematics Ability in the Aspect of Dissection of Group

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Abstract. One aspect that can be used to identify the completeness of the students' understanding to a concept is by doing dissection to the concept. This is a case study on the students of mathematics education who had moderate ability, and the objective was to obtain the profile of students' understanding towards group concept on the aspect of dissection. The students' understanding to the concept is needed very much to build foundation for understanding to other concepts in abstract algebra. Based on the result of the study, it was obtained that although the dominant elements that build the concept of group can be identified well but qualitatively the understanding of the students who have moderate ability in mathematics to the group concept is still weak. One of the causes is the mathematics logic as an instrument in managing information in group concept is not used accurately and tightly.

Keywords: understanding profile, dissection of concept, group

I. Introduction

One widely accepted mathematical idea in mathematics learning is that students must understand mathematics (Hiebert and Carpenter in [1]). Meanwhile, interest in the teaching and learning of mathematics with understanding is seen important, as demonstrated by curriculum reformation in various countries (Pirie and Kieren in [1]). It shows that in mathematics learning, understanding of mathematical concepts is a very important component.

On the other hand, mathematical concepts have abstract characters. Even most of these concepts are 'very' abstract and therefore it requires high knowledge activity in learning it ([2]).

The abstract algebra as one of the mathematics branches contains concepts that have abstract structures ([3]). Abstract algebra is a generalization of school algebra in which the values substitution of the variables is a variety of mathematical objects ([3]), and the expressions are also built with general operations. Objects in abstract algebra not only relate to mathematical objects that have been commonly known and used in school algebra. Therefore, objects in abstract algebra seem more abstract than the mathematical objects studied in school algebra. Therefore, to understand concepts in abstract algebra requires a high level of knowledge, and studying the relationships between objects in abstract algebra requires strong reasoning. It is implied to the students' ability to understand concepts in abstract algebra. Abstract algebra teachers recognize that most students view that abstract algebraic material is very hard to understand, and they also find difficulties in communicating ideas in abstract algebra ([4]). On the other hand, teachers also realize the importance of learning abstract algebra. Therefore the learning process should be directed to learning with understanding.

Several studies have shown that students' understanding of concepts in abstract algebra is less satisfactory ([3]). Harel suggests several factors that make abstract algebra difficult for students. First, abstract algebra concepts are very abstract

structures that serve as categories for a wide range and with diverse examples. Objects are determined by their characters, so it makes students difficult to understand them. Second, most examples that explain the concepts are not familiar to students. Third, most students have not felt comfortable with proof by axiomatic methods ([3]). In addition, empirically based on data from 2005-2010, the results of midterms (UTS) or semester final examination (UAS) of Mathematics Education students of Halu Oleo University in abstract algebra courses are still relatively low, as a result of students' habits in learning mathematics that rely solely on the aspects of calculation ability, such as arithmetic, school algebra (low algebra), and calculus, formed on learning in primary and secondary education ([5]).

Reference [6] states that algebra has been traditionally understood and studied as a set of procedures that is disconnected both from other mathematical knowledge and from real life. It is understandable that algebraic learning (including abstract algebra) has not been able to approach algebraic concepts with students' interaction in everyday life. Meanwhile, [7] found that the lecturers have not been optimal in paying attention the understanding of the concept and understanding in solving the problem of proof in the learning process of abstract algebra.

The above description indicates that there are still problems with the understanding of students in learning abstract algebra concepts. Of course, one strategy or approach that can be done is to improve the learning process of abstract algebra. The purpose of this paper is to reveal the understanding profile of mathematics students who are capable in moderate mathematics on group concepts in the aspects of dissection. This profile is needed to be the foundation for improving the abstract algebra learning process. Although in this paper the study is limited to students' understanding of group concepts, but it can be developed and exploited as necessary against the other concepts.

A. Students' Understanding on a Concept

Etymologically, understanding is a psychological process related to an abstract or physical object, such as a situation, person, or message in which one can think and use concepts to describe the object. Driver ([8]) says that understanding is the ability to explain a situation or an action. Understanding is also seen as a mental experience gained from the activity to understand a concept. According to Sierpinska ([1]), understanding is the mental experience that connects one object with other ones.

An individual's understanding of a concept is the result of the individual's mental activity in understanding the concept. Someone understands a concept because he has done thinking activity about the concept. Reference [9] asserts that "To understand something means to assimilate it into an appropriate schema." It implies that someone is said "understanding something" when there has been integration of new information with the scheme that the person has. It can be said that understanding is concerned with a person's ability to integrate 'new' information through the accommodation and assimilation processes into the scheme that the person has before to form a new scheme.

Reference [10] suggest that what is meant by a person's understanding of a concept is a condition that describes suitability between mental representation or an internal representation of the concept and the network of representations that the person has. Furthermore [11] suggest that the quality of understanding is determined by the number of information networks and strong relationships (interconnection) between sub-networks owned. Meanwhile, [5] suggests that a concept can be completely understood by an individual if the individual can build linking networks as many as possible between the attributes contained in the concept with the scheme owned, and the strong linkage with the network that has been owned by the individual.

A person's understanding toward a concept is not easy to observe precisely, and can only be known through interviews. Reference [5] in elaborating the understanding quality of a concept proposed by Barmby above, formulates several categories that enable us to detect the quality of one's understanding on a concept as follows.1) Complete disclosure of the concept with the own words. 2) Identification of all components contained in a concept. 3) Explanation of each component in concept accompanied by its strengthening. 4) Connection between components in a concept. 5) The use of a concept to solve related problems.

One of the concepts in abstract algebra is group. The group is the earliest learned basic structures in abstract algebra ([12]), and become the main foundation for building other structures, such as ring, field, and vector space, ect.

Conceptually, a group is a structure constructed by a non-empty set and a binary operation, called a product, and has characters: closed, associative, having identity elements, and there is inverse of each element. Reference [12] constructs the definition of the group as follows.

A non-empty set and a binary operation, called **the product**, is symbolized •, it is said to form a group, if $\forall a,b \in G$ results $a \cdot b \in G$,

 $\forall u, b \in G$ results $u \cdot b \in G$,

 $\forall a,b,c \in G \text{ results } (a \cdot b) \cdot c = a \cdot (b \cdot c),$

 $\exists \ e \in G \ \ni a \cdot e = e \cdot a = a \ \forall a \in G, \ e \ is \ called \ the \ identity \ element \ in \ G, \ and$

 $\forall a \in G \ \exists a^{-1} \in G \ \ni \ a \cdot a^{-1} = a^{-1} \cdot a = e, \ a^{-1} \ is \ called \ the inverse of a.$

Remembering that the group concept is a structure that becomes the foundation or base to build other structures, then the incomplete students' understanding of the concept will be implicated in the onset of their difficulties in understanding the concepts or other structures.

According to [5], a complete understanding on the group concept can be obtained when students have had the following things: First, the ability to identify all components that build the group along with the characters; Second, the ability to find linkages between components; Third, the ability to find easily, either as a representation of each component of a group component, or as a representation for the group concept; Fourth, the ability to construct concepts that are the opposite of group concepts, and easily to find examples; Fifth, the ability to use group concepts to solve related problems. In detail, [13] suggests there are four aspects that can be used to detect the quality of students' understanding on the group concept, namely general explanation, dissection, dependability, and affirmation.

B. Students' Understanding on Group Concepts

It has been argued that one aspect to detect the quality of student's ability to understand the group concept completely is dissection concept. The ability of students to perform group concept dissection is seen from two things, namely the ability to identify all components of the group concept, and the ability to explain in detail the meaning of each component. In detail, this aspect can be reviewed from five activities: identifying the basic elements that build the group concept, explaining the meaning of each basic element, identifying the characters of each basic element that build the group concept, explaining the meaning of each character of each basic element, identifying the essential characters of the group, and explaining the meaning of each character.

II. METHOD

This research was qualitative exploratory study. The subject was a student at the Department of Mathematics Education FKIP UHO who had the moderate mathematics ability, by the following criteria: 1) having studied the group concept, 2) having the math skills test scores (TKM), which is in the range 60 to 75, and 3) having $2.50 \le \text{GPA} \le 3.00$.

The data collection of this research was done by interview method in depth, overt, and unstructured. For the purpose of obtaining valid and credible data, triangulation was performed, with a type of time triangulation. Data processing research was done by qualitative data analysis method Miles and Huberman model through stages: 1) data reduction, 2) data presentation, and 3) drawing conclusion.

III. RESULTS AND DISCUSSION

In this section we will present an understanding profile of mathematics education students who have moderate math skills (AI) on group concepts on aspects of group concept dissection. The aspect consists of identifying, and explaining in detail all components of the group concept. This profile is obtained through analysis of data in-depth interviews that the researcher did to AI.

A. Identifying Basic Elements that Builder of Group

This activity was related to AI's ability to find the components that became the foundation or foundation for building a group. AI said that the elements constructing group concepts were non-empty sets and binary operations. Then the nature of set was not empty. Thus it can be seen that AI could identify the elements of group builder and also the dominant nature of set that built the group concept.

B. Explaining the Understanding of Any Element that Builds Group

This activity was related to AI's explanation of the meaning of every basic component that built a group, namely set and binary operations in accordance with its understanding.

1. Set

AI understands set as a set of clearly-defined objects. To provide affirmation about set, AI gave an example which was a representation of the concept of set. The set of natural numbers was one example of a set since this set began with the numbers 1 and so on, and -3 was not a natural number. Furthermore, about not the set, AI understood it as a collection of objects that could not be clearly defined, reinforced by example a collection of beautiful women because there was no measurement to determine a woman was beautiful. Thus it can be put forward the following things. First, AI's explanation about the meaning of set had corresponded to the conceptual meaning of set. Second, when giving a set example, AI referred to the meaning of set, as well as the reasons put forward for the selection of such examples. Third, when giving the definition of a nonset concept, AI referred to the essence of set definition as it is proposed. Fourth, examples of non-set objects given by AI appeared to correspond to the definition of objects that were not binary operations as he proposed, but the reason for the selection did not refer to the essence of the membership requirement of a set. In this case substantial inadequacy was still found. This inaccuracy showed that AI had not explicitly distinguished between the membership requirements of a set and the inherent natures or characters of a set member.

From above description we can know that the AI understanding of sets concept was already quite strong, although it was still found inaccuracy when AI argued the sample selection of non set.

2. Binary Operation

AI understood binary operations in a set as a mapping that mapped the consecutive pairs of elements in a given set then mapped exactly one to the set itself. To reinforce the explanation, then AI gave an example of binary operation in a set. The multiplication operation on the set of integers was one example of binary operation since when taking integers 2 and 3, then multiplied it could be paired exactly one with an integer 6. Next, about not a binary operation on a set, AI said that when taking any the pair of elements in its set then

operated by binary operations mapped to one element that was not a member of the set. Then AI gave an example A ={-1, 1} with the addition operation because if -1 and -1 were summed, then the result was -2 which was not an element in A. From here it can be put forward the following. First, AI's explanation about binary operations had led to a conceptual binary operation definition. Second, when giving an example of binary operations, AI referred to the definition of binary operations he proposed, as well as the reasons in the selection of examples. Third, when proposing the definition of a concept that was not a binary operation, AI only viewed the dominant element in terms of its own binary operation, namely the result of association of two elements in the set given to the set, and did not refer to the essence of binary operations as a mapping. Based on the explanation, it can be seen that substantially, there was still incompleteness of AI understanding on binary operations. This incompleteness illustrated further that AI's understanding of the concept of mapping was not yet strong. Fourth, examples of objects that were not binary operations given by AI appeared to correspond to the definition of objects that were not binary operations as he expressed, as well as the reasons for the selection. Thus, it can be seen that AI's understanding of binary operations is not yet strong enough.

C. Identifying the Properties of Builders of Group

Concretely, the natures of the group concept builder are the non-empty property of the set, while the binary operation natures are directly attached to the definition of the binary operation concept itself.

About the non-empty set, AI understood it as a set that had members. To affirm the explanation, then AI gave an example, among others the set of integers, since 1 was one of its members. Furthermore, about the empty set, AI said that it was the set did not have members. Then AI exemplified the set of natural numbers between -5 and -10 since there was no member qualified for membership. It can be put forward the following things. First, the definition of the non-empty set proposed by AI had corresponded to this definition theoretically. Second, when exemplifying a nonempty set, it appeared that AI referred to the definition of a non-empty set as it was proposed. It was reinforced also by reason of the sample selection. Third, when proposing the definition of the empty set concept, it appeared that AI referred to the definition of a non-empty set. Fourth, the sample selection for the empty set referred to the definition of the empty set that he expressed before although the reason for selecting the example was not explicitly. Based on the four reasons it can be seen that the understanding of AI to the set of non-empty is quite strong.

D. Identifying the Essential Properties of Group

In the phase of identifying the essential natures of the group concept, AI said that the essential natures of the concept of four groups were closed, associative, there was an element of identity, and every element had an inverse. It showed that concretely AI had identified all the essential characteristics of the group concept, as the dominant part of the group concept.

E. Explaining the Definition of each Essential Properties of the Group

This activity is related to the ability of AI to explain each of the essential property of the group in accordance with his understanding.

1. The Closed Property

When describing the definition of closed property, AI emphasized the existence of any element in a given set in which, if operated by a given binary operation, it produced elements in the set. To affirm the explanation, then AI gave an example, the addition operation on a set of integers because when adding the two integers then the result was an integer as well. Furthermore, on binary operations that did not meet closed property, AI said that when taking any two elements in the set and operated, the result was an element that was not in the set. Then AI exemplified substraction operation on the set of natural numbers because if taking the natural number 1 and 2, then substracted, 1 - 2 = -1, whereas -1 was not a natural number. In this regard, it can be summarized as follows. First, the definition that had been pointed out had led to a conceptual understanding. Second, the sample selection of binary operations in a set that met the closed nature referred to the definition of this nature as it was said, similarly, the reason for choosing the examples. Third, when proposing the definition of the binary operation that did not meet the closed property, AI only focused on the dominant elements in the definition of this property, namely the result of two elements operation in the set given to produce an element that was not in the set, and did not refer to the essence of this property definition conceptually implying that there was no binary operations that was not closed. In this case, AI did not relate this nature to the essence of binary operation definition itself. It was also affirmed by the sample selection on this subject, and the reason for it. It showed that substantially, there was an incomplete understanding of AI on sets and binary operations that did not meet the closed property. These three points above indicated that AI's understanding on binary operations that met the closed property was still incomplete.

2. Associative Property

AI 's explanation on the definition of associative nature was that AI emphasized the action of taking any three elements a, b, c, then a was operated with b, then the result was operated with c, it would be equal to operating first bwith c, then the result was operated with a. As an affirmation of this explanation, AI gave an example that met this property, one of which was addition operation on the set of integers. However, in this example it appeared that AI had little difficulty in constructing the argument because the elements in the set were 'unlimited'. AI only gave an example by selecting 1, 2, and 3 then finding that (1 + 2) + 3= 1 + (2 + 3) although AI recognized that it should test all possibilities. However, since the elements were 'unlimited', then according to AI, it was sufficiently defined to be a + (b)(a + c) = (a + b) + c'. Furthermore, about binary operations that did not meet associative property, AI said that when two grouping operations were created, the results were not the same. Then AI exemplified binary operations * on {0, 1}

where 1*1 = 1, 1*0 = 2, 0*1 = 0, and 0*0 = 1, because if taking 1, 0, and 0, 1*(0*0) = 1, whereas (1*0)*0 = 2*0 was undefined.

In this regard, it can be argued as follows. First, the proposed definition did not lead to a conceptual understanding. The AI's explanation led to a procedure to prove this property. This is affirmed by the selection of binary operation examples in a set that met the closed property, along with the reasons for the election. The phrase '... taking any ...' indicated it. Second, when presenting the example of sets and binary operations that met this property, AI referred to the definition of this property as it is proposed. It was illustrated by the argument of sample selection that he was constructing. Third, when proposing the definition of binary operations that did not meet associative property, AI only focused on the dominant element in the definition of this property namely the multiplication result of the three elements in the set given in different groupings gave unequal results, and of course it did not refer to the essence of this property conceptually which required that the similarity of the results of the three elements operation in their set in different groupings would apply to all elements in the set. Thus, it can be seen that substantially there was an incompleteness of AI's understanding on this associative property. This incompleteness had the potential to understand sets and binary operations that did not meet this property on the term "if all three element choices in a given set after being operated in different groupings always give different results". Fourth, an example of a set and a binary operation that did not fulfill this property referred to the definition constructed, and so did the reason for it. These four things indicated that AI's understanding on binary operations that met associative properties was still not solid.

3. The Existence of Identity Element

AI's explanation on the nature of the identity element existence did not lead to a conceptual understanding. AI said that, "every x element in A then there was e in A, such that awas operated with e equaled to e operated with a, equal to a. e was called the identity element in A". As the affirmation of his explanation of this property, AI gave an example, one of which was a sum operation on a set of integers, in which in this case the identity element was 0 since according to AI that each element in A when summed with 0 produced that element. Furthermore, about binary operations that did not meet the property of the identity element, AI said that there was b an element in the set in which, when operated with e, it did not produce b. About sets and binary operations that did not meet the nature of identity elements, AI exemplified the set of integers without 0 by addition operations, in which I this case AI considered the example of a set and a binary operation that had an identity element, then he made it as an example that did not meet this nature after removing the identity element.

Therefore, relating to the solidity of AI's understanding on the property of identity elements, the following points are expressed. First, AI's explanation about the definition of this property was inconsistent with theoretical definition since it was as if the identity element attached to each element. The statement put forward by AI began the definition of this nature, namely "every element [a] in set A, for example there

is an e member in the set ..." indicating this. This kind of understanding was not strong enough to use a concept in solving related problems, especially in proving the theorems related to the use of this nature. Second, when thinking an example of a set and a binary operation that met the property of an identity element, AI decided the set first before determining its operation. The selection of such examples 'as if' did not refer to the definition of a binary operation that met the property in accordance with what had been said. In this case, when constructing the argument that in the set and the binary operation he chose had an identity element, AI tried to directly guess the identity element, then proved that it met the property. Third, when explaining the definition of set and binary operations that did not have an identity element, AI focused only on the dominant elements, namely the results of operation b with e which did not produce b itself. Implicitly, what AI understood about this showed a contradiction. On one hand, what was defined was the definition of set and binary operations that did not have an identity element, while on the other hand, the statement that was said involved identity elements. Thus, in this context there was a partial substantial disclosure of AI's understanding on the definition of sets and binary operations that did not meet this property. Fourth, when giving examples of sets and binary operations that did not meet this property, AI did it by first thinking of the set and binary operations that had an identity element, then he used it as an example that did not meet this property after removing its identity elements even though AI realized that it resulted the set and binary operation referred not to meet the closed property. It provided an illustration that the selection of set sample and binary operations that did not meet this property did not refer to the definition of the set and binary operations that did not meet this property as it was proposed. In this context it can be viewed as an AI's inconsistency when choosing the example as well as the reason for its election.

4. Existence of Inverse of Each Element

When explaining the nature of the inverse of each element, AI said, "for every a element A, then there is a inverse which when a is operated with a inverse, equal to a inverse operated with a, equal to e, in which e is an identity element in set A ". As an affirmation of his explanation about the property of inverse of each element in the set given in accordance with this understanding, AI exemplified the set of integers by addition operation, because according to him, when a was summed with a inverse, the result was 0, and 0 was the element of identity. This reason was affirmed by if choosing a = 2, then the inverse of a was -2. Another example proposed by AI was the set of non-zero rational numbers with multiplication operation since according to AI, by taking any rational number, for example 2 then there was ½ rational number so 2×½ equaled to its identity element, namely 1. Similarly, if the rational number was a, then a inverse was 1/a. Furthermore, regarding binary operations that did not meet the inverse of each element, AI said that it meant there was y of an element in its set in which, when operated with its y-bar (that was, the inverse of y) it did not result an identity element. About binary sets and operations that did not meet the property of the identity element, AI exemplified the set of integers without -2 with addition

operation. In this case AI considered the examples of a set and binary operations of which each element had an inverse, then he made it as an example that did not meet this nature after removing one of its elements, namely -2. From this example, AI argued that 2 did not have inverse since the inverse of 2 should be -2, but -2 had been removed.

Therefore, relating to the solidity of AI's understanding on the property of the inverse of each element, the following points are made. First, the AI's explanation about the definition of this property had corresponded to the theoretical definition. Second, when thinking an example of a set and a binary operation that met this property, AI decided the set first before determining its operation. However, it appeared that the selection of the example referred to the definition of a binary operation that met the propery in accordance with what had been said. However, when constructing arguments that each element in the set and binary operations chosen had an inverse, it had a logical inconsistency, so it gave the impression that there was inefficiency in the argument. Third, when explaining the definition of set and binary operations that not all elements had an inverse, AI only focused on the dominant elements, namely the operation result of y with its inverse which did not result an element of identity. Implicitly, what the AI understood about it showed a contradiction. On one hand, what was formulated was the definition of sets and binary operations that not all elements had inverse, while on the other hand, the statement that he said involved inverse of the elements. Thus, in this context, logically, there was a partial substantial disclosure of AI's understanding on the definition of sets and binary operations that did not meet this nature. Fourth, when giving examples of sets and binary operations that did not meet this property, AI did it by first thinking of the set and binary operations that each element had an inverse, then using it as an example that did not meet this property after removing one of its elements. It provided an illustration that the selection of set sample and binary operations that did not meet this nature referred to the definition of sets and binary operations that did not meet this property as what it was expressed although the reasons did not refer to the intended definition. In this context it could be viewed as an inconsistency of AI when establishing the reason for selection of the example. The four points above illustrate that AI's understanding of the nature of the inverse of each element was not solid enough.

Based on detailed descriptions in the data analysis and discussion section relating to AI's activities in conducting group concept dissection, the profile is obtained, and schematically presented in Figure 1.

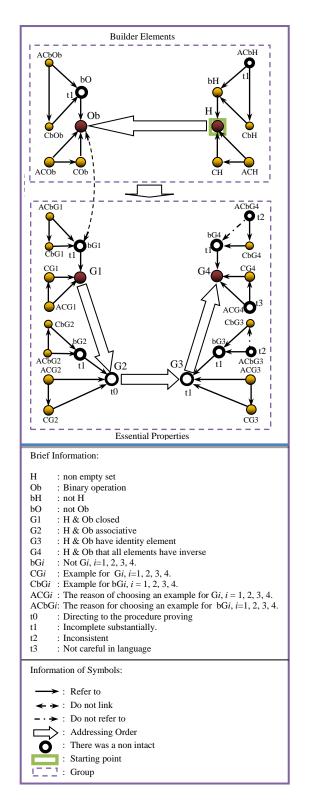


Fig. 1 Understanding Profile of Research Subjects on the Group Concept on Dissection Aspects

IV. CONCLUSIONS

As a conclusion of this study, some matters are raised as the following.

 Quantitatively, the subject of this study has been able to identify all the dominant components in group concepts,

- non-empty sets, binary operations, and essential natures or axioms of group.
- b. Qualitatively, the understanding of the research subject to the group concept is not strong enough. It is based on the following reasons. First, not all of the group concept component definitions that he presented lead to definition theoretically. Second, in general, AI's explanation on the definition of each group concept component only focuses on the dominant elements. It is illustrated when AI explained the definition of the object that was not a group component, such as the object that was not a binary operation, sets and binary operations that were not closed, and so on. Third, most of the arguments developed by the research subject related to the sample selection or not a sample of each component that builds the group, logically, and it does not refer to the definition of the components.

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A Model for Vocational School Leadership Reinforcement

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Abstract

Vocational education is predicted to reduce unemployment among school graduates. Despite this prediction, few studies indicated that Indonesian vocational educations are the highest contributors of unemployment among youths. Secondary vocational schools were blamed for failing to prepare students for the skilled workforce and eliminate the gap between the requirement of the industries and the competencies taught at school. This study examines school leadership reinforcement model for vocational secondary schools located in the Province of Nusa Tenggara Timur. This qualitative descriptive study employed development model for data collection. The observations and in-depth interviews were applied as prime data collection methods involving six private and public vocational high schools. A total of 20 principals and senior school teachers participated in the study. The data were triangulated.

The findings indicated that school employs many leadership models. The application of these models depended on the influence of the existing situation. The application of the school leadership reinforcement model requires the principals to have a clear vision in producing ready-to-work graduates. The school leaders must set up creative and innovation institutions to support and produce output in accordance with the steady plan. These supporting institutions can provide valuable inputs to enable schools to produce appropriate output that matched with the requirements of the world of work. Strengthening the school leaders can be in the form of understanding of the local wisdom, benchmarking other schools, providing professional training, enhancing the beliefs, and building strong character and high integrity.

Keywords: school leadership reinforcement; vocational school; Nusa Tenggara Timur

Abstrak

Pendidikan kejuruan diprediksi akan mengurangi pengangguran di kalangan lulusan sekolah. Terlepas dari prediksi ini, hanya sedikit penelitian yang menunjukkan bahwa pendidikan kejuruan Indonesia merupakan kontributor tertinggi pengangguran di kalangan kaum muda. Sekolah kejuruan disalahkan karena gagal mempersiapkan siswa untuk tenaga kerja terampil dan menghilangkan kesenjangan antara kebutuhan industri dan kompetensi yang diajarkan di sekolah. Penelitian ini menguji model penguatan kepemimpinan sekolah untuk sekolah menengah kejuruan yang berada di Provinsi Nusa Tenggara Timur. Penelitian deskriptif kualitatif ini menggunakan model pengembangan untuk pengumpulan data. Pengamatan dan wawancara mendalam diterapkan sebagai metode pengumpulan data utama yang melibatkan enam sekolah kejuruan swasta dan swasta. Sebanyak 20 kepala sekolah dan guru sekolah menengah berpartisipasi dalam penelitian ini. Data ditriangulasi.

Temuan menunjukkan bahwa sekolah menggunakan banyak model kepemimpinan. Penerapan model ini bergantung pada pengaruh situasi yang ada. Penerapan model penguatan kepemimpinan sekolah mengharuskan kepala sekolah memiliki visi yang jelas dalam menghasilkan lulusan yang siap bekerja. Pemimpin sekolah harus mendirikan lembaga kreatif dan inovasi untuk mendukung dan menghasilkan output sesuai dengan rencana yang mantap. Institusi pendukung ini dapat memberikan masukan yang berharga untuk memungkinkan sekolah menghasilkan output yang sesuai dengan persyaratan dunia kerja. Memperkuat pemimpin sekolah bisa dalam bentuk pemahaman tentang kearifan lokal, benchmarking sekolah lain, memberikan pelatihan profesional, meningkatkan kepercayaan, dan membangun karakter yang kuat dan berintegritas tinggi.

Kata kunci: penguatan kepemimpinan sekolah, sekolah kejuruan, Nusa Tenggara Timur

Introduction

There are several research reports and articles about vocational education is predicted to reduce unemployment among school graduates. Badan Pusat Statistik (BPS) or Central Statistics Agency (CSA) data shows that open unemployment in graduated from secondary vocational schools with 17.26%, 14.31% high school graduates, the graduate of the universities of 12.59%, 11.21% graduate diploma, graduate SMP 9.39%, and Primary School 4,57%. Secondary vocational schools were blamed for failing to prepare students for the skilled workforce and eliminate the gap between the requirement of the industries and the competencies taught at school. The quality of school leadership is nowadays directly associated with better academic success and higher achievement for every student (Sumintono, Sheyoputri, Jiang, Misbach, & Jumintono, 2015). Leadership is a critical component of the organization's culture because leaders can create, maintain, or change the culture (Afolabi, 2012).

There are 188 Vocational High Schools (VHS) located in Nusa Tenggara Timur province. With a total number of 49.515 students and 6.665 teachers, the ratio between students and teachers is 7,43 (http://datapokok.ditpsmk.net/). This ratio is very far from normal ratio determined by National Standard of Education (NSE) Standard Nasional Pendidikan 15-20 students for vocational schools. This condition needs an outstanding principal to make the school run well. This research focuses on the model development of school leadership reinforcement in vocational schools: a case study in Nusa Tenggara Timur Indonesia (developing countries context). As Widodo (2008) presented that VHSs were not managed and led well to prepare the future of their students. Public needs quality VHS graduates who can face the challenge of the world of work competition. Most VHS principals still face obstacles in maximizing human resources and other school resources. One of the reasons is weak leadership and low managerial capacity of the principal himself/herself. In general, the principal of the school is a key determinant in improving school quality. The principal of the school is the central point in increasing the high achievement and good performance (Djarwati, 2011). Strong school leadership is one of the keys to the success of the institution in achieving, maintaining, and improving school performance (Usman, 2008).

Badan Pusat Statistik (BPS) or Central Statistics Agency (CSA) data shows that open unemployment for the year 2009 indicated that 17.26% was graduates of VHS, 14.31% was high school graduates, 12.59% was university graduates, 11.21% graduates of diploma, 9.39% was graduates of SMP, and 4.57% graduates of primary schools. Even in the year 2012, unemployment in Indonesia reached 7.2 million people, mostly graduated from Vocational High School. Based on the level of educational qualification, unemployment among graduates of VHS was the highest in the country (9.87%), followed by graduates from Senior High School (SMA) (9.6%), graduates from Junior High School (7.76%), graduates from Diploma I / II / III 6.21%, graduates from university(5.91%), and graduates from Primary School (3.64%) (ESQ-News.com). A school principal is a decisive factor in developing a high performing school. Principal effectiveness is crucial to improving student achievement, second only to classroom instruction among all the school-related factors contributing to what students learn at school (Shaked, 2014).

One of the formal studies on school leadership was conducted by Analytical and Capacity Development Partnership (ACDP) in 2013. The samples of this study were selected

from the relevant populations in some regions of Indonesia: Sumatra, Java, Kalimantan, Nusa Tenggara, Sulawesi, Maluku and Papua. The result was a number of key issues emerged from the analyses of school principal competency. Specific competency indicators the study show that rural and remote school principals generally rate their competency lower than urban or semi-urban principals including in Nusa Tenggara Timur. Thus, a study focusing on rural and remote school principal competency is very important to be conducted.

The study is significant because the results of the study can be used by the relevant parties and authorities including the central and local office of education, school principals, and teachers to reinforce the quality school leadership of rural and remote schools. In the past, despite the presence of ideas to revitalize rural schools, the relevant people were still in confusion as to where they could start the reinforcement process from. The research will hopefully provide the list of actions that should be undertaken by the relevant authorities to accelerate the process of school leadership reinforcement of rural and remote school. The list will also highlight the actions that should be given a priority.

The significance of this research also lies on the impacts it can give to a wider rural and remote community especially to those who have a great interest in rural and remote education, particularly in Indonesia. One of the biggest impacts is that this research can better inform the society and the relevant authorities regarding the actual conditions of vocational schools in Indonesia including the problems these schools face which need to be handled urgently. Such important information can later be used as the means to formulate appropriate strategies to accelerate the process of school leadership reinforcement of rural and remote school. The result shows that this research, at the same time, can give benefits to those affiliated with vocational schools such as rural and remote students. One of the significant benefits is that they have the opportunity to access quality education (as long as the concerned problems can be dealt with well by the relevant authorities).

Literature Review

Leadership

School leadership reinforcement in the ASEAN region, such as Malaysia, Thailand, and Vietnam, are supported by the World Bank. Each country developed a national body for principals training and development since in the 1990s (Heck & Hallinger, 2005). This national body has subsequently trained thousands of school principals. Several empirical studies reported the complexities of these issues which informed diversities about what they taught or not taught in the training (Hess & Kelly, 2007), the role of the governments (Thody et al., 2007) or even question about purpose and responsibility (Cowie & Crawford, 2009). This shows the essential aspects of preparation training before somebody is appointed as a school principal, and the context of different cultures should also be taken into account (Yan & Ehrich, 2009). Following the preparation of training, the school principals, like other professions, have to undergo a leadership professional development that helps them to become effective school leaders and improve their practice from time to time (Cowie & Crawford, 2009). The quality of program design, delivery, recruitment and retention in these professional 3 development activities must match the needs of the individuals (Hess & Kelly, 2007). So the professionalism and reinforcement school management and leadership are prerequisites before teachers are appointed to hold this position, including in all over provinces and districts in Indonesia.

Education and Principal Study in Indonesia

In the 1980s, the central government, who appointed public school principals throughout the country, introduced preparation training for school principal candidates. This preparation training lasted for one week although this was not compulsory. The content of the training was mostly about public administration and management which was provided by the education province office staff. Before taking office, most public secondary school principals held posts as vice 4 principals and were chosen for posts by their school principals. Some of them had administrative training but not necessarily about school leadership.

A drastic change of managing education that practiced in a centralistic manner since the colonial era occurred in 1998 when the New Order collapsed. The new government stipulated the autonomy law, where starting in 2001, the education sector was managed at the district level (Kristiansen & Pratikno, 2006). This situation also is marked the beginning of an era of educational reform which was the enactment of the New Education System Law in 2003 (Raihani, 2007b). This was followed by the implementation of several new policies, such as school committee and education council (Sumintono, 2010), school operational support that does not differentiate between public and private school (Fitriah et al., 2013), teacher certification program (Raihani & Sumintono, 2010), and international standard school (Sumintono et al., 2014).

From the year 2001, the appointment of public school principals was devolved to the district level (either a city or a regent), as part of an active system of decentralization. Many education districts sought help from the central government or local universities to train future school principals. However, in most cases, they just appointed teachers based on their personal preferences. This action is not surprising as a longitudinal study by Hofstede (1983) regarding Indonesia society cultural model found that higher hierarchical powers can decide anything they like.

Because of this situation and the fact of widening capacities of district governments, starting from the year 2009, the Ministry of Education released a regulation (number 6/2009) stating that before becoming a principal, school leadership training was required (MoNe, 2009). As a result, a national agency called Lembaga Pengembangan dan Pemberdayaan Kepala Sekolah (or LP2KS, Agency for School Principal Empowerment and Development) (LP2KS, 2015) was established to provide this training. This training program is called the Development of Principal Managerial Skills. The syllabus for the training contains areas includes student management, human resource management, curriculum development, school development planning, monitoring and evaluation, and information and communication technology in school. This training is supposed to be in line with the Ministry of Education decree number 13/2007 regarding principal standards, where a school principal in Indonesia has to be competent in five areas, which are personality, managerial, entrepreneurship, supervision and social (MoNE, 2007). The first stage of the training is seven days training at the LP2KS (70 hours), located in Solo, Central Java; followed by three months (equal to 200 hours) on the job learning (OJL) (apprenticeship) in two schools (his/her own school and another school in his/her district) where participants are asked to prepare an action plan for change and improvement. The last stage of the process is three days training (30 hours) in the LP2KS which mostly consists of completing a portfolio of the activities undertaken during on the job learning

and the presentation of the portfolio. Total time of this program is 300 hours lesson. Once principals have successfully completed all the training and assessment in LP2KS, the candidate will be awarded with a unique number of School Master / Nomor Unik Kepala Sekolah (or NUKS, school principals' registration numbers), which makes them eligible to be appointed as school principals by the mayor in their respective districts (LP2KS, 2015).

There are several reports discussed school principals that appeared in the international literature which portrayed the reflecting situation of post-1998. It is interesting to note that even Mr. Fadjar, then a minister of education in 2002, stated that "the Indonesian government did not educate school leaders to be independent in many aspects of school administration" (as cited in Sofo et al., 2012, p. 503). Further, from their study, Jones and Hagul (2001, p. 214), found that "school principals have little authority in running the school or in resource allocation, nor are they usually trained to manage or lead a school well". This situation is also captured in Bjork's (2005) study which indicates that local authorities, which include school principals to district government, do not have enough capacity in terms of expertise and experience. Therefore they rely on a bureaucratic manner to handle challenges and opportunities of education autonomy. The result of this situation is that good practice such as shared-decision making and the empowerment of teachers most of the time did not happen as expected. In most cases, the school principals relied on their autocratic leadership's style (Jones & Hagul, 2001; Bjork, 2005; Sofo et al., 2012). In addition, one indication by Lee and Hallinger (2012) based on PIRLS research, found that Indonesian school principals have less time in terms of practicing leadership role in their schools, which affirms that their main emphasis is on school management as previously stated.

An empirical qualitative study by Raihani (2007a) which was based on successful school leadership perspectives, provided unique findings. With the involvement of three school principals from Yogyakarta, he found that all embraced "Islamic and cultural beliefs and values that underpinned their leadership...which were articulated in the school leadership and strategies" (p. 481). Raihani (2008) developed An Indonesian Model of Successful School Leadership (AIMSSL). According to Raihani (2008):

"propositions about successful school leaders are drawn in that they demonstrate ability in analyzing the school contexts and situations both internal and external to school; visioning and setting strategies; having strong personal and professional values and respecting and aligning others' personal and professional values; developing strong teaching-learning characteristics including curriculum and instruction; fostering professional development of themselves and staff through methods such as intellectual stimulation, providing individualized support and modeling; redesigning the organization including identifying and creating and/or changing the school cultures and modifying organizational structures; and building collaborative cultures in which the high involvement of the school's other stakeholders in the decision-making processes is exercised".

Two further quantitative studies conducted in Sumatra, one in Lampung (Hariri et al., 2012) and one in Padang (Damanik, 2014) also revealed new findings. The Lampung study found that teacher's job satisfaction improves if the school principals' decision-making style practice is rational, less dependent, and avoid intuitive, avoidant and spontaneous (Hariri et al., 2012). Meanwhile, Damanik's (2014) study emphasized that the leadership behaviors of the

school principals and its influence on elements of the school climate are important for school improvement, in this case, teacher self-efficacy, in the context of education reform.

In another study conducted by Jawas (2014) in Malang, East Java, using the mixed-methods approach on instructional leadership, she found that there are four areas of improvement (curriculum, teachers' professionalism, learning facilities, and students' learning outcomes). In this regard, he found that instructional leadership actually supports the practices of managing, promoting, improving and assessing instruction by the school principals. However, this study found that the perception of principals and teachers were found to be different, and they do not necessarily lead to the increased frequency of practices that influence instructional improvement. The above study indicated that the spectrum of educational leadership practices happened in contemporary Indonesian schools. However, there has not been a single study done in the context of school principal preparation; thus, this study endeavors to fill in the gap.

Research Methodology

The study is based on research and development model by Gall, Borg, and Gall's (2007). This study is inspired by the Indonesian Model of Successful School Leadership (AIMSSL) developed by Raihani (2008). Three schools in Kupang city Nusa Tenggara Timur which met the set criteria of successful schools will be selected to be the samples for this study. Within each, individual or group interviews were conducted with the principal, vice-principal, three teachers, one support staff member, two groups of students, one group of parents, and the school committee president. The collected data were transcribed, coded and categorized following the emerging themes, and interpreted using inductive and deductive methods. This study will be conducted in the form of interpretive research where "the researcher is interested in understanding how participants make meaning of a situation or phenomenon, this meaning is mediated through the researcher as an instrument, the strategy is inductive, and the outcome is descriptive" (Merriam, 2002, p. 6).

This study took place in three districts in Nusa Tenggara Timur province. The researchers selected three public vocational school principals and three private vocational school principals located at three different places in Nusa Tenggara Timur. The schools were being selected based on the number of student populations and their achievements. The office of education located in those districts will be consulted in selecting the schools. The samples of this study consisted of a purposive sampling of 30 people. The principal, two teachers, two school committee members from each school will be invited to voluntarily take part in this study. The researcher collected data using three different techniques: interviews, observations and document analysis. The three different instruments were adopted to ensure that rich data and information can be obtained in this research (Creswell, 2005).

All the participants (except the students) were be individually interviewed at the time and place convenient to both the researchers and participants. The questions posed to the participants are meant to find answers to the research questions. All the interviews were be recorded using a digital tape recorder. A number of observations were also be conducted in classrooms to obtain a deep understanding as to the process of teaching and learning in each

school. These observations will also be used to validate the information provided by the participants in the interviews. Documents such as textbooks used by teachers and students, school strategic plan were also be collected and analyzed. Analyzing these documents will enrich the information obtained in this research. The data analysis involves the process of data reduction and simplification (Miles & Huberman, 2014). With this tool, themes emerging from the data will be identified and coded. These themes supported with important narratives from the interviews will be included in the reporting of the findings of this research.

The school leadership reinforcement model developed based on the interviews were being tested in three stages (1) expert judgments testing, (2) limited testing which involves 10 vocational school principals; and (3) main field testing. In the stage of expert judgments testing, the model was being explored and evaluated again to get a better model of reinforcement school principal in Forum Group Discussion (FGD) format to get a better model of school principal reinforcement. In the stage the of the main field, the study involved 100 principals of public and private vocational schools in all Nusa Tenggara Timur province. They were being introduced to this model in the workshop format event and asked to implement this model in their schools for 4 months. The effectiveness of final product will be revised based on main field test after four months.

Table 1. Demographics of Respondents

Demographics		Frequency	Per cent
Gender	Male	10	50
	Female	10	50
Profession	Principals	6	30
	Senior teachers	14	70
School location	City	12	60
	Rural	8	40
Age	Under 34 years	3	15
	35 - 39 years	2	10
	40 - 44 years	3	15
	45 - 50 years	4	20
	51 - 55 years	6	30
	more than 55 years	2	10
Tenure as principal	Under 2 years	2	10
	2 - 4 years	2	10
	5 - 8 years	6	30
	more than 8 years	10	50
Highest Education	Diploma IV	0	0
	Undergraduate	12	60
	Master's	8	40
	Doctorate	0	0
Training	LP2KS	5	25
-	P4TK	5	25
	LPMP	2	10
	Others	8	40

Findings

The description of research data presented here is based on findings of interviews with involving twenty respondents from principals and senior school teachers. The interviews were conducted in each school, with a time of approximately 30 minutes, followed after the student's life ended. Interviews conducted are directed interviews in which the interviewer requires preparation of the material to be asked. Furthermore, using documentation observation study, and focus group discussion, which is obtained from six vocational schools located in East Nusa Tenggara.

Some school principals describe the model of school leadership strengthening that is applied in their respective vocational schools, as one respondent explained:

Provincial Government, in this case, the Department of Education as the principal direct superior. Here the Principal should work with teachers and parents to produce students who perform well both in education and morals. (P1)

Similarly, another senior teacher from the different school stated:

The education office as the policy maker and the school community is only the executor. (ST1)

The conclusion of the interview result is that all existing systems in schools are centralized from the provincial principal and teachers perform their duties that support student achievement and morals along with moral.

Other school principals stated that the model of strengthening the school leadership is applied as follows:

The parents of the students and industries give input to the principal who is the highest leader in the school in assisting with admin, teachers, to process input from industries and parents to achieve the vision. (P2)

The senior teacher stated that:

Vision and mission the school is made more focused and implemented in supporting the teacher's duties and teacher's role. (ST3)

The other teacher stated that:

A clear vision of vision mission will make the school work program more focused on quality of graduation. (ST5)

The above statements highlight that principals have some model of leadership, such as democratic and visionary leadership as well as collegial leadership. The parent has a role involving school programs. Parents may not solely give their children to school to be trained but also have a responsibility to their children at school. The most important from this interview that the school's leader must have an established direction where the graduate will be. Producing ready-to-work graduates is a clear vision principal.

In other perspectives, other principals expressed their experiences of strengthening principal leadership as follows:

The principal is the highest leader in the school. In carrying out his duties he is assisted by the vice principal, admin and other teachers in running school to achieve school vision mission (P4)

Other principal said that the model of strengthening the school leadership is organized by all the lines of their respective duties. (P6)

The teacher stated the existence of togetherness makes all work programs will be implemented properly. (ST7)

The other teacher concludes that a clear togetherness and vision mission will make the program innovative in educating the students and able to evaluate without fear to remind each other. (ST6)

It is concluded that the model of the principal above is the democratic leadership. Vice principal, administration and teachers are an important component in quality assuring the programme.

Related to the training and other program enhancing school leadership many respondents gave many ideas. Some principals similarly highlight the quality and the training methods:

The training conducted by governments are relatively useful; it makes us know more how to become a good leader, also we understand the duties of a principal in many situations. (P8)

Mostly the training that I follow can improve our competency in managerial and leadership, especially in the internship section. (ST9)

The training is effective because they taught everything that I need to become a principal. (P1)

These findings highlight how important the principal's leading professional training is in building school leaders. This is in line with international research findings that reinforce how being in a deputy role can significantly influence the subsequent leadership practice and behavior of future principals (Day, Sammons, & Gu, 2008; Wallace Foundation, 2013).

The findings indicated that school employs many leadership models. The application of these models depended on the influence of the existing situation. The application of the school leadership reinforcement model requires the principals to have a clear vision in producing ready-to-work graduates. The school leaders must set up creative and innovation institutions to support and produce output in accordance with the steady plan. These supporting institutions can provide valuable inputs to enable schools to produce appropriate output that matched with the requirements of the world of work. Strengthening the school leaders can be in the form of understanding of the local wisdom, benchmarking other schools, providing professional training, enhancing the beliefs, and building strong character and high integrity.

In line with many studies of successful school leadership (Raihani, 2008; Day, 2005; Day et al., 2000; Leithwood, 2005; Mulford and Johns, 2004), the principal's leadership in this study was reinforced by a set of personal beliefs and values. As the respondents said,

As a school principal, I don't know what I will be, but this is an "amanah" and given from God that I am responsible in my "akherat" (future). (P6)

Other principal said,

The principal is only a job position but also an amanah in my career (P5).

Senior vice principal described his principal,

I know very well how my principal holds this prestigious position, he is very amanah (trusted) particularly in managing the money. (VP4)

These statements, many beliefs, and values were reinforcing the principal in running the school leadership.

Discussion

From the description and field data obtained how strengthening the leadership of the principal can be formulated. The headmaster model strengthening formula is clearly how a leader can ensure the direction and motion of organizational behavior toward a very clear goal. The purpose of a vocational high school is how to graduate students who are ready to work. Good work for himself and for others. The models and formulas can be described as follows:

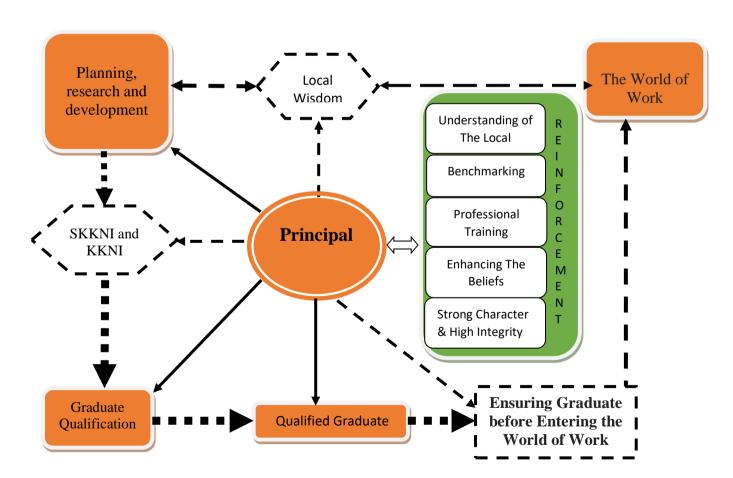


Figure 1. Model of School leadership reinforcement in NTT

From the picture above can be read how the principal plays its role in a central way. The principal may appoint a special institution for the relationship of the school assistant and the world of work responsible for designing, formulating and describing the qualifications of graduates demanded by the world of work and applied consistently in the school system. The fulfillment of school qualifications is monitored directly by this institution and at the same time ensures that the educational stage is carried out correctly and correctly.

How does the principal strengthen his leadership? In the picture is clearly mentioned some research findings that provide strengthening of leadership. Strengthening school leadership is an understanding of local wisdom, benchmarking, professional training, increased trust, strong character, and high integrity. The reinforcement received by the school will have an impact on the school's organizational system to design the needs of school graduates from the world of work, to determine postgraduate qualifications with the qualities and preparation of specific graduates before entering the workforce. The findings of models in remote areas, such as in the province of East Nusa Tenggara, became embryos for broader and more detailed developments because the number of students and the needs of the working world varied.

In this study found principal leadership using many models of leadership. The application of this model depends on the influence of the existing situation and conditions. In implementing the model of school leadership strengthening requires the principal to have a clear vision in producing graduates who are ready to work. School leaders can establish similar institutions of planning, research and development institutions to support and produce appropriate outputs of SMK vision and mission. These supporting institutions can provide valuable inputs to enable schools to produce output that meets the requirements of the world of work. Strengthening school leaders can be in the form of an understanding of local wisdom, benchmarking other schools, providing professional training, increasing trust, and building strong character and high integrity.

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Note 1. "P" is the code for principal, and "14" was the number of participants on our list.

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The Influence of Leadership, Work Motivation and Work Environment on Lecturer's Performance at University X

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Abstract. University, as one of the highest education's provider, has a very important part in its participation in realizing the goals of national education in order to manage education. As part of the national education system, University needs to be encouraged to improve the growth, role, responsibilities and quality of education by strengthening the ability of academicians to be more professional and qualified. Thus, performance of lecturers needs to be built with the support of a comfortable working environment and also high motivation. Furthermore, the leadership's influence in building work motivation and a comfortable working environment is needed in the development of education progress. The aim of this research were: (1) To analyze the significance of leadership influence on lecturer's performance, (2)To analyze the significance of work motivation's influence on lecturer's performance. There were 76 lecturers used as respondents. The research data were analyzed by using multiple linear regressions. The result has shown that there is no significant influence between leadership on lecturer performance. However, motivation and work environment have influence on lecturer performance.

Keywords: Leadership, Work Motivation, Work Environment, Lecturer's Performance

I. INTRODUCTION

Human resources have an important role in the organization or a company in order to survive in an unlimited competition. Challenges can be turned into opportunities by having reliable human resources. University as a part of national education system should strengthen the academicians' ability to become more professional and qualified in order to promote the growth, role, responsibility and quality of education. One way to achieve this is by improving the ability of lecturers who also act as researches and disseminators of information. As one of the main resources in higher education, lecturers' achievement usually determined by the number of papers presented in seminars, also the number of published books and articles. Lecturer's performance can be improved when supported with full motivation and comfortable working environment. Thus, leadership influence is needed.

Leadership is an implementation of attitude and behavior of a leader in directing and managing the organization, giving motivation and also become a role model to its subordinates. Therefore, a leader has great influence on employee's performance. According to Utomo (2012), leadership is a process that a leader has to influence other people's attitude, behaviour and values. A good leadership will be able to lead the organization or company to achieve its goals. Previous study done by Suddin and Sudarman

(2010) indicate that leadership, motivation and comfortable working environment have influence on employee's performance. Good leadership, good motivation and comfortable working environment able to create good employee's performance.

Motivation is also one important element in the management system besides leadership and comfortable working environment. Motivation is a psychological factor that indicates an individual's interest in work, a sense of satisfaction and being responsible for the activity or work performed (Masrukhin & Waridin, 2006). Lecturers that have work motivation and skill will able to contribute in the improvement of the college performance (Supriyanto, 2011). Highly motivated people will do work duties with the best ability that they have and will easily achieve success (Suddin & Sudarman, 2010). Studies by Utomo (2012) and Hidayat & Taufiq (2012) have confirmed that work motivation have influence on improving performance. Studies by Trianingsih (2011) also stated that motivation has the most dominant influence on lecturer performance. Therefore, lecturers should be motivated in order to improve their performance.

Another factor that have influence on the performance of lecturers believed to be the establishment of comfortable working environment between superior and subordinates (Utomo, 2012). Lack of comfortable working environment may cause poor working conditions, such as unclear division of labor system, inappropriate interactions and

responsibilities. Research conducted by Utomo (2012) and Hidayat & Taufiq (2012) revealed that the work environment have influence on employee's performance. Good working environment is where employees can carry out activities optimally, feeling safe, healthy and comfortable. Thus, organizational goals will be successfully achieved. A research done by Putra (2013) also indicate that motivation have influence on employee's performance.

However, based on the explanation above, this research aims to analyze the influence of leadership, work motivation and work environment on lecturer's performance at University X. The hypothesis of this study is as follows:

H1: Leadership have influence on lecturer's performance H2: Work motivation have influence on lecturer's performance

H3: Work environment have influence on lecturer's performance

II. METHODS

The population of this study is 499 lecturers at University X. The research sample is determined using simple random sampling method with Slovin formula that resulted to 83 respondents. Questionnaires were given to 83 respondents to collect the research data. The responses of independent research variables (leadership, work motivation and work environment) and the dependent research variable (lecturer's performance) on the questionnaires is scored using five likert's scale. The research data was then analyzed by using multiple linear regressions.

III. RESULT AND DISCUSSION

The questionnaires used as a data collection instrument are distributed to all 83 lecturers of University X. However, only 76 questionnaires are returned. Therefore, the response rate is 92 percent. Approximately, the respondents were mostly male (51.3%) and then women about 48.7%. In terms of age, majority of respondents in the age category between 36-50 years (52.6%) followed by 38,2% of of 21-35 years old, and 9.2% of 51-65 years old. As for the level of education, the respondents with master degree were 89.5% followed by 10.5% of doctor degree. Furthermore, 32.9% of the respondents have been working in University X between 5 - 10 years, 26.3% have been working more than 15 years, 23.7% between 11 - 15 years and 17.1% less than 4 years. As for academic ranks, 50% of the respondents were still in the level of Associate Lecturer, 36.8% were Lecturer and 13.2% were Senior Lecturer.

Validity and Reliability Test

Based on the result of data processing, it is known that the value significance observation of α is smaller than 5 percent and the value of Cronbach's alpha is above 0.60. This means the instrument used in this study is valid and reliable.

Multiple Linear Regression Analysis

Multiple linear regression analysis is chosen to determine the relationship strength between the independent variables and the dependent variables of this study. The result of the data analysis is presented in the following Table:

TABLE I
THE TEST RESULT OF MULTIPLE LINEAR REGRESSION
ANALYSIS

Model	t	Sig.	Result
(Constant)	4.31	0.000	
Leadership (L)	1.30	0.197	Reject H1
Work Motivation (WM)	1.69	0.094	Accept H2
Work Envirinment (WE)	1.77	0.080	Accept H3
F- Test		$0,005^{b}$	Feasible
Adjusted R Square	0.126		

It is shown in Table I that the significant probability of the feasible test of the model (goodness of fit) in this study is 0.005, which is smaller than 0,10. Therefore, the estimated regression model used in this study is feasible or it can be used to predict the influence of leadership, work motivation and work environment on lecturer's performance at University X.

Further, t-test is performed to test the significant level and determine whether the hypothesis of this study is rejected or accepted. Based on the calculation, with the error of 10 percent, the significance coefficient of leadership is 0.197 more than 0.10. Therefore H1 is rejected, which means leadership have no influence on lecturer's performance. Meanwhile, work environment have influence on lecturer's performance. This is shown with the significance coefficient value of 0.09 less than 0.10. Thus, H2 is accepted. The value significance coefficient of work environment is 0.080, which is also less than 0.10. Therefore, H3 is accepted. This means work environment also have influence on the lecturer's performance.

In Table I is also shown that the influence of leadership, work motivation and work environment on lecturer's performance is only at 12.6% and the remaining 87.4 is influenced by other factors that are not examined.

Discussion

The result of this study found that leadership have no influence on lecturer's performance or H1 is rejected since the value of significance coefficient of leadership is 0.197 more than 0.10. This result contradicts the research finding by Putra (2013), Suddin & Sudarman (2010) and Brahmasari & Suprayetno (2008), which indicates that there is positive leadership influence on performance. Indicators used to measure leadership variable is adopted from Samsudin (2005) which consists of four indicators: leaders gave full trust to subordinates, leaders coordinate work to subordinates in an effective way, leaders deliver enthusiastic direction and coaching; and leaders supervise work very strictly. Based on the results of the data analysis, the respondents of this study generally stated that leaders deliver enthusiastic direction and coaching is important but it has not been optimally implemented. Further, leader has not been strictly supervising the lecturer's work. Lecturers as educators

usually have self-awareness to be responsible with their task and work, and generally their work does not need to be strictly supervised. However, this finding support previous study conducted by Runi et.al (2017) that state leadership has insignificant influence on lecturer's performance.

However, with work motivation, the result shows that work motivation have influence on lecturer's performance (H2 is accepted). This is because the value of significance coefficient of work motivation is 0.094 less than 0.10. This finding contradicts the research finding by Tone et. al (2016) that indicates that work motivation have no influence on lecturer's performance. Indicators of work motivation are adopted from Atyanto & Anik (2010), which consists of four indicators, namely: rewards given in accordance with responsibilities; functional incentives received; supporting facilities and work equipment; and career opportunities. Based on the results, those indicators of work motivation affect the lecturer's performance. With rewards given, incentives received, good facilities and work equipment available as well career opportunities offered will sure increase the lecturer's performance since lecturers will feel encouraged and appreciated. This finding support research by Putra (2013), Suddin & Sudarman (2010) and Brahmasari & Suprayetno (2008), which stated that work motivation have influence on performance.

Lastly, work environment also have influence on lecturer's performance based on the study results, with the value of significance coefficient of 0.80, which is more than 0.10. Work environment indicators were adopted from Nitisemito (2002) consisting: lighting; circulation; noise; room arrangement; smell; work atmosphere; good treatment; relationship between employees. Good lighting, nice circulation of air, no noises, good room arrangement, friendly working atmosphere and great relationship between employees will create a very comfortable working environment which will increase the lecturer's performance. Thus, lecturers will feel comfortable in doing their three pillars of tertiary education and therefore they will be able to fulfil the requirement from the Ministries of Research, Technology and Higher Education Republic of Indonesia. Further, this finding support research finding by Putra (2013) and Suddin & Sudarman (2010).

IV. CONCLUSIONS

The study focuses to analyze the influence of leadership, work motivation and work environment on lecturer's performance at University X. The result has found that hypothesis 1 is rejected, meaning leadership have no influence on lecturer's performance. While hypothesis 2 and 3 are accepted, which means work motivation and work environment have influence on lecturer's performance at University X. This study was limited to lecturers of University X. Further, this study only examined the influence of three factors (leadership, work motivation and

work environment) on lecturer's performance. Therefore, future research can extend the proposed factors.

However, the empirical evidence result in this study can be used to solve problems that occur on the lecturer's performance at University X. The study recommends that good leadership needs to be applied in order to achieve the organizational goals. Work motivation also needs to be maintained in order to make lecturers feel appreciated and will improve their spirit of work. As well as comfortable work environment in order to improve lecturers' work achievement.

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WHICH INDIVIDUAL CHARACTERISTICS AND COMPETENCIES OF MEDICAL RECORD OFFICERS TO IMPROVING MEDICAL RECORD SERVICE PERFORMANCE AT IRJ RS X ?

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The purpose of this study is to explore individual characteristics, analyze competence, and understand the performance of officers in providing medical records in IRJ RS x. This study will also analyze the most dominant factors affecting the performance of medical records officers in the accuracy of the delivery of medical record documents. This research will endeavor to find solutions for minimizing individual characteristic efforts that hamper performance, increasing the competence of medical record officers in IRJ RS X in an effort to reduce the delay in providing Medical Record Card (KRM) RS X.

This research will use methodualitative. The methodology used is in-depth interviews and questionnaires to medical record staff. The approach used in this paper is a naturalistic approach to the problems contained in the implementation of medical record services in IRJ RS X.

The provision of medical record documents in outpatient installations (here in after referred to

as IRJ) is not yet optimal. Median records per day are found to be not up to 25% of medical records. Delay time lasts 20-25 minutes per delay. Such delay inhibits the process of medical record service in outpatient Rs.X.

Keywords: Individual Characteristics, Competencies, Performance, Medical Record Documents, IRJ.

1.1 Background

The importance of the existence of a good medical record document is fundamental to health service providers. Medical service providers (in this case hospitals) place medical record documents as an important part of Hospital Information System (hereinafter referred to as SIRS). Community knowledge of also technology spur the development of medical record in hospitals, progress is aimed at each hospital will be able to advance its health services. The development of medical records also has a positive effect towards the advancement of medical personnel services.

Medical record is a form of documentation made by medical support personnel. Document of medical record is made according to minimum standard in Article 3 of Regulation of the Minister of Health of the Republic of Indonesia No. 269 / MENKES / PER / III / 2008 concerning Medical Record. The regulation also contains the purpose of the Medical Record Document. Document record medical model developed following the

development of the era. Therefore, at this time developed a new paradigm to the urgency of medical records in electronic form. (hereinafter referred to as e-medical record). Provision of record documents medical accordance with the standards of service is not an easy thing. Often things that make it difficult to provide medical record documents to doctors who need documents for services to patients. The delay in submission of the medical record document occurred on IRJ RS X. Difficult things caused the late handling of doctors to perform health services.

result The of the preliminary interview with the head of the hospital medical record installation showed that the provision of medical records documents in the outpatient installation (hereinafter called IRJ) is not yet optimal. Median records per day are found to be not up to 25% of medical records. Delay time lasts 20-25 minutes per delay. Such delay impedes the medical record care process in Rs.X outpatients that the performance of medical recorder. Good performance

determines the success of an organization's standard achievement. previous studies From on the performance of medical recorders, it was concluded that the things that affect performance are: the level of knowledge, ability, self concept, individual characteristics motives, standards, minimum service, customer satisfaction and knowledge of medical and non medical personnel. A new study is needed that will examine the relationship between performance and personal characteristics. Is the cause of the delay in the provision of medical records documents: the level of knowledge, abilities, self-concept, individual characteristics motives, minimum service standards, customer satisfaction and knowledge medical and non medical personnel is not yet known, therefore interesting to investigate.

1.2 Problems Formulation

The formulation of the problem in this scientific paper is:

1. how is the description of individual characteristics (age, sex, and length of work) at the doctor at RS X Bandung?

- 2. how is the description of competence on the medical recorder in RS x?
- 3. what is the most dominant factor affecting the performance of medical recorder personnel in the accuracy of submission of medical record document at IRJ RS X

1.3 Purpose of Writing

The objectives of this research are:

- 1. To know and deepen the picture of individual characteristics (age, sex, and length of work) contained in the medical recorder in RS X Bandung
- 2. to analyze the description of competence on the medical recorder in RS X
- 3. to identify the most dominant factors affecting the performance of medical recording personnel in the accuracy of the delivery of medical record documents in IRJ RS X?

1.4 Benefits of Writing

a. Theoretical benefits

In theory, this study is expected to enrich the literature on the competence and characteristic of individual medical recorders in delivering medical records at outpatient installations. This study is

expected to enrich reading reference materials on hospital management in terms of medical record documents.

b. Practical benefits

This research will practically be expected to assist RS X to develop individual characteristics, competencies that should be owned by a medical recorder in delivering medical record documents. This research is also expected to be the basis of consideration for improvement of medical record installation performance to be better than before.

Medical Records Definition

Medical records are important documents / documents for each hospital instance. The definition of medical record is contained in Article 1 paragraph (2) of Regulation of the Minister of Health No. 55 of 2013 on the Delivery of Medical Record Works (hereinafter referred to as PermenKes Perekam Medical). The article states that: "medical records are notes and documents concerning patient identities, examinations, medications, actions and other services that have been

provided to patients in health care facilities". The above definition states that a medical record file has a broader meaning than just a casual note. The medical record document contains all information concerning a patient that will be the basis for determining further action to the patient.

PURPOSE AND USE OF MEDICAL RECORD

Sabarguna points out that in the early days, Medical Records have 5 benefits, namely: As the basis of health care and patient treatment, As a substance in lawsuit, As the material for research purposes As a basis for payment of health care costs and, As an ingredient to prepare health statistics.

The benefits of medical records lead to special treatment of medical record records. Based on the above aspects, the medical record has a very wide usefulness value, namely: Basic health care and patient substance treatment. in law. Materials for research and education, Basic payment of health services, Material for preparing health statistics, Communication function, Health continuous patients, historic recordings.

THE MEDICAL RECORDERS Personnel

Medical record personnel is a major aspect in the hospital's medical record circulation. Medical records have a great responsibility and responsibility in maintaining the integrity of medical record Medical document. recorder according to Article 1 paragraph (1) of Regulation of the Minister of Health of the Republic of Indonesia No. 55 of 2013 on the Organization of Medical Record Works is: "... a person who has passed medical record and health information in accordance with the provisions of laws and regulations." the Health Care Officer stated that a medical record employee must have an educational qualification as follows: Diploma 3 (D3) Medical Records and Health Information, Diploma 4 (D4) Health Information Management, Strata 1 (S1) Health Information Management, Strata 2

(S2) Management Health information.

INDIVIDUAL KARATERISTIC DEFINITION

Performance is an appearance of work / work of an individual both in quality and quantity; for individual performance, it is necessary to assess individual variables. Robin (2006) individual suggests that characteristics refer to the physical characteristics and consistency of responses to situations or information, such as self-control and the ability to remain calm when under pressure. Individual characteristics provide an idea of the extent to which an employee is able to accomplish the tasks assigned to him easily or difficult. Individual characteristics also provide an idea of whether an employee can successfully complete his work with time limits achievement targets set by company.

Individual Characteristics by Robbins (2006) include:

a) Education

Education means the guidance given by a person towards the development of others toward a particular goal. Education is needed to get information or things that support health, so as to improve the quality of life (Nursalam, 2016).

One's educational factor determines the readiness to provide service. Highly educated people will be better able to solve problems and play better and more effective and constructive than those with low education (Nursalam, 2016)

b) Age

Hurlock (2002) states age is the age of a person who counted from birth to the last limit of his lifetime. Maturity level and strength of a person is influenced by age in thinking and working. People tend to trust a mature person from someone who is not mature enough.

c) Working Period

Experience provides an understanding of what is done or experienced. The length of time a karjawan works affect the services provided. The longer a person works the better also in providing services

(Notoatmodjo, 2003). That experience is a way to gain the truth of knowledge in order to improve service to the patient (client).

DEFINITION OF COMPETENCE

Each company has certain standards that must be met in the process of recruiting employees by prospective employees. The focus point of the company's important attention in the employee's decision is competence. Competence describes the characteristics knowledge, skills, behavior and experience to perform a particular job or role effectively. In this study, competence includes the following:

1) Knowledge

Knowledge is the result of human sensing, or the result of a person's sense of the object through his or her senses (eyes, nose, ears, etc.). Much of a person's knowledge is acquired through the sense of hearing, and sight (Taufik, 2007).

2) Skills

Psychologically, employee skill / ability consists of potential ability and reality capability. This means that employees who have above

average ability with education or sufficient knowledge to run the daily work it will be easier to achieve the expected performance (achievement). The employee needs to be placed in a job appropriate to his or her expertise (Riduwan, 2008).

3) Communication

Communication is an important part of working life of an organization. This is understandable because poor communication has a broad impact on organizational life. Communication is the process of delivering information, ideas, facts, thoughts and feelings, from one another. In person to the organizational life, communication becomes very important because communication can improve mutual understanding between employees and the limitations, and improve coordination of different activities / tugsang (Hariandja, 2002). Robbins (2006), argued that the most frequent personal conflicts that may be expressed are poor communication.

4) Teamwork

Group cooperation is one of the most important elements in the company.

Understanding of group collaboration depends on several aspects such as individual aspects that can influence team performance in achieving objectives that have been established effectively and efficiently for the company / organization (Gibson, 1996).

The above descriptions can be concluded that coordinated group collaboration will have a positive impact on employee performance, prioritizing the common interest / organization. The group collaboration that exists on the medical record unit is mutually assisting the work on the same part as well as on the other. Likewise, in circumstances of urgency that require speed in file search, the medical recorder can immediately help find the file so that the required time becomes shorter.

UNDERSTANDING COMPETENCE

Le Boterf as quoted by Denise et al (2007) states that competence is the result of the activities of combining personal resources (knowledge, ability,

cognitive quality, experience, emotional capacity, and other with environmental resources) resources (technology, data base, books, network relationships and others). The definition of competence is clarified as follows:

1. Knowledge

Knowledge refers to information possessed by a person and is the result of a learning process. The knowledge possessed by an employee has a role in the execution of a job that is imposed on it.

2. Skills

Skills refer to a person's ability to undertake an activity or work activity. Skilled employees can complete the job in a relatively short time and minimal error.

3. Self Concept and Values

Self-concept refers to one's attitudes, values and self-image. An employee with attributes that support the achievement of targets, will complete every workload as best as possible.

4. Motive

Motives are emotions, desires, psychological needs or other drives

that trigger a person to perform an action. Motive associated with the actions taken to achieve self satisfaction. An employee should foster a motive that is in harmony with efforts to achieve company goals.

UNDERSTANDING Competency of Medical Recorders

The competence of medical recorder according to Siswati (2004) delivered in training management of hospital medical record include knowledge, skill, communication, and group cooperation. The rules contain the codes of conduct that a medical record profession must possess.

Basic competencies of Medical Recorders and Health Information include:

 Competence to make Classification and Codification of Diseases, Issues Related to Health and Medical Measures.

This competence means that a medical record profession and health information must be able to establish the Code of Illness and Action appropriately in accordance with the

Indonesian classification (ICD-10) on illness and medical action in health service and management.

Competence on Professional LegalEthics Aspects,

To be able to master this competency a medical recorder must have knowledge of Introduction to Legal Sciences, Health Law, Health Legislation, Rights & Obligations of Health Personnel, Patient, Medical Information Confidentiality, Legal Aspects of Medical Record, and Professional Ethics.

3. Competence on Medical Record Management & Health Information

This competency means that a medical recorder and health information must have the ability to manage medical records and health information.

4. Competence to maintain Medical Record Quality

This competency makes the medical recorder and health information must be capable of planning, executing, evaluating and assessing the quality of the medical record.

5. Competence in Health StatisticsA medical recorder and health information must be able to use

health statistics to produce quality information and forecasting as a basis for planning and decision making in the field of health services.

In addition to having the basic competencies mentioned above, a medical recorder must also possess the supporting competencies. Supporting competencies of Medical Recorders and Health Information include:

 Competence in the management of Medical Record Work Unit

It is expected that medical recorder and health information can manage medical record work unit related to planning, organizing, arranging and controlling of Medical Record Unit in health care facility.

2. Competence in the case of Professional Partnership

Competence means that medical recorders and health information are expected to collaborate on inter- and intra-related professions in health care.

A medical recorder and health information personnel must master these 7 items of competence in order to provide the best service in health services.

DEFINITION OF PERFORMANCE

Each individual employee of course contribute with different portion in achieving corporate goals. All forms of contribution are basically related the results achieved in the implementation of work. in accordance with the position of each employee. The contribution contribution made by employees is called performance.

The concept of performance is an abbreviation of the working kinetics. According energy Wirawan (2015: 5), performance is the output generated by the functions or indicators of a job or a profession within a certain time. Employee performance is basically an action that impact on the achievement of results. Thus it can be stated that the performance is a real behavior that is displayed every person as work performance generated by employees in accordance with its role in the company. In this case, the actions or behavior of employees must be positive and in line with efforts to achieve company goals.

INDICATORS AFFECTING

PERFORMANCE

Robbins (2006: 260) states that there are six indicators to measure employee performance. The six indicators are as follows:

a. Quality

The quality of work is measured by the perception of work on the work produced and the perfection of the task on the skills and abilities of employees.

b. Quantity

Represents the amount generated and expressed in terms such as number of units, number of completed activity cycles.

c. Punctuality

It is the level of activity completed for the initial time stated, viewed from the point of coordination with output and maximizing the time available for other activities.

d. Effectiveness

It is the level of use of organizational resources (energy, money, technology, raw materials) maximized with the intention of increasing the yield of each unit in the use of resources.

e. Independence

Is the level of an employee who will be able to perform its work function.

f. Working Commitment

Is a level where employees have a working commitment with the agency and the responsibility of employees to the office.

OBJECTIVES OF PERFORMANCE ASSESSMENT

Performance appraisals serve as a basic guideline for the HR department in making decisions. Rivai and Sagala stated that the performance appraisal goals basically include:

- a. To know the level of employee achievement during this time.
- b. Matching rewards.
- c. Encourage accountability from employees.
- d. To differentiate between employees with one another.
- e. Development of human resources that can still be differentiated into:
- 1) Reassignment
- 2) Promotion, promotion
- 3) Training or training
- f. Increase work motivation.
- g. Etc.

THE BENEFITS OF PERFORMANCE ASSESSMENT

In general, the performance appraisal aims to evaluate what an employee has done with his work. Mathis and Jackson (2006) state that performance appraisal is a process of evaluating how well employees perform their work when compared to a set of standards, and then communicating information to employees. Another term often used for measuring employee work is performance evaluation.

The term performance appraisal and performance evaluation evaluation can be used alternately or simultaneously because basically these two activities have the same goals. The common purpose of both activities is to run the same process and produce the same output. If the performance appraisal is done properly, employees, supervisors, HR departments and ultimately companies will benefit from the assurance that individual efforts contribute to the company's strategic focus. An employee is entitled to know the results of the assessment of his performance.

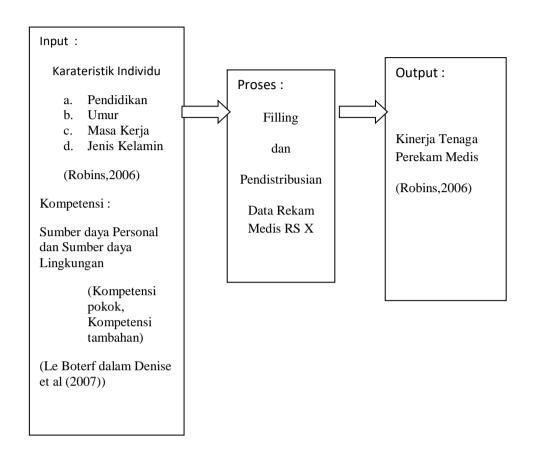
2.2 FRAMEWORK FOR THINKING

Understanding of a work of scientific writing is done through an understanding of the frame of thought. In this paper, the frame of thought is divided into 2 (two) major sections. The two parts are: Concept framework and theoretical framework. The two sections will be explained as follows:

a. Conceptual framework

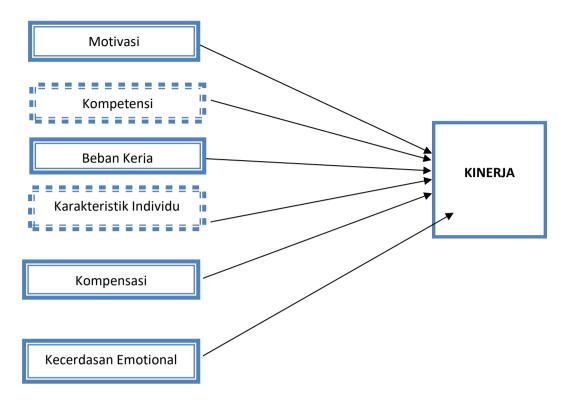
As mentioned in the previous sub-section, there are many theories about individual characteristics, competencies and performance. The theories describe that there are many dimensions used for measuring the performance of medical recording However, personnel. researchers only use individual characteristic dimensions and competencies in measuring the performance of medical recorders. Individual characteristics are one of the dimensions used in measuring the performance of medical recording personnel. Individual characteristics benchmarks can serve as in

measuring the performance of medical recording personnel. The analysis to determine the effect of individual characteristics on the performance of medical recorder power can be seen from the following framework:



THEORITICAL FRAMEWORK

From the explanation above about the competence of medical recorder, individual characteristics, performance in Outpatient Installation, can be explained framework of thinking relationship between variables as follows:



Past research plays an important role in research because it is a reference material. There are several studies that are almost identical to the research conducted by researchers. These studies include:

Research conducted by Evangelia Yuninda (2017) in his research states in that general competence, motivation, job satisfaction and performance of general practitioners in Immanuel Hospital Bandung is relatively good and quite satisfied. This research uses descriptive and verification method by using quizinoner. Equation of this previous research with research that will

researchers do is use the competence an independent variable and performance as a dependent variable. The difference is that in previous research, there are other independent variables used are motivation and job satisfaction while in research to be conducted by researchers using individual characteristics. Previous research using proportionate stratified random sampling while the research will be conducted researchers using interviews and questionnaires.

Research by Maya Istia Farida states that there are shortcomings and weaknesses to the system of registration, implementation, assembling, coding and implementation of medical record reporting at RSAU Lanud Iswahyudi. Equation of previous research with research that will be done by researcher is using competence variable as independent variable. Differences of previous research with research that will researchers do is another independent variable used by the researcher is individual characteristics while the preceding analysis only analyzes the process of medical record data management. The method used in previous research is descriptive qualitative using the way of observation and interview. While the research will be conducted by researchers is using interviews and questionnaires.

Victor-G. Aguilar-Escobar, et al (2016) in his study stated that there was a significant increase in the level of service and worker productivity as the cost and number of complain patients decreased. The preliminary research equation with research that will be done by researcher is using performance variable of medical recorder as dependent variable. The difference of preliminary research with research conducted by the researcher is using variable logistic process of medical record. Another difference is the preliminary study using Theory of Constraints whereas in research the researchers are using interviews and questionnaires.

Mohammadhiwa Abdekhoda, et al (2015) in his research stated that health officer attitudes toward E-mr adoption are controlled by the actual factors of the organization (health organization and policy of health

legislators). The equation of previous research on research conducted by researchers is to use performance variables as a dependent variable. Differences of preliminary research with research conducted by the researcher is using variable contextual factors of organization method used in previous research is descriptive analysis to apply E-mr while researcher use interview method and kuisioner.

Theoretical Proposition

Based on the above framework, the proposition in this research is that if input, prose, output is managed and run well, supported by competence as support, then medical recorder service performance at IRJ is optimal.

3.1. Design and Research SubjectThe design of this study using

qualitative methods with naturalistic approach, this method is used to examine the natural condition of the object, the researcher is a key instrument, data collection techniques performed in combination, data analysis is inductive and qualitative research results more

emphasize the meaning than generalization. (Sugiono , 2017)

The research strategy uses a case because study approach the investigators carefully investigate the activities, related to the outpatient service process in the Medical record installation, the competence personnel and information about the factors that affect the performance of medical record services in outpatient clinics. The method used observation. document review. unstructured interview and in-depth interview to medical record officer related to service in outpatient installation. This research is done in Installation of medical record. The subjects of the study were all medical recorders working in Rs.X outpatient record installation medical in fulfilled Bandung, which the following inclusion and exclusion criteria:

Inclusion Criteria

- 1. Medical Recorders who work in the installation of outpatient services in hospital X in bandung.
- 2. Medical Recorders who have worked at least 1 year in the

outpatient installation of hospital X in bandung.

3. Medical Recorders who are willing as respondents and fill out the questionnaire.

Exclusion Criteria

- Outpatient Medical Record Manager.
- 2. Head of Medical Record Installation.
- 3. Medical Record Medical Recorders who work in the outpatient service installation but are not willing to follow the study or are absent when the study progresses.
- 3.2 Location and Time of Research
 This research was conducted in
 Hospital X area south of West Java
 Province, especially in Installation of
 Medical Record Installation of
 Outpatient, Time of Research
 conducted in July until November
 2017.

3.3 Informants Research

To obtain information about each variable studied then selected informants in accordance with applicable principles:

1. Appropriateness (Appropriateness)

Informants selected based on the knowledge they have related to the research topic.

2. Adequacy

Data obtained from informants should be able to describe all phenomena related to the topic of research. Informants are selected based on criteria related to research topic, such as: age, gender, education, tenure, and position in the work unit concerned.

Based on the above principles, the informants in this study amounted to 12 people consisting of:

- 1. 10 person filling outpatient
- 2. 2 persons distrubusi outpatient

3.4 Research Instruments

The instruments used in this study are in-depth interview guide and time observation document review guide. In conducting in-depth interviews, researchers used voice recorder, paper and stationery to assist the interview process, while for the observation guidelines to measure the speed of time, the researchers used the time-keeping form.

3.5 Data Collection Method

The data used to obtain information in this research are:

1. Primary Data

Primary data obtained by researcher from unstructured interview with head of medical record installation and result of in-depth interview to research informant by using in-depth interview guide to get information about medical recorder characteristic, medical record flow process in outpatient installation.

2. Secondary Data

Secondary data in this study were obtained from the study of documents related to research topics such as outpatient service flow, policies, SOPs. programs and activities undertaken by RS.X, administrative related to service delivery.

3.6 Data Processing and Analysis

Qualitative data analysis is according to Bogdan is process of searching and arranging systematically data obtained from interviews, field notes and other materials, so it can be easily understood, and certainly can be informed to others. (Sugiono, 2015).

Stages of data analysis activities that have been collected from interviews, document review, time calculation results have been processed through several stages. Data result of in-depth interview, firstly done by listening the result of interview recording carefully. The researcher then made the format of interview transcript in detail by retyping the interview result into computer. The result of the transcript is read back, understood, and researched to then compared with question in research . If the research question has been answered all, the researcher will summarize the interview according to the research variables into the matrix of in-depth interviews.

Document review is done while doing research, ie by reading in earnest in order to understand the contents of the document, then do a review and then decide what documents are related to the research question. From the results of the study documents, researchers can do triangulation method at the time of this study.

Analysis of this research using content analysis or content analysis by looking at the relation between informant answer and drawing conclusion from the whole theme that emerged.

Qualitative analysis using univariate analysis technique (descriptive analysis). According Notoatmodjo, univariate analysis aims to explain or describe the characteristics of each research variable.

The time calculation in this study is done by calculating the start time from registration until the submission of medical records to the outpatient polyclinic. The time calculated then recorded in the guidance of the record service medical time outpatient care. The results of time calculation are minute format. The results are checked again to ensure that there is no error in the note. After that, input data into the computer. This time calculation is used to see whether the time spent on outpatient medical record services in accordance with standard or not.

3.7 Implications / Aspects of Ethics Research

In carrying out all research activities must uphold the scientific attitude (scientific attitude) and use principles of research ethics and need to consider the socio-ethical aspects and uphold the dignity and dignity of humanity. Based on the World Health Organization (WHO) published by the Agency for Health Research and Development Department Health, A researcher should respect the ethical principles that include:

1. Respect For Person

Participants in this study are given the freedom to be willing to participate or refuse to participate in this research. Researchers provide complete information / explanation using and by simple easily understood language by participants, including research procedures / procedures, risks and inconveniences, benefits, volunteerism, confidentiality data and contac person who can be contacted if there are things that need to be discussed further. After being given explanation, participants are entitled to decide their participation in this research without any coercion or

intimidation. Researchers establish good relationships with participants to obtain complete and objective information.

2. Beneficence / non maleficience

This research prioritizes and maximizes benefits and benefits compared to possible risks. The benefits of the research are as a basis for consideration for performance improvement, in particular medical records to be better than ever before. In addition, as far as practical research is concerned, it will assume other hospital parties that typically the same as Rs.X.

3. Justice

The principle of justice has the connotation of openness and justice. To fulfill the principles of openness and fairness, this research is done honestly, cautiously and professionally, humane, and takes into account the factors of accuracy, equality, accuracy, psychology as well as the religious feelings of subjects. The research research environment is conditioned to fulfill the principle openness is the clarity of research procedures. The equal

treatment of each subject before, during and after the research took place. Application of the principle in this research is done by conveying clarity of procedure, time and process of research implementation.

3.9 Data Presentation

The results of this study will be presented in the form of a matrix which is the result of transcripts from in-depth interviews and table showed .Result will be grouped based on the variables studied, so that the results of the research produced becomes clearer.

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The Use of Accounting Information on Micro to Medium Enterprises in Manokwari

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Abstract. This paper aims to examine the influence of business size, firm age, owner's educational level and accounting knowledge on the use of accounting information of micro to medium enterprises in Manokwari. Research data is obtained by giving questionnaires and interviews to 35 respondents of micro to medium enterprises in Manokwari. The research findings indicate that accounting knowledge has influence on the use of accounting information of micro to medium enterprises in Manokwari. Whereas business size, firm age and owner's educational level have no influence on the use of accounting information of micro to medium enterprises in Manokwari. This paper can be used as a material consideration in improving micro to medium enterprises business in Manokwari.

Keywords: Business Size, Firm Age, Owner's Educational Level, Accounting Knowledge, Accounting Information

I. INTRODUCTION

Micro, Small and Medium Enterprises (MSMEs) play an important role in the economic development of Indonesia. According to Central Bureau of Statistics, MSMEs able to provide large numbers of employments compare to other sectors. It can absorb 99.9 percent of the workforce in Indonesia and economically contributes 59 percent to Indonesia's Gross Domestic Product (KSP, 2015). However, lack of investment capital has been one of the main problems often faced by the MSMEs since they mostly have no financial report to reflect the firm financial performance, which makes it difficult to use credit facilities offered by the Bank. A survey conducted in Manokwari, West Papua province, showed that many MSMEs do not understand nor have financial report (Mokodompit, 2014). Thus, the MSMEs cannot optimally develop. According to Wahyudi (2009), small entrepreneurs assume that accounting implementation is not important since they have not understood the importance of accounting information for business continuity. In fact, accounting information is the basis to any business success. A successful implementation of accounting information gives variety of advantageous such as improvement in work qualities, improvement of product flow, improvement of flexibility, multifunctional ability, motivation of using software application, problem solving capability of employees, increases productivity and performance in terms of cost production, and finally increases emphasis on suppliers integration (Selahi and Abdipour, 2013).

Prior studies on factors influencing the use of accounting information system such as Fuad (2013) gave evidence that business size, firm age and owner's educational level have influence on the use of accounting information. Similarly, studies conducted by Apriliawati and Hastuti (2011) stated that firm age have influence on the use of accounting information. Contradictory, studies by Setyowati (2011) gave evidence that business size and firm age have no influence on

the use of accounting information. Studies carried by Adriani and Zuliyati (2015) also stated that business size have no influence on the use of accounting information. Further, studies by Setyowati (2011) indicates that accounting knowledge have influence on the use of accounting information system.

The mixed finding as well as the survey result is the main motivation for this study. Therefore this study is conducted to provide empirical evidence about factors influencing the use of accounting information on micro to medium enterprises in Manokwari. Thus, the objectives in this study is to examine whether (1) business size have influence on the use of accounting information system (2) firm age have influence on the use of accounting information system (3) owner's educational level have influence on the use of accounting information system and (4) accounting knowledge have influence on the use of accounting information system.

II. METHODS

This study was aimed to examine the influence of business size, firm age, owner's educational level and accounting knowledge on the use of accounting information of micro to medium enterprises in Manokwari. The research data was obtained by giving questionnaire and interviews to 35 convenient respondents of micro to medium enterprises of industry sectors in Manokwari. The sample was selected from registered businesses operating in Manokwari. questionnaire had five sections where each section was developed to address a specific objective. Part A was aimed at collecting data on business size, part B was on data about the firm age that is the length of time a company runs or operates its business, part C was on the owner's educational level from the level of primary school to doctor degree, part C was on the accounting knowledge owned by micro to medium entrepreneurs, and finally part D was on the use accounting information (operational information, management accounting

information, and financial information). Indicators and measurement for each section is summarise below in Table I.

TABLE I OPERATIOAL DEFINITION AND VARIABLE MEASUREMENT

Variable	Indicator	Scale
The Use of	The use of operational	Likert
Accounting	information, the use of	
Information	management accounting	
(Dependent	information, and the use	
Variabel)	of financial information.	
Business Size	Number of employees.	Nominal
(Independent		
Variable)		
Firm Age	The length of time a	Nominal
(Independent	company runs or operates	
Variable)	its business.	
Owner's	Below senior high (1),	Nominal
Educational Level	senior high (2), bachelor	
(Independent	degree (3), master degree	
Variable)	(4) and doctor degree (5).	
Accounting	Declarative knowledge of	Likert
Knowledge	basic accounting.	
(Independent		
Variable)		

The research data is analysed by using multiple linear regression model (F-test, t-test and coefficient determination test). The model used in the study to establish the relationships between the four factors examined and the use of accounting information was presented as follows:

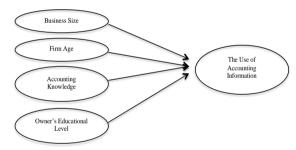


Fig. 1 Study Model

III. RESULT AND DISCUSSION

The questionnaires used as a data collection instrument are distributed to 35 respondents of micro to medium enterprises in Manokwari. The majority of the respondents were man (71%) and the rest were woman (29%). Moreover, the respondents between 41-50 years old were 46% followed by 23% who were between 31-40 years old, 20% who were above 50 years old and 11% between 21-30 years old.

Validity and Reliability Test

It is shown in Table II that the instrument used in this study is valid and reliable with value significance observation of α is smaller than 5 percent and the value of Cronbach's Alpha is above 0.60.

TABLE III THE RESULT OF VALIDITY AND RELIABILITY TEST

Indicator	Correlation Value	Sig	Cronbach's Alpha
Accounting Knowledge (X4)			0.738
S1	0.511	0.002	
S2	0.444	0.008	
S 3	0.702	0.000	
S4	0.571	0.000	
S5	0.662	0.000	
S 6	0.604	0.000	
S7	0.533	0.001	
S8	0.659	0.000	
The Use of			
Accounting			0.761
Information			0.761
(Y)			
S1	0.695	0.000	
S2	0.771	0.000	
S 3	0.708	0.000	
S4	0.503	0.002	
S5	0.492	0.003	
S 6	0.74	0.000	
S7	0.852	0.000	
S8	0.519	0.001	
S9	0.741	0.000	
S10	0.624	0.000	
S11	0.829	0.000	
S12	0.613	0.000	
S13	0.642	0.000	
S14	0.642	0.000	

Source: calculated primary data

Multiple Linear Regression Analysis

The research data is analysed by using multiple regression analysis to determine the influence of business size, firm age, educational level and accounting knowledge on the use of accounting information of micro to medium enterprises in Manokwari. The analysis result can bee seen in Table III below:

TABLE IIII HYPOTHESIS TEST RESULT

Model		t	Sig.	Result
(Constant)		1.667	0.106	
Business Size		0.174	0.863	Reject H1
Firm Age		0.838	0.408	Reject H2
Educational Level		0.598	0.555	Reject H3
Accounting Knowledge		2.675	0.012	Accept H4
F-Test	3.666		0.015 ^a	Feasible
Adjusted R Square	0.239			

Source: calculated primary data

F-Test Result

Based on the results of data presented in Table III, it is shown that the calculated value of F is 3.666 with a significant probability of 0.015 which is smaller than 0.05. Thus, the

estimated regression model used in this study can be used to predict factors (business size, firm age, educational level, accounting knowledge) influencing the use of accounting information on micro to medium enterprises in Manokwari.

T-Test Result

The results in Table III show that the significance coefficient of business size is 0.863 more than 0.05. Therefore H1 is rejected, which means that business size have no influence on the use of accounting information of micro to medium enterprises. For firm age, the significance coefficient is 0.408, which is also more than 0.05. Thus, H2 is rejected meaning firm age have no influence on the use of accounting information of micro to medium enterprises. Similarly with educational level also have no influence on the use of accounting information of micro to medium enterprises since the value of significance coefficient is more than 0.05 that is 0.555. Thus, H3 is rejected. Moreover, accounting knowledge has the value of significance coefficient of 0.012, which is less than 0.05. Which means H4 is accepted or in other words accounting knowledge has influence on the use of accounting information of micro to medium enterprises.

Coefficient Determination

Based on the result in Table III, it is shown that the influence of business size, firm age, educational level and accounting knowledge on the use of accounting information of micro to medium enterprises in Manokwari is at 23.9 percent and the remaining of 76.1 percent is influenced by other factors that are not examined.

Discussion

Results on this study found that business size have no influence on the use of accounting information system of micro to medium enterprises in Manokwari (H1 rejected) since the significance coefficient of business size is 0.863 more than 0.05. This is due to the method used in measuring business size, which is by examining the number of employees in the company without considering the total assets nor the amount of sales of the company. Number of employees can basically describe the level of complexity of corporate activity, but not necessarily can describe the level of complexity of the company financial condition. Therefore, the possibility of changes in the number of employees does not provide an overview of the increased use of accounting information on small to medium enterprises. This finding is similar to research finding by Solovida (2010) and Setyowati (2011) that also confirmed that business size has no influence on the use of accounting information system on small to medium enterprises.

With firm age, it was also found that firm age have no influence on the use of accounting information system of micro to medium enterprises in Manokwari (H2 rejected). For firm age, the significance coefficient is 0.408, which is also more than 0.05. This is due to stagnant activities of small to medium enterprises over the years. Therefore, as the company gets older the use of accounting information system still remain the same. Research finding by Astuti (2007) and Setyowati (2011) also indicates that firm age has no influence

on the use of accounting information system of small to medium enterprises.

Similarly with owner's educational level, the data analysis shows that owner's educational level have no influence on the use of accounting information system of micro to medium enterprises in Manokwari (H3 rejected) since the value of significance coefficient is more than 0.05 that is 0.555. This is due to lack of owner's awareness of the benefits and the importance of using accounting information system. So even their level of education is high, but when they consider the use of accounting information is not important then there will be no increase in the use of accounting information on small to medium enterprises. This finding however contradicts with research finding by Aufar (2014) that indicates owner's educational level have influence on the use of accounting information system of micro to medium enterprises.

Lastly, as for accounting knowledge, this study found that there is an influence of accounting knowledge on the use of accounting information system of small to medium enterprises, with the value of significance coefficient of 0.012, which is less than 0.05 (H4 is accepted). This means that by having a good accounting knowledge, the use of accounting information in the business will also increase. This finding supports research findings by Fitriyah (2006) and Setyowati (2011) that also shows that accounting knowledge have influence on the use of accounting information system of small to medium enterprises.

IV. CONCLUSIONS

The study focuses on factors (business size, firm age, owner's educational level and accounting knowledge) influencing the use of accounting information on micro to medium enterprises in Manokwari. Based on the statistical results, it is known that H1, H2 and H3 were rejected meaning that business size, firm age and owner's educational level have no influence on the use of accounting information of micro to medium enterprises in Manokwari, particularly in industry sector. Meanwhile, H4 is accepted, which means that accounting knowledge have influence on the use of accounting information of micro to medium enterprises in Manokwari.

This study was limited to micro to medium enterprises in industry sector in Manokwari. In addition, this study only examined the influence of four factors (business size, firm age, educational level and accounting knowledge) on the use of accounting information. Therefore, future research can extend the proposed factors.

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RISK AND FINANCIAL HEALTH LEVEL OF SHARIA BANKING

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Abstract. The purpose of this research is to analyze financial risk and financial health level of sharia banking in Indonesia. This is done to obtain empirical evidence about the possible relationship and influence of financial risk, Non Performing Financing and operational risk (ATMR for operational risk) and bank financial health (Net Operating margin, Return on Asset and Return on Equity) Banks, inflation and Gross Domestic Product as a control variable in sharia banking in Indonesia. This study used panel data analysis and used 9 Islamic banks within five years in a period, from 2012 to 2016, so the sample used in this study were 45 data. Data is processed by using *Eviews* software version 9 and Microsoft Excel. The results showed that simultaneously financial risk did not have significant effect on NOM, but had significant effect on ROA and ROE. Partially, NPF variables had only significantly influence on NOM, FDR and NPF variable had significant effect on ROA, while FDR variable had significant effect on ROE. The control variable used in this study did not affect the existing level of financial health.

Keywords: financial risk, level of financial health of sharia banking

I. INTRODUCTION

Banking as a business institution certainly faces many financial risks in running its business, including in this case sharia banking institutions. With the rapid development of the environment, both internal and external environment is very fast and dynamic, resulting in the risk of business activities increasingly complex as well as finance financial health. Islamic banks are required to always be able to adapt to the environment with the implementation of risk management, of course, that is not contrary to the existing principles of sharia. Of course, in the application of risk management in sharia banking must be adjusted to the complexity and size of the ability and business.

Therefore, with the issuance of Bank Indonesia regulation number 13/23PBI/201 on November 2nd, 2011 on the implementation of risk management for sharia commercial banks and the sharia business units that exist in banking

institutions. It is intended that sharia banks are able to identify various existing problems as early as possible, perform positive corrective actions, and make better implementation of risk management and good corporate governance from time to time, given the weak growth and performance of sharia banks in Indonesia, even tend to decrease the more worrisome.

From the background above, this research is aimed to perform financial risk analysis and financial health level, especially to sharia banking in Indonesia.

II. LITERATURE REVIEW

Financial risk can mean how much a company depends on external financing, in this case including the capital market and the bank itself to support all the company's ongoing operations from start to finish. The company's financial risks are reflected and reflected in factors such as contractual obligations, balance sheet leverage, debt off-balance sheet debt

settlement, liquidity, and various matters that reduce the flexibility of the finance itself. So companies that finance their business rely on external parties have a much greater risk level when compared with companies that use their own funds for financing. It is done with the aim of minimizing the buffer from various potentials arising from various unexpected changes.

Several studies below, related to the risk and the level of banking finance that shows the results of different, so here there is a gap between researchers with each other.

Fadhlurrahman and Yunita (2015) by analyzing the effect of CAR, FDR, NPF and NIM on the changes in comprehensive profit in Bank Syariah period 2012-2013. The results of this study were CAR, FDR, NPF, and NIM did not significantly influence partially but had significant effect simultaneously.

Hussein A. Hassan (2015) who examined Financial Risk and Islamic Performance in The Gulf Cooperation Council Countries. The independent variables in this research are Credit Risk, Liquidity, Capital Risk, Operational Risk, while the dependent variable is ROA and ROE. The results of this study conclude that the Capital Risk and Operational significantly negatively Risk affect performance (ROA and ROE).

Rafelia and Ardiyanto (2013) by conducting research on the effect of CAR, FDR, NPF, BOPO on ROE in Bank Syariah Mandiri period 2008-2012. From the results of research that do show CAR does not affect the ROE, while FDR, NPF, and BOPO affect the ROE.

Ahmad, Et All (2012) that examines the Determinants Of Profitability Of Pakistani Banks: Evidence Data Panel For The Period 2001-2010. This study concludes that Cost, Capital Ratio, and CKP have a negative Significant impact on ROA.

Schiniotakis (2012) who conducted research Profitability Factors And Efficiency Of Greek Banks. Type of Bank, Net Profit Before Tax, BOPO, Credit Risk, and Capital Adequacy Rate as independent variable and ROA as dependent variable. This study concludes that Bank Type, Net Profit before tax, credit risk, BOPO, and capital adequacy rate influence ROA.

Reflecting on the results of previous research, the researcher is interested to perform financial risk analysis and financial health level, especially to sharia banking in Indonesia during 2012 until 2016. This study aims to get empirical evidence about financial risk (liquidity risk as measured by FDR, financing risks measured by NPF, and operational risk as measured by ATMR) and bank soundness level (Net Operating Margin, Return On Asset and Return On Equity) with bank size control variables, inflation, and Gross Domestic Product (GDP) growth, in sharia banking in Indonesia. Thus, there are six hypotheses as follows:

- H1: Financial risk (liquidity risk, financing risk, and operational risk) is significantly related to financial health (NOM) in sharia banking in Indonesia
- H2: Financial risk (liquidity risk, financing risk, and operational risk) is related to the financial health level (ROA) in sharia banking in Indonesia
- H3: Financial risk (liquidity risk, financing risk, and operational risk) is related to the level of financial health (ROE) in sharia banking in Indonesia
- H4: Financial risk (liquidity risk, financing risk, and operational risk) has a significant effect on the financial health (NOM) level of sharia banking in Indonesia
- H5: Financial risk (liquidity risk, financing risk, and operational risk) has a significant effect on the level of financial health (ROA) in sharia banking in Indonesia
- H6: Financial risk (liquidity risk, financing risk, and operational risk) has significant effect to the level of financial health (ROE) in sharia banking in Indonesia

Judging from the first, second and third hypotheses, it can be said that if it shows a positive relationship, the higher the risk, the more profit or the level of financial health, and vice versa. However, a negative relationship can occur if the liquidity risk increases, meaning the bank can not lend or return the depositors' money, this will affect the income or profit, thereby decreasing the level of financial health itself. The purpose of the fourth, fifth, and sixth hypotheses is to examine how much the relative importance

and importance of each type of financial risk exists.

III. RESEARCH METHODS

This research is a type of causality research using a quantitative approach. Where the type of causality research is the design of a study designed to examine the possibility of a causal relationship between variables that exist (Sanusi, 2014: 14). The data used in this study is secondary data derived from the financial statements obtained from nine Bank Syariah in Indonesia during 2012 until 2016. While the determination of the sample in this study was conducted by using or using purposive sampling method. Where the sampling method is done by having the objectives according to the criterion of the researcher.

TABLE. 1 SAMPLE RESEARCH

No	Bank Name	Years of research
1.	BNI Syariah	2012 - 2016
2.	BRI Syariah	2012 - 2016
3.	Bukopin Syariah	2012 - 2016
4.	BCA Syariah	2012 - 2016
5.	Bank Muamalat	2012 - 2016
6.	Bank Mandiri Syariah	2012 - 2016
7.	Bank Jawa Barat Syariah	2012 - 2016
8.	Bank Mega Syariah	2012 - 2016
9.	Panin Syariah	2012 - 2016

IV. METHOD OF COLLECTING DATA

According to the time dimension, this study is a pooled study which is a combination of the times series of research using a one time dimension by using several research objects

TABLE. 2 MEASUREMENT OF VARIABLES

No	Variables	Measurement
1	NOM	$NOM = \frac{(PO - DBH) - BO}{Average AP} \times 100\%$
2	ROA	$ROA = \frac{Profit\ before\ tax\ (EBIT)}{Average\ total\ Assets}\ x\ 100\%$
3	ROE	$ROE = \frac{Earning \ After Tax}{Total \ Equity} \ x \ 100\%$
4	FDR	$FDR = \frac{Financing}{Third\ Party\ Funds} \ x \ 100\%$
5	NPF	$NPF = \frac{Troubled Financing}{Total Financing} \times 100\%$
6	ATMR for operational risk	12,5 x Capital Expense Operational Risk (15% x average gross income last 3 years)
7	Inflation	$TingkatInflasi = \frac{IHK_{t} - IHK_{t-1}}{IHK_{t-1}} \times 100\%$

8	Bank Size	Total Assets
9	GDP	$GDP\ Growth = \frac{GDP_x - GDP_{x-1}}{GDP_{x-1}} \times 100\%$

V. DATA ANALYSIS METHOD

Data is processed by using Eviews Version 9 and Microsoft Excel software, data is processed by panel data method. Panel data incorporates cross section data types and time series data. According to Gujarati (2006), panel data regression analysis has three kinds of model that is Pooled Least Square, Fixed effect, and Random Efect. Among the three panel data tests above, the next step is to select the appropriate panel data test for use in this study by performing Chow Test (used to select Pooled Least Square test with Fixed effect Model test) and Hausman test (used to select Fixed model Effect or Random Effect).

VI. RESULTS AND DISCUSSION

The result of Chow Test that has been done can be known that for regression model of NOM, ROA, and ROE chi-square cross-section probability value <0,05. With the probability value, then the method chosen Chow test is FEM (Fix Effect Model). The next step is Hausman Test. The result of Hausman test is known that for the regression model of NOM, ROA, and ROE describes the probability value of cross section random effect> 0,05. With the probability value, then the chosen method is REM (Random Effect Model).

TABLE. 3 CORRELATION TEST RESULTS

								INFLAT	
	NOM	ROA	ROE	FDR	NPF	ATMR	SIZE	ION	GDP
NOM	1.00	0.09	0.06	-0.14	-0.29	-0.32	-0.33	-0.05	0.11
ROA	0.09	1.00	0.75	0.48	-0.27	-0.02	-0.01	-0.23	-0.10
ROE	0.06	0.75	1.00	0.35	-0.10	0.27	0.24	-0.15	0.10
FDR	-0.14	0.48	0.35	1.00	-0.17	-0.11	-0.07	-0.15	-0.09
NPF	-0.29	-0.27	-0.10	-0.17	1.00	0.55	0.54	0.03	-0.41
ATMR	-0.32	-0.02	0.27	-0.11	0.55	1.00	0.97	-0.13	-0.31
SIZE	-0.33	-0.01	0.24	-0.07	0.54	0.97	1.00	-0.12	-0.30
INFLA TION	-0.05	-0.23	-0.15	-0.15	0.03	-0.13	-0.12	1.00	0.26
GDP	0.11	-0.10	0.10	-0.09	-0.41	-0.31	-0.30	0.26	1.00

The correlation relationship between variables can be seen in Table 3 which shows that the NOM variable has a weak negative relationship with the two independent variables

(FDR and NPF) and the negative relation with the ATMR for operational risk, while for the control variable, NOM has a weak negative relationship with the size of the bank, the negative relationship is very weak with inflation; and have a weak positive relationship with GDP. This indicates that the smaller the FDR, NPF, ATMR for operational risk, bank size, and inflation, it will increase NOM. In contrast to previous, if GDP increases, then NOM will also increase.

The ROA variable has a weak negative relationship with the NPF, a very weak negative relationship with the ATMR for operational risk, and a moderate positive relationship with FDR. For control variables, ROA has a weak negative relationship with both control variables (inflation, and GDP) and a very weak negative relationship with the size of the bank. This indicates that the smaller the NPF, the ATMR for operational risk, bank size, inflation, and GDP will increase ROA. In contrast to the previous, if the FDR increases, then ROA will also increase.

The ROE variable has a moderate positive relationship with the independent variable FDR, a weak positive relationship with the ATMR for operational risk, and has a very weak negative relationship with the NPF variable. For control variables, ROE has a moderate positive relationship with bank size, a weak positive relationship with GDP; and has a weak negative relationship with Inflation. This suggests that the smaller the NPF and inflation, the higher the ROE. In contrast to previous, if the FDR, ATMR for operational risk, bank size, and GDP increase, then ROE will also increase.

TABLE. 4 NOM REGRESSION TEST RESULTS

Variable	Coefficient	Std. Error	t-Statistic	Prob.
C	1.676630	2.687571	0.623846	0.5365
FDR?	-0.000390	0.002114	-0.184551	0.8546
NPF?	-0.073974	0.032611	-2.268383	0.0291
ATMR?	0.355544	0.212824	1.670599	0.1030
SIZE?	-0.380574	0.232869	-1.634289	0.1105
INFLASI?	-0.000281	0.000489	-0.575017	0.5687
GDP?	0.042868	0.100546	0.426351	0.6723
	Weighted	Statistics		***************************************
R-squared	0.208022	Mean depende	nt var	0.071665
Adjusted R-squared	0.082973	S.D. dependent	0.240218	
S.E. of regression	0.230036	Sum squared r	esid	2.010837
F-statistic	1.663525	Durbin-Watson	1 stat	1.539914
Prob(F-statistic)	0.156774			
	Unweighted	l Statistics		***************************************
R-squared	0.046687	Mean depende	nt var	0.254622
Sum squared resid	8 379438	Durbin-Watson		0.369537

In table 4 we get the panel data regression equation as follows:

NOM: 1.676630 - 0.000390 FDR - 0.073974 NPF + 0.355544 ATMR For Operational Risk -0.380574 SIZE - 0.000281 INFLATION + 0.042868 GDP.

The above regression model can be explained that if the variable of independent variable (Financing to Deposit Ratio, Non Performing Financing, ATMR for operational risk) and control variable (bank size, inflation, and Gross Domestic Product) are considered constant, hence increase NOM equal to 1,6766%. The regression coefficient of FDR variable is 0.000390, meaning that if there is a decrease of FDR by 1%, then increase NOM equal to 0.000390%.

NPF variable regression coefficient obtained value of 0.073974, meaning that if there is a decrease in NPF of 1%, then increase the NOM of 0.073974%. The regression coefficient of ATMR variable for operational risk is 0.355544, meaning that if there is an increase or increase of RWA for operational risk of 1%, then increase the NOM by 0,355544%.

Influence of variable Financing to Deposit Ratio, Non Performing Financing, and ATMR for operational risk to NOM variable equal to 0,082973. This shows that the percentage of contribution of variable Financing to Deposit Ratio, Non Performing Financing, and ATMR for operational risk to NOM variable can only be explained by 8.30 percent, while the rest of 91.70 percent is influenced by other factors. The t test results revealed that the independent variable Financing to Deposit Ratio (FDR) has no significant effect on the Net Operating Margin (NOM) due to the value of 0.184551 and (p = 0.8548> 0.05), Non Performing Financing (NPF) had significant effect on Net Operating Margin (NOM) because the value of t equal to 2,268,383 and (p = 0.0291 < 0.05), and ATMR for operational risk had an insignificant effect on Net Operating Margin (NOM) because t value equal to 1.670599 and (p = 0.1030 > 0.05).

The result of F test in table 4, F test count equal to 1.663525 with significance value P = 0.156774 > 0.05 so it can be said that Financing to Deposit Ratio (FDR), Non Performing

Financing (NPF), ATMR for operational risk, banks, inflation, and Gross Domestic Product (GDP) together have no effect on Net Operating Margin (NOM). Financing disbursed by banks using third party funds is considered substandard, thereby reducing the quality of the financing value, and not directly affecting the margin obtained by banks.

In table 5 we get the panel data regression equation as follows:

ROA: -15,2140199646 + 0,135496678557 FDR - 1,22031325267 NPF + 0.661890318379 ATMR For Operational Risk - 0.0300046919898 SIZE - 0,00879548818711 INFLATION - 1,46192048962 GDP.

Regression model above can be explained that if the variable of independent variable (Financing to Deposit Ratio, Non Performing Financing, ATMR for operational risk) and control variable (bank size, inflation, and Gross Domestic Product) are considered constant, then increase ROA equal to 15,2140%. The regression coefficient of FDR variable obtained value of 0.135497, meaning if there is an increase of FDR by 1%, then increase ROA by 0,135497%.

TABLE. 5 ROA REGRESSION TEST RESULTS

Variable	Coefficient	Std. Error	t-Statistic	Prob.
C	-15.21402	20.19513	-0.753351	0.4559
FDR?	0.135497	0.034760	3.898103	0.0004
NPF?	-1.220313	0.495686	-2.461869	0.0185
ATMR?	0.661890	1.891229	0.349979	0.7283
SIZE?	-0.030005	2.068121	-0.014508	0.9885
INFLASI?	-0.008795	0.009053	-0.971580	0.3374
GDP?	-1.461920	1.440955	-1.014550	0.3167
	Weighted	Statistics		
R-squared	0.319296	Mean depende	nt var	2.037867
Adjusted R-squared	0.211817	S.D. dependen		5.951144
S.E. of regression	5.283407	Sum squared r		1060.747
F-statistic	2.970766	Durbin-Watso	n stat	1.236494
Prob(F-statistic)	0.017718			
***************************************	Unweighte	d Statistics		***************************************
R-squared	0.319296	Mean depende	nt var	2.037867
Sum squared resid	1060.747	Durbin-Watso		1.236494

NPF variable regression coefficient obtained value of 1.22031325267, meaning that if there is a decrease in NPF of 1%, then increase the ROA of 1.2203%. The regression coefficient of ATMR variable for operational risk is 0.661890318379,

meaning that if there is an increase or increase of ATMR for operational risk by 1%, then increase the ROA by 0,6619%.

Influence of variable of Financing to Deposit Ratio, Non Performing Financing, and ATMR for operational risk to ROA variable equal to 0,211817. This shows that the percentage contribution of variable Financing to Deposit Ratio, Non Performing Financing, and ATMR for operational risk to ROA variable can be explained by 21.18 percent, while the rest of 78.82 percent is influenced by other factors.

The independent variable Financing to Deposit Ratio (FDR) has significant effect on Return On Asset (ROA) because t value equal to 3,898103 and (p = 0,0004 <0,05), Non Performing Financing (NPF) Asset (ROA) due to the t value of 2.461869 and (p = 0,0185 <0,05), and ATMR for operational risk have an insignificant effect on Return On Asset (ROA) because the value of t equal to 0.349979 and (p = 0.7283 > 0.05).

The result of F test in table 4.11, F test count 2,970766 with significance value P = 0,017718 <0.05 so it can be said that Financing to Deposit Ratio (FDR), Non Performing Financing (NPF), ATMR for operational risk, banks, inflation, and Gross Domestic Product (GDP) together have a significant effect on Return On Assets (ROA).

In table 6 we get the panel data regression equation as follows:

ROE: -228,973231304 + 0.431771517351 FDR - 2,25382198295 NPF + 14,7096828822 ATMR For Operational Risk - 8,69873697942 SIZE - 0,0245899665642 INFLATION + 9,94301775999 GDP

Based on the above regression model, it can be explained that if the independent variable (Financing to Deposit Ratio, Non Performing Financing, ATMR for operational risk) and control variables (bank size, inflation, and Gross Domestic Product) are considered constant, increasing ROE by 228, 9732%. The regression coefficient of FDR variable obtained value of 0.43177, it means if there is decrease of FDR by 1%, hence increase ROE equal to 0,43177%.

TABLE. 6 ROE REGRESSION TEST RESULTS

Variable	Coefficient	Std. Error	t-Statistic	Prob.
C	-228.9732	87.30581	-2.622657	0.0125
FDR?	0.431772	0.134664	3.206291	0.0027
NPF?	-2.253822	1.973071	-1.142291	0.2605
ATMR?	14.70968	8.172594	1.799879	0.0798
SIZE?	-8.698737	8.950020	-0.971924	0.3372
INFLASI?	-0.024590	0.034148	-0.720096	0.4759
GDP?	9.943018	5.552397	1.790761	0.0813
	Weighted	Statistics		
R-squared	0.328857	Mean depende	nt var	9.349395
Adjusted R-squared	0.222887			19.21872
S.E. of regression	16.94207			10907.28
F-statistic	3.103308			1.938851
Prob(F-statistic)	0.014239			
***************************************	Unweighte	d Statistics		***************************************
R-squared	0 332114	Mean depende	nt var	11.21291
Sum squared resid	11394.56	Durbin-Watso	n stat	1.855938

NPF variable regression coefficient obtained value of 2.25382198295, meaning if there is a decrease in NPF by 1%, then increase the ROE of 2.2538%. The regression coefficient of ATMR variable for operational risk is 14,709,682,8822, meaning that if there is an increase or increase of ATMR for operational risk by 1%, then increase ROE by 14.7097%.

The effect of variable Financing to Deposit Ratio, Non Performing Financing, and ATMR for operational risk to ROE variable equal to 0,222887. This shows that the percentage contribution of variable Financing to Deposit Ratio, Non Performing Financing, and ATMR for operational risk to ROE variable can be explained by percent, while the rest of 77.71 percent is influenced by other factors.

The independent variable of Financing to Deposit Ratio (FDR) has significant effect on Return On Equity (ROE) because the value of t equal to 3,206291 and (p = 0,0027 < 0,05), Non Performing Financing (NPF) On Equity (ROE) because t value of 1.142291 and (p = 0,2605 > 0,05), and ATMR for operational risk have insignificant effect on Return On Equity (ROE) because t value equal to 1,799879 and (p = 0.0798 > 0.05).

Result of F test in table 6, F test count equal to 3,103308 with significance value P=0,014239 <0.05 so it can be said that Financing to Deposit Ratio (FDR), Non Performing Financing (NPF), ATMR for operational risk, bank size , inflation, and Gross Domestic Product (GDP) together

have a significant effect on Return On Assets (ROE).

The estimated coefficients of the three independent variables are statistically significant at the 5 percent level in the case of liquidity risk (FDR) and 10 percent in the case of operational risk to ROE.

VII. CONCLUSION

Based on the research results obtained can be summarized as follows:

- 1. There is a negative relationship between FDR, NPF, operational risk Risk, Bank size, Inflation with NOM, while GDP has a positive relationship with NOM.
- 2. There is a positive relationship between FDR and ROA, while NPF, ATMR for operational risk, bank size, inflation, and GDP have a negative relationship with ROA.
- 3. There is a positive relationship between FDR, ATMR for operational risk, bank size, GDP with ROE, while NPF and Inflation have negative relationship with ROE.
- 4. The results of F test, financial risk (FDR, NPF, and ATMR for operational risk) have an insignificant effect on bank financial soundness (NOM). The financial risks faced by banks, have no direct effect on NOM. To obtain a smooth financing, the bank must perform a strategy that requires a fee. For that, large and smooth financing does necessarily have a direct impact on NOM. This is also because the management of productive assets also affects the magnitude of the NOM value.
- 5. The results of F test, financial risk (FDR, NPF, and ATMR for operational risk) have a significant effect on bank soundness (ROA). Partially / result of t test calculation only FDR and NPF which have significant effect with ROA. This indicates that the greater the liquidity risk faced by the bank, the health of the bank will increase, and the higher the financing risk that exist in a bank, it will decrease the soundness of the bank. A bank with large financing, is expected to be able to increase profit from the bank. But banks also have to be careful in making decisions, because the amount of problematic financing

- will result in decreased levels of financial health of the bank.
- 6. The results of F test, financial risk (FDR, NPF, and ATMR for operational risk) have a significant effect on bank financial soundness (ROE). The result of t test shows that only FDR has an effect on ROE. This indicates that the higher the FDR of a bank, the ROE will increase. Bank Indonesia added that the performance criteria of a bank's health refers to risk-oriented, materiality, proportionality, and significance as well as comprehensive and structured assessments. For that financial risk is very important role in determining the financial health of Islamic banks.

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COAL MINING AND THE DYNAMIC OF LOCAL POLITICS (The Conspiracy of Local Actors in Political-Business Networks in South Kalimantan)

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Abstract

The political drama of the fall Soeharto's government in May 1998, after 32 years in power, has made a new era of this country democratic life. The fall of the Soeharto's government which gave to a new era of democratization has changed of political landscape from the authoritarian system to the transition of democracy. The democratic transition has had an impact on the almost uncontrollable political dynamics. It also provides an opportunity for central and local political actors to consolidate power and reposition themselves to capture of power institutions and democratic institutions through contestation of local elections. In the democracy, political pragmatism structured in democratic behavior has spawned the costly cost of democracy. Therefore, it has become a fact in the current reality of democracy that political actors who occupy the stage of democracy are people who have capital (money) or background as entrepreneurs. The involvement of mine bosses in the local elections in South Kalimantan as sponsors of political funds or as candidates local rulers has spawned a black market of democracy characterized by political concessions and transactions through a network of political patronage. South Kalimantan is known as a coal mining product, mining issues in the local election became political marketing to build political patronage networks among local actors. In the context of open competition in local elections, the issue of political funding becomes the most crucial in the democratic transition. The political brokers will position themselves as shadow government after local election in government and become as a controller in policy government, especially mining policy. The mine bosses have of bergaining position in the political landscape and political network to place the people who occupy the position of the local head by power money and oligarchy of political party. The heads of political parties or political elites in South Kalimantan are majority as mine bosses. Thus, the existence of political parties has been taken drive by capitalist. The cartelization politiacal parties became clearer in the lead up to the elections in which party institutions had become the arena of conspiracy between party regimes and local ruling candidates or local power.

Keywords: Local Election, Capitalization Democracy, Political Patronage, Mining Bosses, South Kalimantan.

Introduction: A Reflection of Thought

Indonesia is well known as one of the countries that have abundant natural resource potential spread all over the country. One province with natural resources, especially coal mining resources is the Province of South Kalimantan, until now a mainstay of regional revenue in moving the development economy, although not yet reflect and bring on the social welfare and economic community. Constitutionally, natural resources are controlled and managed by the state and destined for the welfare of all people. This is as written in the state

constitution so that the state must be present to manage this rich natural resource wisely and fairly not only to be observed by a handful of people or groups close to the ruler but for the public good. The world of the mining industry is a world full of conflict, intimidation, human rights abuses, and social economic poverty to local people, especially for people living in mining sites as an inevitable reality in the world of extractive industries in the era of global economi. The world extractive industry is an economic activity that often creates problems and conflicts between local communities and mining companies that lead to suffering and sadness.

The mining industry is the logic that pursue the accumulation of profits as much as it often does not pay attention to the interests of others or local communities that are in the mining area. Meanwhile, the state is often absent or in favor of the interests of the people and more defends the interests of the company with a number of policy policies, licenses, and protection provided by the state. A number of empirical facts show that in some rich countries in natural resource it is not directly proportional to economic growth and social welfare paying to its citizens, as is the case in Indonesia where there is no social conflict and intimidation between local people and mining companies. The greedy behavior of uncontrolled mining predators has devastated the structure of the natural environment with all other impacts incurred without regard to the existence of local communities living in mining areas.

This fact occurs in some areas of South Kalimantan Province, Indonesia, where local communities have long lived for generations, from generation to generation. The presence of the mining industry has devastated their social and economic life. They are powerless against a mining regime supported by security forces such as police and soldiers who always secure mining activities. Their villages have been bare because forests and the environment have been displaced by operating mining machinery. This phenomenon occurred in several regency in South Kalimantan Province since the mining industry operated in 1980 until today. Therefore, a sense of inadequacy and oppression often occurs and leads to social conflict between local people and the company (Luthfi Fatah, 2007). Unfortunately, in some cases of social conflicts some mining areas as described by Tadjoeddin (2007) in his works, *A Future Resource Curce in Indonesia: The Political Economy of Natural Resources, Conflict and Development*, the state or local government is often more pro-corporate than defending the interests of local communities. The collective accumulation structured by the feeling of injustice often generates conflict and violence between local communities and companies

Theoretical Perspective

Studies of countries with abundant natural resources but no significant relevance to the socio-economic well-being of their citizens have been largely undertaken by some scholars see the curse of natural resources as caused by rent seeking behaviors that increase corrupt practices which in turn reduce economic growth (Bardhan ,1997), On the one hand, thereis evidence of a negative marginal impact of natural resources on economic performance, Sachs and Warner (2001). Recent empirical evidence has thus started to take into account coefficient heterogeneity in order to determine whether there are conditions under which the resource curse can be avoided. In their works (Sachs and Warner (2001) provide evidence of a negative impact of natural resources on growth and find no support for the idea that geographic features or climate explain the resource curse (Andrew, 2007).

Elinor Ostrom (1990) is one of the experts who was named as one of the winners of the Nobel Prize in economics. Ostrom's success in winning the Nobel prize is closely related to the shared resource management issues he has carefully developed and developed. In essence, Ostrom pointed out that the collective ownership should not end with a tragedy such as that described by Hardin that when a resource is not taken over by the government or

controlled by the government it can result in the destruction of that resource or the tragedy of the common, Hardin (1968). Ostrom argues that a community that utilizes the resources of a multiplicity can agree to mingle it well. They can build conservations, watch over, and sanction each other on the disbursement by fellow members. Thus, the solution to the problem of the tragedy of the commons is not necessarily a privatization (in the sense of being individual or entrepreneurial) or the application of the state tax system. Co-benefits that leverage resources together are reliable and fully accountable for managing those resources. This is commonly called community-based resource management or community resource management.

The theoretical perspectives mentioned above, built a leading argument that in the era of political decentralization after the fall of the Soeharto's government, the current management of natural resources all policies and regulations are dependent on the authority of the local government. If during the reign of the Soehato regime, the management of natural resources was heavily controlled by the business cronies and Suharto's family. Similarly, in the current era of decentralization and regional autonomy, natural resource management is also heavily influenced by business cronies and local ruling success teams that position themselves as patron-business and political clients as a form of political reward as a result of the electoral process district head. Meanwhile, the people as spectators alone or become victims of a business and political conspiracy between local authorities and mine entrepreneurs.

In decentralization era are introduced of natural resource management is dominantly controlled by the local regulation is more determined by local government. The decentralization and local autonomy was initially assumed to provide hope or expectation for the local to improve the welfare, justice, quality of human resources, especially for local with rich natural resources. But the fact is not so. Unfortunately, behind the issue of decentralization and local autonom, it has made the arena of local rulers, local actors and interest groups taking natural resources to build a networks of conspiracy, corruption, mining mafia through policy regulations, such as granting mining business permits to mining entrepreneurs or brokers mine (As'ad, 2015, 2017, Kholid, 2009).

Since late-1998, Indonesia has undergone a process of rapid and far-reaching decentralisation. With this process, considerable degrees of administrative and regulatory authority have been transferred from the national government in Jakarta to the country's provincial and district governments. This transfer of authority has occurred across broad segments of the nation's economy and has sharply redefined the roles and responsibilities of government agencies at each level of the nation's administrative structure. With the locus of decision-making shifting decisively away from the national government, Indonesia's ongoing decentralisation process marks a dramatic break from the highly-centralized system of governance that characterized Suharto's New Order regime during the period 1966-1998. To a significant extent, the process of decentralisation now occurring in Indonesia has been driven by the demands of provincial and district governments whose jurisdictions are rich in timber, petroleum, and other natural resources. Officials from resource-rich regions have long complained that the vast majority of the benefits from these assets have flowed away from their regions to the national government and to private sector companies closely associated with decision-makers in Jakarta.

In many parts of Indonesia, provincial and district officials acting in the spirit of decentralization have instituted reforms that extend well beyond the authority granted to them under the national government decentralisation laws and regulations. Indeed, the formal decentralisation process has been driven, to a significant degree, not by policy decisions made at the national level but, rather, by decisions made by provincial and district level actors. This process has often been ad hoc in nature, with national policymakers frequently

finding themselves in the position of having to react to fast-moving changes that have occurred in the provinces and districts. Far from being a well-planned and carefully-managed exercise in bureaucratic reorganization, the implementation of regional autonomy in Indonesia has been characterized by intense struggles among the different levels of government, each of which represents a competing set of political and economic interests. In this way, regional autonomy has stretched well beyond the formal decentralisation of administrative and regulatory authority; in practice, it also involves a significant, if largely informal and unplanned, devolution of power from the national government to its provincial and district-level counterparts (McCarthy, 2001).

The underlying logic of decentralization is that democratic (or locally accountable) local institutions can better discern and are more likely to respond to local needs and aspirations because they have better access to information due to their close proximity and are more easily held accountable to local populations. Downward accountability of local authorities-accountability to local populations-is the central mechanism in this formula. In brief, effective decentralization is defined by an inclusive local process under local authorities empowered with discretionary decisions over resources that are relevant to local people. It is an institutionalized form of community participation.

Decentralisation policy is a programs aim to increase the ability of local civil society to monitor and pressure local government. However, what happens when the analytical categories that the turn to civil society assumes and on which the prospect of successful decentralisation depends are absent? According to McCarthy in his works *Local Voice in Shifting Modes of Decentralised Resource Control in Central Kalimantan, Indonesia* (2007), how decentralisation and the subsequent recentralisation affected the exercise of public powers over nature in the local domain in Central Kalimantan.

Decentralisation in Indonesia involved a struggle over resources that reveals a particular trajectory of politico-legal change. In common with other areas subject to decentralisation reforms, elites undoubtedly benefited disproportionately in the course of these struggles. Yet, rather than seeing this as another case of elite capture that these changes can more readily be understood in terms of a swing between two well established modes of resource control that are both connected and competing. Before decentralisation, localised or decentralised modes of exchange and accommodation were well established but less salient. During the high season of regional autonomy these modes became more autonomous of the previously dominant centralised mode of resource control.

The late New Order system of governance that operated before regional autonomy has been analysed in terms of horizontal and vertically integrated networks of power and interest largely financed with extralegal revenues, including those derived from the timber sector. Under this system powerful politico-bureaucrats pursued entrepreneurial activities and extracted rents where possible, either for self enrichment, to command the loyalty of others both within and outside the pecking orders, and/or to sustain the political interests of the institutions in which they were embedded. For local people to become enfranchised as citizens rather than remaining dependent subjects, their local representatives require a domain of secure discretionary powers and rights. This domain of secure rights must be established in law and protected through representation and recourse (McCarthy, 2007)

Some issues that emerge concerning three basic elements of decentralization—accountability, discretionary power, and security—as well as other key reforms that can help activists and policy makers bring out the positive aspects of decentralizations involving natural resources while minimizing negative effects. Legislating and implementing decentralization are the first steps. But even where secure decentralization has been implemented, support and accompanying measures from central govern- ment and others are

needed to assure that natural resources are not over exploited, that equity is not compromised, and that legislation and implementation do not work against each other.

Some of these efforts include minimum environmental standards and alleviating poverty, as well as accompanying measures for civic education and conflict mediation. Central government must play a key role in advancing reforms needed to achieve effective decentralization. In practice, an end-point of decentralization reform is never reached, since reform entails an ongoing political struggle between local and central interests. Central ministries are targeting and allocating power to a variety of local institutions in the name of decentralization. better serve local needs (Robot, 1998).

After briefly describing the politics of decentralization that the policy is increasingly providing wider space and opportunities for local authorities to make policies or regulations relating to the control of natural resources. So that, the other side that natural resource management is not only seen in the context of the pursuit of economic gain only. In the case of natural resource management in South Kalimantan Province, natural resource, especially mining industry is inseparable from the growing interest of political interest, especially related to the issue of regional head election or democratic party event. Mining actors or predators play the mine issue in the context of political interests to seize local power through transactional politics among local political actors and mining predators. Mining issues entering in the political game arena where many mining industries promise economic income sources to finance political activities, especially at the time of the election of the local head election or legislative members election

As it is known in that economic development activities tend to focus on the exploitation of natural resources as happened in the Province South Kalimantan to improve people's lives without taking any real action in conserving these raw materials. This uncontrolled exploitation has eclipsed the environment and impoverishment is not realized by the stakeholders who use and have access to these natural resources. The Common Property Regime here should be all natural resources used by the public and open source where everyone is entitled to use it to ensure continuity of the need for satisfying needs. It is often open-ended, where everyone is free to use it or open access where nature is non-existent and as if it can not be exhausted. As a result of that open access, every individual who utilizes these resources tends to devote him as much as possible to the extent possible regardless of its sustainability. On the other hand, each individual is reluctant to maintain the preservation of the resource on the grounds that it is useless to maintain sustainability if others do not or otherwise, and instead exploit it for his own benefit.

The damaged environment due to the influence of accumulation and exploit uncontrolled natural resources. The development of the population that is not comparable with the availability of natural resources will make the earth is getting worse into a global environmental disaster. This is a social burden because it will ultimately be borne by all layers of society and order. A paradigm shift in the management of the economy, natural resources and environment in which these three things are incorporated into a common system. In this environment the living environment is seen as a major asset in the economic process. The environment provides life support systems to maintain human existence. To overcome the depreciation process of environmental assets not only for the sake of conservation and environmental conservation but for the benefit of long-term economic activities to meet the human needs of both present and future generations (Ross, 2007).

As a result every individual is trying to become a free rider who utilizes natural resources A resource that benefits a group of people, but which provides diminished benefits toeveryone if each individual pursues his or her own self-interest. The value of a common pool resource can be reduced through overuse because the supply of the resource is notunlimited, and using more than can be replenished can result in scarcity. Natural resources

are only beneficial to a particular group or a few people. But this resource is not always eternal because the number is only limited. If each person or group only prioritizes its own interests then what will happen is the seizure of resources and will lead to scarcity and generate reduction of benefits for each person or group. Because in this competition the resources must be divided into the respective actors.

Locating the Research Empirically: South Kalimantan Provinsi as a Setting

The South Kalimantan Province as well known is second biggest coal producing in Indonesia. Yet management of these rich resource is taking place in a way that does not accord with good governance practices. The local regulations produced to regulate the industry tend to reflect the political and economic interests of local political and economic elites. When those regulations are then implemented, the beneficiaries are the investors rather than members of local communities around the mining sites or the public at large.

The rich resources of the province have yet to lead to improved living stadards or welfare for the population of the province. On the contrary, they have led to marginalization of local people from their traditional livelihoods, and massive environmental destruction. (For a comparative discussion of natural resorces extraction, see Jefferey D. Sachs and Joseph E. Stigliz, 2007, Escaping The Resource Curse). If these resources were better managed in accordance with good governance principles, they should be able to produce improved welfare in terms of education, health and infrastructure development. Yet the evaluation made by the local environmental organisation, Walhi, is bleak: With] coal mines still the primadonna of the South Kalimantan economy, the extraction of coal in the province can be compared to the people digging their own grave.

The intrusion of political and economic interests into the management of the sector, is seen for example in the role played by bargaining between economic and political elites around the time of direct local elections (pilkada). Mine owners are regularly the major donors to candidates running for political office in the province. This phenomenon has become arguably the most striking feature of local politics in South Kalimantan in the era since the reformasi process and decentraliszation policies began in Indonesia more than a decade ago.

Meanwhile, the local community faces a situation of highly assymetrical power relations, lacking the capacity or the political access to become involved in the management of the natural resources sector. As a result, there are often episodes of community resistance to mining operations, including in the form of demonstrations, or most recently in 2012 of a blockade of access to river transportation for the mines. These forms of resistance are motivated by a sense of injustice on the part of local people, both concerning their relations with the companies and the failure of corporate responsibility, as well concerning the division of royalties between Jakarta and the regions.

Of the 13 districts (kabupaten) and muncipalities (kota) in South Kalimantan, more than half produce coal. But infrascture and economic development, as well as social welfare are lagging, as reflected in the provinces's HDI ranking of 26 out of the 34 provinces of Indonesia. It turns out that the rich natural resources of the province have not provided a significant contribution to the local community. In fact, it can be said that the province is experiencing a resource curse whereby, resource wealth promotes the ascendance of the predatory state over the developmental state, either by actively encouraging the former through corruption related to resource rents, or by undermining the latter when revenue flows associated with resource extraction reduce the efficiency of policy and administration.

Mines Between to Increase Local Revenues and Conflict Interest

Collaboration of interests bewteen state and private actors usually focus on the issuing of *Izin Usaha Pertambangan* (mining enterprise licenses) both before and after local elections. Local politicians often issue these licenses and at the same time seek donations from mining bosses in order to fund the very high cost of their political campaigns. Almost all bupati (district heads) in coal rich districts – such as Tanah Bumbu, Banjar, Rantau, Balangan, Tanah Laut – are backed by coal mining interests.

In addition to the large-scale legal mines, there is also widespread illegal mining in the province, which is allowed to proceed by security forces, because the illegal mines also produce a steady stream of income for government officials (Walhi Kalsel 2009). This arrangement has already lasted many years and is very difficult to eradicate given the large number of key government and security officials who are involved. The widespread nature of illegal mining is accelerating environmental destruction in the province, for example, in the forms of widespread flooding that happens around the locations of mines, or in the form of changes to the soil structure as a result of the the disposal of mine waste through the river system. The term illegal mining was used during the New Order peroid to refer to mining activities, typically small-scale operations using traditional equipment, undertaken without a licence from the government. In the post-Soeharto era, two new terms related to illegal mining are officially used: *penambangan tanpa ijin or peti* (mining without a licence) and *tambang rakyat* or *rakyat penambang* (people's miners). The latter term refers to small-scale mining activity carried out by local people using traditional equipment on their own land, but without a government licence.

It is difficult to determine the exact of illegal mining in Indonesia. Illegal mining is highly organised activity, opten with close links to the criminal underworld. Each mining site is controlled by a group of *preman* extortionists or standover criminals) headed by a 'boss" or mine leader. The hire miners to work the site with number of miners varying depening on the size of the area they control. The *preman* compete with other gangs for control of the best mining sites, and must protect their own mine from theft by other gangs. The *preman* also deal with the local authorities and the police, and ensure that the miners do not tell the general public about the mining operation. (For a comparative discussion of illegal mining in West Sumatra, see Erman, 2005). In social terms, one negative effect of the mining boom has been a rise of wasteful consumption in local communities, as well as spread of social ills such as prostitution around mine sites and negative health effects such as respiratory illnesses.

The exploitation of natural resources has not been without problems. portray that natural resources management in Indonesia is loaded conflict. The extraction of natural resources generetes externalities manifested in environmental problems that eventually brings about the conflict. This conflict has long time dreadful records. From 1980s, there have been latent conflict between local communities and business caused by land issues. Dayak Benuaq and Tonyoi, a traditional community in East Kalimantan oppose PT. Kelian Equatorial Mining digging gold in their areas. Dayak Siang, Murung and Bakumpai, a conservative community in central Kalimantan have tried to keep their traditional land rights from the illegal occupancy of PT. Indomuro Kencana (Aurora Gold) which is digging gold on their land. Meanwhile, a traditional community in Paser Regency, East Kalimantan, has been trying to retain its rights over traditional land from PT. Kideco Jaya. The other case, Amungme, an indigenous tribe in Papua, has been confronting PT. Freeport Indonesia for several years to maintain its traditional rights (Maemunah, 2012).

The conflict arise because the Indonesian government cannot enforce a comprehensive system to respond the externalities. The agreement of mining corporation to excavate is

signed between the company and cntral government. Meanwhile the ones that get the externalities, local government and local people are not involved in the contract. In Many cases, the corporation perceives that it has complied with central government. On the other side, local government and local people who suffer the operation of corporation consider that they may get compensation.

All of this is happening as a result of the failure of good corporate governance. The key principles of good governance including 1) accountability 2) transparency 3) participation 4) law enforcement. To take one of these principles as an example, transparency, there is very limited public knowledge about the annual earnings of the various mines. Indeed, even officials of the provincial office of the Department of Mining say that they do not know the exact production figures for the province on an annual basis, both because they believe many of the reports they receive from the districts are invalid, and because they are only able to make a rough estimate of 1.2 million tonnes per year of production for those large mines whose licenses are issued by the national agency (interview with provincial head of the Mining Agency, December 2017).

This situation not only reflects poor coordination between the different levels of government, it also makes it impossible for provincial officials to know whether royalties are being paid at rates in accordance with prevailing regulations to the various levels of government. For instance, 2.7 trillion rupiah per year is paid each year to the province from royalties raised from the mines whose licenses are issued by the central government in Jakarta, with part of that income then redistributed to the districts where the mines are located. After political lobbying by the provincial government in Jakarta, this amount was increased to 2.7 trillion rupiah in 2013 (source: interview with the head of Commission III of the provincial legislature, February 2017), in part as a result to the political controversy and protests that had been building in the province. Despite the increase, the various revenue flows involved are still entirely lacking in transparency: provincial officials know neither what the companies profits are or what share Jakarta takes.

Decentralisation has opened the political opportunity structure for local elites to use government insitutions and regulations to extract natural resources for their own benefits. In doing so, they typically argue that their goal is to increase local revenues (*Pendapatan Asli Daerah*, PAD) in order to fund regional development projects. For instance, in the district of Tanah Bumbu, more than 40 % of PAD is obtained from the mining industry. However, this increase of local revenues has not produced significantly improved infrastructure or economic conditions at the local level. The district of Tanah Bumbu provides a good example of the negative effects of the mining industry on local governance.

With 251 mine licenses issued by the bupati (district head), the district is one of the highest intensity mining districts in the province. The industry has produced not only formal revenues for the local government, but also informal revenue streams for individual officials in the local government and the security apparatus. For each barge that leaves the district packed with coal (and there is an average monthly frequency of up to 80 barges passing down the Barito river to their rendevous points with cargo ships at sea), payments of hundreds of millions of rupiah are made by the mining companies to local officials.

These payments, which the companies budget as 'tactical funds', are then divided among local officials such as subdistrict police chiefs, subdistrict mlitary chiefs, subdistrict civil government heads, harbourmasters, marine police commanders, navy officers and the relevant police, army and civilian government officials at the district level, with it being widely undestood that payments are made to provincial and central government officials as well. The amounts paid to the individuals vary according to their seniority and function. For example, it has been estimated that the subdistrict head in Setui can receive "hot money" of approximately 40 million rupiah (approximately \$4,200), more than ten times his basic wage.

Other officials seek funds from the mining industry in other ways, for example by supplying fuel to the companies, by acting as brokers between them and buyers, or by supplying security services at mining sites. As a result of such practies, over the last decade many officials in the district have been able to enrich themsleves.

The Source of the Problem: Mining Licenses (IUP)

The critical point in the regulation of mining – and the core site of political transactions between political and business actors – is in the issuing of Mining Company Licenses (Izin Usaha Pertambangan, IUP). The national ministry of minerals and resources is responsible for issuing licensese for mines that cross provincial boundaries or cross several district boundaries and has issued 27 such licenses in South Kalimantan (one example is the license for PT Adaro in the districts of Tabalong and Balangan, PT Arutmin Indonesia in Kota Baru and Tanah Bumbu, owned by the famous Indonesian mining magnate and politician, Aburizal Bakrie). Over 600 licenses have been issued by the various bupati (district heads), with the largest number being issued in the district of Tanah Bumbu with over 200.

The environmental organisaton has identified systematic corruption around the issuing of IUP. For example, many IUP are issued without the prior issuance of a special license for the use of protected forest land by the regional office of the Forestry Ministry, or prior to the carrying out of an environmental impact assessment. Another chronic problem is the issuing of mining licenses in areas that are designated for other purposes in regional regulations on spatial planning, such community farming, oil palm plantations, or forestry operations. Indeed, the combined total of land allocated for mining, forestry and plantation in the province amounts to 3.1 million hectares, not far short of the total land area of South Kalimantan, 3.7 million hectares.

These licenses are typically issued in a way that is highly politicised. Recipients are very often those who have personal connections with the district head. They may be family members (for example, more than fifty of the 200 in Tanah Bumbu are held by relatives of the bupati, Zairullah Azhar). Recipients are often also members of the so-called 'success teams" that are formed to support and fund the election campaigns of district head candidates. The transaction is typically simple: in exchange for funding for the campaign, the donor is rewarded with a mining license, and from this arrangement arises ongoing enmeshment of political and business interests in the district concerned. Political office is effectively captured by the mining boss.

One famous example in South Kalimantan is the case of Zairullah Azhar himself. H Samsuddin (usually known as Haji Isam) was already a wealthy businessman (mostly with timber interests before the election of Zairullah. After he (along with several other businessmen) sponsored Zairullah's election his mining operations expanded dramatically in the district. He later sponsored Zairullah's attempt to run as governor in the 2010 gubernatorial elections, at great cost (Zairullah lost to Rudy Ariffin, whose main sponsor was Haji Ijai, another famous local coal mining magnate based in Binuang in the district of Tapin). Zairullah's successor as district head, Madani H. Maming was himself previously a coal miner. His wealth originated with his father, who was a village head in an area rich in coal. Previous to becoming district head, he was a member of the district legislature, a strategic position from which he could influence local economic policy. He defeated the elder brother of Zairullah in the 2011 elections in the district, in what was effectively a contest between rival mining dinasties.

This predatory political economy has produced significant environmental and other costs in the district. For example, four years ago a massive flood occurred in Tanah Bumbu, destroying a number of major bridges and causing loss of life, as a result of deforestation

linked to the mining industry (this flooding was part of a wider wave of floods, with 21 floods recorded in 2009, inundating over 15.000 hectares of rice fields, and affecting 11 of the province's 13 districts; sources, WALHI, 2011). Another serious problem in the district is the unregulated nature of mining waste disposal which has caused widespred water pollution with heavy metals and causing skin ailments, among other problems. Several of the mines in the district are located very close to villages. For example, in the subdistrict of Satui mining takes place along the side of a main road; a local cemetry has even been dug up to make way for the excavations. Satui has become akin to a mining town in the midst of what was once a quiet rural district. The infrastructure is reasonably advanced in this town – e.g. education and health centres – but it is one of the very few places in South Kalimantan to experience such benefits, while most of the villages in the district concerned have experienced significant economic marginalisation.

Formulation of Local Regulation on Post-Mining Land Reclamation

There are three critical domains in governance: 1) government 2) the corporate sector and 3) civil society. In the governance of the mining sector in South Kalimantan, the relations between these three domains is imbalanced. The government is largely captured by the corporate sector and is unable to play the control function role it should be able to exercise with regards to the private sector. Civil society is marginalised in the governance process – though local NGOs, and the mass media are significant local actors – they have over the last decade been little not involved in the process of formulating and implementating management over the coal sector. However, in recent times, especially since 2012, the beginnings of a change of public mood have been visible. The widespread environmental and social damage caused by mining has been gaining increasing publicity and has led to attempts to begin to introduce regulations to deal with some of the worst aspects of the industry.

In 2012-13, the provincial executive government and DPRD (provincial legislature) were engaged in a long process of negotiation to produce a new local regulation requiring coal companies to rehabilitate land after the closure of their mines. This is widely agreed as being an urgent need in the province, with many local companies having abandoned their mines without cleaning up the sites, leaving huge holes in the ground that form into lakes, ponds and rivers. The result is ongoing environmental damage, localised flooding, malaria and other water-borne diseases, as well as other negative effects. The coal of reclamation is to rehabilitate these sites to return them to productive use for local communities, in the form of farm land.

As a result of public pressure on the issue, in 2012 a group of legislators in the DPRD's Commission III (the commission responsible for mining policy) established a special commmittee (*panitia khusus pansus*) to draft a bill dealing with the matter. Public hearings were arranged, with local academics, experts, NGO activists and the mass media invited to present their input into the drafting process. This was a very costly process, with the DPRD members involved three times going on study visits to other mining provinces in Indonesia (for example, they visited the PT Bukit Asam operations in South Sumatra, November 2012).

Over forty mining companies were invited to present their views on the bill. They agreed to implement the regulation consistently, despite the impost this imposed on them and the potential sanctions (which could go right up to revocation of mining licenses). The critical article in the draft regulation requires miners to carry out the reclamation process and thus operate in a more sustainable manner. While during the drafting process, the interests of miners were influential, there was an attempt on the part of legislators to represent a wider public interest and to avoid negative impacts of mining on local communities.

Despite the passage of this regulation, there are still few reasons to be optimistic about the eventual outcome. The problem is that there has been a bad track record in law enforcement. For example, in the leadup to the 2010 gubernatorial election, the governor of the province, Rudy Ariffin, in cooperation with the provincial parliament issued a regional regulation on Mining and Highway Transportation (Perda No. 3 2008) that prohibited the use of public highways by mining trucks. These trucks had been causing a great nuisance to other road users. Early on, the new rule was implemented effectively, greatly reducing travel time for citizens who were using roads that were now far less congested.

However, as time passed, implementation became less effective, with mining trucks increasingly using these roads, especially at night time, faciliated by paying illegal fees to officials in the monitoring posts that were set up along the roads to enforce the new rules. The roads which had been repaired, rapidly became damaged once again by the passage of heavy mining trucks. With such experiences behind them, many people in South Kalimantan now believe that the politically connected mining companies will be able to avoid obeying the letter of the new reclamation regulation. In conditions in which illegality has become a norm of corporate behavior, it is unlikely that improved regulations will alone improve the situation

The business and political relationships in the mining industry in South Kalimantan Province are inseparable as two sides of the coin. The issue of the mining has always been political marketing as a strategy to make bergaining position or networks business and political patronage. This can not be avoided because after the Soeharto's government, the national political dynamics became more liberal, pragmatic, and the more capitalistic democratic process which of course required a high cost. Therefore, at present almost all the regional authorities in South Kalimantan Province are people who have a background of entrepreneurs, especially coal mine businessmen. They have the capital or the power of money to finance a transactional, capitalistic democracy. Similarly, almost the heads of political parties or administrators of political parties are entrepreneurs or backgrounds of coal mining businessmen. Usually the rulers run for regional ruling candidates or sponsor political funds for candidates who fight in local elections (As'ad, 2016 2017, Aspinall and As'ad, 2015, Aspinall and As'ad, 2016).

As a result, many local officials are caught for abusing power, elite capture corruption and rent-seeking practices using for seeking economic gain and political power, even if they violate the rules. The extremely loose use of power and regulations has impacted the destruction and impoverishment of the local communities as a result of the conversion of forest to mine. Land use transfer from forest to mining area becomes an economic opinion for regional heads and entrepreneurs to make a profit regardless of the socio-economic presence of local people.

As the main leading argument of this paper that rich of natural resources, particularly in the coal mining sector have not been directly proportional to the improvement of economic and social justice for communities despite the decades-long exploitation of coal mines. The policy of decentralization has created opportunities for local actors and mine predators to utilize decentralized mine resource management by building conspiracy networks and local officials or political elites who have positions in local government and legislative members as well as with security forces such as police and soldiers.

As for the networks pattern of conspiracy between local officials and mining entrepreneurs through the expenditure of mining business permits: *First*, licensing issued without consideration of the spatial layout or the carrying capacity of the natural environment causing many conflicts between citizens with mining companies and massive clearance of protected forest areas. *Second*, usually the issuing permit is issued ahead of the election of regional head (regent and gobernur) as a strategy to strengthen the mutually beneficial network of business patronage and transactional politics. *Third*, the overlapping of permits

that reach the thousands is allowed to last protracted and potentially become a bargaining event between the ruler and the entrepreneur. *Fourth*, the abuses of lawlessness in major cases of public interest that resulted in state losses arising from corruption and mafia practices in the mining sector.

In the mining business license expenditure requires a lot of funds. This is an opportunity to get funds for local officials authorized to issue mining permits. The province of South Kalimantan is well known with many mining permits issued by several local heads. Such practices have long been taking place, especially since decentralization and regional autonomy have been implemented since local governments have wide-ranging regulation policies that are barely controlled by the public because of their under cover nature. The management of natural resources that has been going on for so long is managed in mafia and sermpangan ways does not put forward the principles of accountability, transparency, and justice. Not implementing good governance coal mining practices. But the opposite is seen is the management of bad governance coal mining practices that do not give a sense of justice for the public. The practice of corruption, mining mafia, and abuse of power has led to victim of policy for local communities and environmental degradation and has become a vicious circle that is difficult to disentangle because there is no political will from stakeholders to implement transparent and accountable mining policies, but what happens is the conspiracy and greed of local (As'ad, 2016).

As a consequence of the misconduct of law enforcement and acts against breaches of rules for mining companies that are unemployed, there is often resistance from local communities to the presence of mining companies in their areas. No wonder if all this time the mining industry only enjoyed the results by mining predators. Namely entrepreneurs, political elites, business patrons of local authorities as described by a number of local communities. Local communities only feel the bad impact but do not feel socio-economic prosperity. Just look at the words of some local communities that the mining industry that has been operating since dozens of resistant, our village no change anything socio-economic and infrastructure development but it is the destruction of the environment, marginalsasi culturally and tradition gradually began to become extinct due to greed of corporatocracy.

The presence of mining companies in some regions or districts in South Kalimantan Province is really just a curse, and not a blessing. They are driven from their hometown, which since their generations settled in their village. They have to flee for new livelihoods and build new villages. They can not survive being pressured by exploitation of the mining industry. They lost their independence and human values. Loss of economic, cultural, and social resources as a legacy from their ancestors gradually wiped out local wisdom and local knowledge that became values system to drives their lives has been destroyed by the mining machinery industry. Local communities who defend their rights to the land they own are arrested and imprisoned for being accused of being provocateurs and considered to be company activities. The government that is supposed to protect of the local communities is more defending the interests of the company. Political corporatocracism, such as greed and in difference to the environment and the existence of local communities as a serious problem in mining areas in South Kalimantan Province as well mining areas in other provinces in Indonesia. The greed of the company is gaining the greatest of these limitations of natural resources into concern for those who care about the environment and the existence of local communities.

In the decentralization a, the mode of conspiracy between local government officials and corporations can be seen from the process of issuing hundreds of mining permits. The indication can be seen from several things: *First*, the permit issued without considering the spatial layout of the territory, or the carrying capacity of the natural environment causing many conflicts between citizens with mining companies and massive clearance of protected

forest areas. *Second*, the issued permits are issued ahead of the district elections, as well as the gubernatorial election, as happened in South Kalimantan. *Third*, the overlapping of permits that reach the thousands is allowed to drag on and potentially become a bargaining event for money between the rulers and businessmen. Fourth, the abuses of lawlessness in major cases of public interest resulting in state losses arising from corrupt and mafia practices in the mining sector continue.

When viewed from the economic aspect, mining industry in terms of royalty is not too significant for local government. This can be seen from the royalty sharing system. The division of mine royalty, the central government gets 20 percent, while the provincial government is 16 percent, the district government as a mine-producing region gets only 32 percent. For the regions (districts), which do not have mining mining areas, such as Banjarmasin city, Barito Kuala regency gets 32 percent. Therefore, the largest contribution is from third party donations that contribute to the local government of Tanah Bumbu Regency as the original revenue of the region. As an illustration, in 2010, revenue from third party donations reached 60 billion, in 2011, reaching 90 billion, in 2012, 120 billion, in 2013, 200 billion. In 2014, 180 billion declines as the global coal market declines. According to Mardani H Maming, Regent of Tanah Bumbu District, the third-party donation is intended to finance the local government's non-permanent employees, amounting to about 4,000 people, to pay for free schooling until the age of 12, free medical treatment for poor citizens, Teachers who number approximately 1700 people. Also intended for socio-economic empowerment of the community.

The involvement of a number of mining companies in illegal mining activities protected by unscrupulous security personnel. Illegal mining activities can not be eliminated. Precisely illegal mining has provided benefits to the parties involved in this dark activity. Therefore, the occurrence of neglect of illegal mining has spawned a number of people into the new rich of such haram practices As the decline in mining business in recent years has affected illegal miningactivities. In 1996, Gusti Hasan Aman, Governor of South Kalimantan Province at that time formed a team to control coal mining based on Governor's Decree no. 17 of 1996. The team carried out repressive actions for 3 months (March - May 1996), but after that no follow-up. In 1997, illegal mining began to expand to Hulu Sungai Tengah and Hulu Sungai Selatan. In 1998, illegal mining has spread to Hulu Sungai Utara, Hulu Sungai Tengah, Hulu Sungai Selatan, Banjar, Tanah Laut, Tanah Bumbu and Kotabaru Regencies. Illegal mining activities have entered mining areas of PT. Adaro Indonesia, PT. Mantimin Coal Mining, PT. Arutmin Indonesia, PT. Antang Gunung Meratus, PT. Chung Hua OMD, The Governor of South Kalimantan Province at that time submitted a request to the Director General of General Mining to temporarily shut down the petition for the mining authority.

In 2008, Rudy Ariffin, Governor of South Kalimantan issued a Regional Regulation on the prohibition of the use of public roads for coal mines and iron ore and plantations. This regional regulation was effectively implemented in 2009 until now, however illegal mining still exist in secret. This is as expressed by the Head of South Kalimantan Province Mining Service, that illegal mining can be classified into 4 criteria: First, mining activities not equipped with permits. The two holders of mining business licenses that engage in mining activities outside the mining permit area. Third, holders of mining permits conduct mining activities before exploitation permits are issued. Fourth give letter to other party for outside mining area.

Local Election and Illegal Mining: As Network of Conspiracy of Mining Predators

In this section of the paper we will describe the network patterns of the mine preadators. One of the arenas of building a conspiracy network of mining predators is at the time of the regional head election. The involvement of mine predators behind democratic capitalization, acting as a political broker or supporting financier, as well as a strategy of building patronage with potential rulers area. The capitalization of democracy, the local political landscape in South Kalimantan Province, mining issues always color political marketing among the actors who fought in the democratic event (election). The involvement of mining entrepreneurs behind the capitalization of local elections becomes the arena of conspiracy and economic and political patronage. Conspiracy and economic and political patronage have established a hidden interest for a predatory monopoly of mine management.

It is a reflection of economic scarcity that seeks to accumulate local economic resources and is controlled by a handful of people because it has closeness with officials who provide protection. In this section of the paper it is also argued that the predatory group has made the mine issue as the arena of conspiracy in the election process of the regional head. After the end of Soeharto's rule at this moment the mines power has shifted from central predators to regional predators or in local elite capture in line with decentralization and regional autonomy policies. In the local political landscape in South Kalimantan Province, every political event, mining issues becomes trending topics and political marketing amidst the political pragmatism of society.

According to Taufik Arbain, a lecturer and observer of local politics from the Faculty of Social and Political Sciences of Lambung Mangkurat University Banjarmasin said that: "Behind political political event. For example the election of regents, governors, and election of legislative members, is always related to mining issues". "The election as a process of democratization has been taken hostage by the power of capital. Local actors and mine predators work together to build strength to support local ruling candidates and position themselves as the playing makers who can manage the pattern of political raids and rhythms in the province of South Kalimantan. It is not unusual that post-elections of the playing makers position themselves in government as a shadow government and at the same time become chronic business and political patronage of the master of monopolizing economic resources, especially mining business, and regional infrastructure development projects as a form of political repayment", (interview in Banjarmasin, January 15, 2017).

According to Samsul Daulah, a non-governmental organization (NGO) activist said "that most of the elected regional authorities in the election behind him are mining entrepreneurs or local rulers of mining entrepreneurs and have financial support from mine business operators with mining business connections. This fact is designed by the local capitalist groups, even did not rule out also get support from the capitalist funds in Jakarta. Therefore, political capitalization and pragmatism has led people into political play (money politics) or vote buying played by actors in local elections to influence citizens. Do not be surprised if election gave birth to local rulers having predatory oligarchs amid democratization issues after the fall of the regime authoritarian of Soeharto's New Order". (Interview in Banjarmasin, Januari, 20, 2017).

Another clash of conspiracy models of mining predators in addition to being the regional head election arena for the construction of conspiracy networks is the process of abandoning illegal mining activities. Various factors encourage illegal mining activities, among others, increased demand for coal, inactivity of license holders, lack of public legal awareness, ease of coal mining in the field. Illegal mining actors are the owners of capital, equipment owners (heavy equipment and transport), miners, mining containers. Illegal mining operation mode, which holds a mining operation permit to send a letter to a person involved in mining that mines outside the mining permit area, holds a mining license to sell a letter or certificate of origin of goods to illegal mining actors, holders of mining business licenses Outside the mining permit area and using self-made mailings. The location of illegal mining activities is carried out among others in the mining area of PT. Arutmin Indonesia located in Kintap, Asam-Asam, Satui, and Tanah Bumbu surrounding areas. Illegal mining

activities also take place in Senakin area by PT. Jorong Barutama Greston, PT. Borneo Indobara, PD. Baramarta, PT. Kadya Caraka Mulia, PT. Tanjung Alam Jaya).

Another mode of illegal mining activity is also carried out by the mode: First, the company or individual who operates on community land that is not located concession area of mining business license. Secondly, companies with licenses that are still actively engaged in mining activities outside the concession area of a mining business license owned by the company. This is because coal that is outside the concession of the mining business license has more and more profitable coal potential than the existing coal potential in the mining concession concession area owned by the company. Third, illegal mining activities carried out by a company or person in the concession area of mining business permit have not been worked on or that have been worked on by the company by the owner of the mining business license.

Illegal mining activities are organized by individuals who are involved in illegal mining activities, from coordination of land to be mined, use of coal haul roads from mine sites to shelters or ports, and to the acquisition of certificates of origin. The sequence of activities also involves security personnel, landowners, village officials, employees of corporate security, holders of mining business licenses. According to the villagers of Bina Wara Kecamatan. Kusan Hulu, Tanah Bumbu District, I was involved in illegal mining activities in 2004. My activities are backed by security forces with the mode of providing information on the planned or scheduled joint raid by the police. Then in 2005 joined to work on a mine owned by the Regent Tanah Bumbu at that time. The Regent of Tanah Bumbu Regent has several mining concessions or mining business permits, such as located in Kusan Hulu and Kecamata Kuranji sub-districts. Mining rights are named Indoku mining power, Wijana mining power, and mining authority Hatiib Bara Makmur whose status overlaps with mining concession area of PT. Borneo Indo Bara.

As explained earlier that illegal mining activities are nothing new in the mining industry, but became crowded after an indication of the involvement of high security officials as protectors of illegal mining activities. This is a portrait of a vicious circle that is structured with the involvement of ranks of security forces, local officials, and other interest groups. Next, the other mode is to issue a mining permit without permission to borrow forest area. In the record of the South Kalimantan Provincial Environmental Forum, the mining concession has already covered approximately 1.8 million hectares or more than one third of the total area of South Kalimantan Province, 3.7 million hectares. Based on these data, it turns out many areas or mining concessions that violate the rules of legislation, such as in Kab. Tanah Bumbu which has the largest number of mining permits in South Kalimantan Province.

According to Berry Nahdiyan Furqon, former National Executive Director of the Forum for the Environment, "that regulations or policies regarding the suspension of illegal mining activities will not succeed unless accompanied by law enforcement or control of the relevant agencies. Unfortunately, precisely the law enforcement officers involved as an operator in cooperation with illegal actors mining. Do not expect this activity to be lost because it promises economically despite impacting the destruction of natural resources. I argue that both legal and illegal miners actually contribute to the destruction of natural resources. The same comment was also submitted by local residents of Kuranji District, Tanah Bumbu District, that illegal mining activities are difficult to eradicate because they are in a structured network involving various actors, especially law enforcement personnel. Yes, indeed in recent years illegal mining activities have declined as the mining business declines. But illegal mining activities are still often encountered in secret, especially at night. Illegal mining has seriously damaged the environment that is impossible to recover. Illegal mining

activities as a source of economic income for the parties involved in the activities of the mafia. this is a conspiracy mode", (Interview in Banjarmasin, March 15, 2017).

The power of the state has been co-opted by the power of corporatism of the mine. The number of illegal mining activities has led to protests from residents as happened in Terang Bulan Village, Satuai Satui Sub-District, Tanah Bumbu District. Mining activities are only tens of meters away from the residents' settlements, thus disrupting and even endangering residents around the mine. The mining activity has been stopped but will operate again without any coordination with the community, especially the people in Perintis Desa Makmur Mulia Satuai District. Protests by Makmur Mulia residents against the company to stop mining activities adjacent to the settlement.

Besides being disturbed by the noise, residents are also worried that the illegal mining activity caused the landslide. Previously, residents had demanded the company, PT. Son Kencana Sakti to free their land from entering the mining area. PT. Putra Kencana Sakti as sub contractor of PT. Arutmin Indonesia who insisted on mining because it refers to the agreement ever made between citizens with the PT. Arutmin Indonesia as the holder of mining concession permit which has done land acquisition around the settlement, and given a guardrail fence is a radius of 500 meters. "We are working on the power of PT. Arutmin Indonesia through working contract with PT. Jhonlin Baratama, we will keep doing mining activities, except PT. West Jhonlin who stopped him ", explained the representative of PT. Kencana Sakti. Another comment from the Chairman of the Rukun Tetangga Perintis Desa Makmur said that local communities have the right to stop illegal mining activities because they have disturbed the residents' housing environment, such as noise, fear of landslide and dust pollution. Local communities asked the law enforcement authorities to stop the illegal mining activities and to be fair to the local people but there was no response from the authorities.

Strategic alliances between regulators, power institutions (legislative, executive) as epicenterum of rampant rent-seeking and corruption practices in the mining business. Various modes of conspiracy in mining activities, the term "coordination funds" and quota of thugs, the term that has been familiar to the mining community. Both terms actually reflect the depravity in the mining management system (bad mining practice management) that happened so far. The term co-ordination funds, ie, a sum of money flowing to officials or to security personnel, individuals, or interest groups (mass media, NGOs, mafia mines) involved in the illicit practices of the mining business. The mode is increasingly structured to work in the system under cover. One mode that runs so far is happening in mining ports when delivering coal out of the region and abroad. This is a mafia miner that looks legal by involving various parties. It has become a land of corruption for local officials, security officers from the village level to the district, provincial, and even down to the central level.

According to Didik Gunawan, journalist, explains that: "This is a systemic mine practice of mafia. One of them is the coordination fund that flows to the officials, security officers, and other groups that have been running for so long and have never been touched by the law ". The term co-ordination fund is an extra fund issued by entrepreneurs as a security fund to facilitate a dark conspiracy, corrosion, and mafia mining. A number of these funds have been calculated and prepared by its own budget by the mining business. The amount of funds spent for once or a barge that dispatched value tens of millions of rupiah. The number flows to several officials including: Kapolsek, Danramil, Camat, Syahbandar, Police,, Military District Command, Police Resort, and local officials. The amount varies according

to the level of position and function of the official concerned", (Interview in Banjarmasin, April 10. 2017)

Coal mining delivery activities outside the region and abroad through several mining ports are scattered in several locations in Tanah Bumbu. From some of these ports, the owners are local miners, local and central government officials (Jakarta) who have business networks in the region. Here are a number of coal ports scattered in several locations in Tanah Bumbu: Langgengnya practice of conspiracy structured in the mining business, due to the power of funds issued by mining entrepreneurs flowing to a number of local bureaucratic officials and security officers. Then apply the term wet areas and arid regions that describe the position stratification of the person. Stratification is important because of the large amount of funds received from mining entrepreneurs. For unscrupulous person, but the status of apparatus looking for another way that is not inferior to the recipients of the quota allotment.

Related to this, it is undeniable that there are a number of unscrupulous personnel involved in doing business by supplying various needs related to mining activities, for example, providers of oil ingredients, into coal brokers, or become bodyguard at the mine site. Delivery activities of coal out of the region and abroad through several mining ports scattered in several locations in Tanah Bumbu. From some of these ports, the owners are local miners, local and central government officials (Jakarta) who have business networks in the region. Here are a number of coal ports scattered in several locations in Tanah Bumbu: This conspiracy practice lasts of conspiracy in mining business, due to the power of funds issued by mining entrepreneurs flowing to a number of local bureaucratic officials and security officers. Then apply the term wet areas and that describe the position stratification of the person. Stratification is important because of the large amount of funds received from mining entrepreneurs. For unscrupulous person, but the status of apparatus looking for another way that is not inferior to the recipients of the quota allotment. Related to this, it is undeniable that there are a number of unscrupulous personnel involved in doing business by supplying various needs related to mining activities, for example, providers of oil ingredients, into coal brokers, or become bodyguard at the mine site.

The world of mining industry is a business activity loaded with the complexity of the problem. The complexity of the issue appears to be closely related to the regulatory system, institutions, and behavior of actors in mining management. Regulatory and institutional engineering are legally protected instruments by interested parties to engage in corrupt or mafia mining practices. The involvement of local authorities and related institutions in the management of mining policy is difficult to avoid. In the era of democratization accompanied by decentralization policy and local autonomy, in the context of natural resource policy management, local authorities as regulator owners with their own authority have used the regulation and institutions of power as elite capture corruption.

Conclusion

The fall of Soeharto's 1998 political rule after 32 years has resulted in a democratic transition from an authoritarian-centralist governmental system to a decentralized democratic-government system. The political changes that occurred after the fall of the Soeharto government were not only in the context of governance, but also in the context of natural resource management. As it is known that during Soeharto's rule, the policy on natural resource management was controlled by the business cronies and Suharto's relatives in a centralistic manner and gave no opportunity for the regions to control or manage the natural resources in the region. As a result, due to unfair and transparent management, the natural resources in the area simply disappeared but did not positively impact and growth and development for the region, in particular creating justice and prosperity for local

communities. Worse yet, the result of uncontrolled exploitation has caused a number of serious problems such as environmental disasters, the poverty of local communities due to the loss of economic resources of communities in the mining area.

Since decentralization policy have been applied to local authorities in the management of natural resources, it has become an opportunity to build a conspiracy or robbery to accumulate regional economic resources through a set of policies, regulations, or regulations. It has spawned a crony of business or economic patronage of local elites who use position or power institutions. Therefore, some local officials are trapped by corruption practice and abuse of power in issuing mining licenses for entrepreneurs.

Exploitation of mining industry took place in several regency in South Kalimantan Province, formerly beautiful villages and dense forests lost and extinct have been transformed into mining areas. Now the villages had turned into a frightening ghost despair frenzied by the heavy machinery of the mine. Many displaced villagers leave the village to seek new livelihoods or go abroad to cities seeking economic livelihoods. They have to leave their hometown for decades. As far as the eye could see only the deep holes formed rivers. Forests are barren without a tree being filled. The song of birds is no longer heard by the sound of mining machines. Pollution and environmental chaos are getting worse. The rivers have been polluted and the water has changed color. The animals are no longer a place to feed grass. Everything is gone and extinct. This world of mining industry is a world full of exploitation and greed. The neglect of illegal mining and corruption and rent-seeking practices is the accumulation of bad governance practices of coal mining management.

South Kalimantan Province as the second largest mine producer is not directly proportional to the sustainability of its masrakat. The Human Development Index ranks at 26th of 34 provinces in Indonesia. This can be seen in the province of South Kalimantan from indicators of lagging economic, education and health infrastructure developers. This is a paradox as a coal mine producing region but it is a problem of underdevelopment and high poverty.

As a leading argument that abundant natural resources turn out to be just a myth and a nightmare for the masses. There are many factors that can be argued, that the management of natural resources is still poorly managed because of incorrect systems and regulations. The policies that are more profitable to entrepreneurs only and not benefit all parties. Local officials are already feeling good about this chaotic system and people have no chance to control and criticize. Meanwhile, social institutions such as NGOs do not play much because they are already dominated by bribery practices and have been tamed with various facilities and lure proyak by local authorities. Similarly, the mass media can not do anything as a social control because the media has been tamed by the mining predators through various ways to not expose the bad management of natural resources.

Regional officials are engrossed in developing transitional politics with mining entrepreneurs and many mining entrepreneurs are involved as fund sponsors in local elections. Therefore, it is only natural that for decades the presence of the mining industry is merely a myth and a nightmare behind decentralization and regional autonomy policies. Yes, that is the curse of natural resources or the tragedy of the commons as it is dyediced by experts over. This paper is an intellectual reflection that is concerned about the poor mining industry that has been running for this. As an academic this is all I can do and provide advocacy and enlightenment for the local community as long as I can do. Hopefully this paper can provide enlightenment for us wherever we are. Again, hopefully useful from this very simple reflection of thought.

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THE EFFORTS TO INCREASE UNDERSTANDING AND AWARENESS OF THE CREATOR OF TRADITIONAL ART TO THE WORK OF HIS CREATIONS

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Abstract: That the protection of the law of traditional art belongs to the scope of copyright protection which in general includes the granting of rights to the creator, the provision of long legal protection period, the license agreement and the legal effort that can be taken in the event of a violation either through the civil, criminal and state administration. While efforts to increase understanding and awareness of creators of copyright is done through the efforts of socialization of intellectual property such as counseling, discussions, seminars, workshops, symposium, education and training of intellectual property and institutional government has established Copyright Council. Ultimately it is recommended that the regulation on the protection of legal copyright, especially the copyrights of traditional artworks, should be accompanied by consistent law enforcement and efforts to increase the understanding and awareness of the creator of the copyright needs to be intensified in terms of both quality and quantity.

Keywords: Works of art and copyright

I. INTRODUCTION

Indonesia with various tribal rich in traditional art which has high aesthetic value like Solo traditional batik, carving at of Asmat tribe, craft sculpture of Bali, and many more. This traditional art work besides have art value and aesthetic value also have economic value and also which is often unknown that in it contain copyright which protected by legislation. It is very ironic that many creators which are don't understand that they have copyright against work art which produced.

More creators are quite satisfied if their works liked by many people and can be sell, without knowing and thinking that the creators have the copyright which is need to be protected from exploitation illegally by unauthorized parties. As an illustration could be described about what happen in Bali where there is a Dutch tourist who ordered the handicraft o Bali wood sculpture to the creators of the wood sculpture in big party sent to Dutch. The creator is feeling so proud because his creation is loved, he can reach much money and proud that his creation could be exported to abroad.

Evidently in Dutch those craft was registered and in the craft product pasted made in Dutch.

Certainty this kind of exploitation we don't want because it is very ironic that the real creator not getting rights that belong to him optimally, whereas this creator who has sacrificed both time, energy, mind nor material to produce his creation.

If we research in the system regulation of legislation, traditional work art as a creation enter within the scope of copyright protection. In the Copyright Legislation No. 19 Year of 2002 (for next it called UUHC 2002) mentioned that a creation which is protected is creation that is the work of the creator in the unique shape and show the originality in the field of science, art and literary. Also mentioned that the creator who produce an original creation have copyright that is a right to reproduce and announce his creation.

The problem which is appears is about verification that the creator of traditional art work is a real creator. It is because in system of copyright registration is not mandatory and not a recognition of the birthright of copyright, so then many creators not register their creation which the

impact can be difficult in formally if a dispute arises in the future.

Another problem which is appears is in the traditional society which has communally usually the creation which has produced by someone will be utilized collectively by other member of society, so then the real creator can less enjoy his copyright exclusively or even his creation abused by other member of society for his own privacy.

II. PROBLEMS

From the description above it seen that main problem is level of understanding and awareness of the creator against his copyright still low, so then causes constraints for the creator to own and utilize his copyright exclusively and protect the right from infringement by other party.

Therefore it is needed to be done a research which is studying the problem which is relate to legal protection of traditional art work and efforts to increasing the understanding and awareness of the traditional art work creator against his copyright to avoid exploitation by other party whose unauthorized. So with this research is expected there is appreciation of the creators of traditional artwork through the acquisition and ownership of the copyright properly and will further impact more widely for traditional artwork awards in the international world. And more importantly expected to be created conducive climate to creating activities, simultaneously can give influence to flourishing creativity of the society which in turn can provide significant stimulation for the birth of various new give benefit creations. qualified, and enrichment of the treasures of the nation's life.

III. RESEARCH OF METHODOLOGY

This research is a research which is use sociological juridical approach who reviewed legal aspect s of the protection of traditional artwork according to normative regulation and reviewed empirical aspects from efforts to increasing the creator's understanding and awareness against his copyright. To support the study, resource which is used consists of primary legal material and secondary legal material. Primary legal material obtained from regulation of legislation in the field

of copyright and information from related parties. Meanwhile secondary legal material is a support that is various library materials that discusses about copyright and traditional artwork.

Primary legal material collected through reviewing regulation of legislation which is relates with the case which is researched and through technique of interview, while secondary legal material is collected through literature study. Against the legal materials which collected is done the qualitative analysis.

IV. RESULT OF THE RESEARCH AND DISCUSSION

Before discussed about legal protection of traditional artworks and efforts to increasing the creator's understand and awareness against his copyright, need to be discussed what the meaning of traditional artwork and the creator. According to result of the Indonesian Science Institute's research traditional artwork could be meant as a statement of aesthetic expression of the Indonesian nation and original which is socially reflected in a real shape as well as the results of nation reflection and creation both communal either individual.

This traditional artwork among others could be fine arts (sculpture, crafting, statue, painting, calligraphy), handcraft, Batik, weaving art, performance art (dance, music, theater) and architecture. Traditional artwork as one of creation get within the scope of copyright protection, as long as meet the criteria or requirements of copyright protection that is:

- a. The creation is an idea which has been completed manifested in a distinctive form, so it can be captured by the five senses. Because of that idea, concept, ideals without their manifestation can't be protected by legislation.
- b. Showing authenticity or originality which means the creation produced by ability of minds, creativity, imagination, dexterity, personal creator's skill and expertise.
- c. The creation is produced in the field of science, art and literature.

Whereas the intended creator is an individual or some people together which upon inspiration was born a creation based on ability

of mind, imagination, dexterity, skills or expertise which manifested in typical form and personally (article 1 number 1 Copyright Legislation 2002). More detail the creator or copyright holder of traditional artwork in Copyright Legislation 2002 can be categorized as below:

- a. For traditional artwork who is clear who is the creator, then the holder of copyright is the creator who is clearly produce the creation;
- b. For traditional artwork who is not clear who is the creator, then article 10 A Copyright Legislation 2002 sets out:
 - If a creation is unknown to its creator and the creation not published yet, then the state whose hold the copyright against the creation for the interest of its creator
 - If the creation is unknown to its creator or in the creation only the pseudonyms of the creator, then the publisher will hold the copyright to the creation for the interests of its creator.

Copyright holder more detail is arranged in the Copyright Legislation No. 19 year 2002 which assign regulation as below:

- a. On an unspoken lecture and no notice who the creator, then person who lecturing is regarded as the creator, unless proven otherwise. [article 5, paragraph (2)]
- b. If the creation consists of several separate parts that created by two or more people, then who is regarded as the creator is person who lead or supervisory finishing all the creation or person who collect it without prejudice to the respective copyrights part of their creation (article 6).
- c. If the creation designed by someone realized and done by other person under leading and supervisory the person who designed the creation, then the creator is the person who design the creation (article 7).
- d. If the creation made in an official relationship with other party in his work environment, then the party which for and in the officially the creation is done is the copyright holder, unless there is other agreement between both of party

- without prejudice the maker right as the creator if the creation use is expanded out of official relationship [article 8 paragraph (1)].
- e. If the creation made on a work relationship with other party, then the party who make the copyright work as the copyright holder, unless another promised between both of the party [article 8 paragraph (2)].
- f. If an entity announce that the creation come from that legal entity without notice s person as the creator, then the legal entity regarded as the creator unless proven otherwise (article 9).
- g. The country holds the copyright of prehistory heritage, history and other national cultural objects [article 10 paragraph (1)].
- h. The country holds the copyright on the creation of the results of the people culture which is become unites own, if it is relate with foreign country [article 10 paragraph (2b)].
- i. If the creation is not known who the creator is, the state holds the copyright on the creation unless proven otherwise (article 10A).

V. TRADITIONAL ARTWORK PROTECTION

1. Granting rights to the Creator

The creator of traditional artwork has rights which named morale rights and economic rights. Morale rights is the creator's rights to claim as the creator of a creation and the creator's right to file an objection against any act which intends to alter, subtract or add the originality of creation which can interfere the interest and reputation of the creator and a right which is eternal, always attached to the creator and can't be diverted.

Economic rights is the creator's right to get benefit or exploit the creation economically. This economic rights outline consists of the right to announce and reproduce his creation. Although the creator of traditional artwork have an exclusive rights for his creation, copyright system allow someone using the creation of someone without permission of the creator as long as used within reasonable limits. (fair use/fair dealing) with the condition that the resource should noticed clearly and be included and also not used for commercial purpose.

In the Copyright Legislation 2002 this case is regulated in article 14: With condition that the resource should be noticed or be included then not regarded infringe of copyright:

- a. The use of other party's creation or education interests, research, writing scientific papers, preparation, writing criticism and reviewing a problem with the provisions of not harming reasonable interest for the creator.
 - b. Taking over other creation either whole or in part for the purpose of defense within and outside the court.
 - c. Taking over other creation either whole or in part for the purpose:
 - 1. Lecture which is only for education and science purposes.
 - 2. Performance or show which is free paid with the provisions of not harming reasonable interest for the creator.
 - d. Reproduce a creation in field of science, art and literacy in the Braille for the purpose of the blind, unless if the reproduce commercially.
 - e. Reproduce a creation besides program, computer limited with any way or any tool or similar processing by general library, education and science institution and non commercial centre of documentation, solely for the activity needs.
 - f. The changed which is done against work of architecture such as building based on consideration of technical implementation.
 - g. Making backup copies of computer program which is done solely for their own use.

2. Term of Protection

Against a work that meets the criteria for providing protection, Copyright Legislation give tem of copyright protection into three categories as arranged in article 26 and article 27. First category is for a creation which is originally or pure, term of legal protection is given as long as the creator's life plus 50 years after the creator pass away for creation:

a. Book, pamphlet, and all other written works/papers.

- b. Lecture, course, speech and other creation which is realized by oral.
- c. Props made for education and science purposes.
- d. Song creation or music with or without text or (traditional song) karawitan.
- e. Drama, dance (choreography), puppet, pantomime.
- f. Fine art in any form such as painting, image, crafting, calligraphy, sculpture, statue, collage, applied Arts that in the form handcraft.
 - g. Architecture
 - h. Map
 - i. Batik
 - Translation, commentary, adaptation, potpourri and other work creation of the embodiment processing.

While the second category is for a creation which is derivatively protection term is given only lasted 50 years since the related creation announced that is for a creation of computer program, cinematography, voice recorder, performance work and broadcasting work.

And the last that is third category for a creation in the form photography and arrangement of paperwork which is published as a book protection period is given during 25 years since first time announced

3. License Agreement

License agreement is other mechanism of traditional artwork legal protection. License agreement basically is only licensing or creator rights as outlined in the deed of agreement for a certain period of time with certain condition to enjoy the economic benefit a creation which protected by copyright. With the license agreement then the use of the creator's economic right by others can be accounted for by legally.

To guarantee the order and legal certainty and in order to have legal consequences for third party, license agreement shall be listed at copyright office (article 38 paragraph (2) Copyright Legislation 2002) and to be listed legally, license agreement is forbidden containing a condition which is directly or indirectly can have a result that can adverse the economy of Indonesia (article 38 paragraph (1) Copyright legislation 2002).

4. Legal Effort in the Case of Right Violation

Against copyright infringement of the traditional artwork can be taken legal effort through civil lane, criminal either state administration legal. Legal effort through civil lane based on terms of article 41 which is giving rights and authorization to sue civil suit the infringement of the creator's moral rights and also terms article 42 Copyright Legislation 2002 which is giving rights and authorization to sue economic right infringement of the creator.

Terms of article 42 Copyright Legislation 2002 giving right for the copyright holder to filed suit of compensation, request for confiscation of stuff which allegedly resulted in copyright infringement, application for delivery of all or part of the income from infringement of copyright, filed for termination of manufacture activities, reproduce, broadcasting, distribution and selling a creation or product which is result of copyright infringement.

Although the copyright holder could filed suit of compensation civilly, this suit not decrease the state right to do a criminal suit against infringement. copyright It is caused infringement of copyright is not disadvantageous the copyright holder but also the state which not obtain tax against selling of the infringements stuff. Therefore one of effort to counteract copyright infringement, the law provides a severe threat, as arranged in article 44 Copyright Legislation 2002:

- a. Criminal sanction 7 (seven) years and or fines at most 100 (a hundred) million rupiahs for the deliberate and or without rights announce or reproduce a creation or give permission for that.
- b. Criminal sanction 5 (five) years and or finest at most 50 (fifty) million rupiahs for the deliberate broadcasting, showing or distributing or selling to public a creation or product of copyright infringement.
- c. Criminal sanction 3 (three) years sand or finest t most 25 (twenty five) million rupiahs for the deliberate infringe the prohibition of government to announce the result of the creation.

d. Criminal sanction 2 (two) years and or finest at most 15 (fifteen) million rupiahs for the copyright holder who announce and reproduce image of creation without permission of the image object.

A criminal act of copyright infringement is originally complaint offense, but with the new law being changed to normal offense. And in order to be able to handle the substance of copyright infringement appropriately, investigation process of copyright infringement is done by Copyright Investigator which is done by Civil Servant Officials (CSO) in Department of Justice (now Department of Law and Investigation) that is CSO of Copyright in level Office Area and CSO of Copyright level national (CSO Directorate General of IPR). Result of Copyright CSO investigation will be delivered to Police Investigators and Prosecutors.

In addition to civil and criminal efforts, against copyright infringement can be pursued through the administration of the state that has authorization in the field of customs office by basing the legislation No. 10 Year 1995 about Customs Office especially Chapter X which is containing Restriction on Import and Export Limitation and also Control of Import and Export Infringed Goods of Intellectual Property Right.

The executive authority is carried out by the Director General of Customs and Excise which has authorization passively to temporarily suspend import or export expenditures from customs office area which is based on sufficient evidence suspect as a result of copyright infringement (article 54 Legislation No. 10 Year 1995). The Customs and Excise authorization is passively because the authorization only implemented if there is request from the copyright holder to District Court which is the legal area covers the customs area where the export and import take place.

C. 2. Effort to Increasing of the Understanding and Awareness of the Creators against His Copyright

Generally government has priority to increasing understanding and awareness of the society about Intellectual Property Rights (IPR)

through some efforts. According to President's Decision Team 34 those government efforts besides through counseling, discussion, seminar, and workshop, also taken strategic effort through university to teach IPR as part of knowledge that new and important to be taught in order to prepare the graduates of the university to have a stock of knowledge about IPR which in the next will be infected to the society where the graduates do activity.

Other concrete effort is done through organizing of training which is centered in University of Indonesia for west region and Airlangga University for Indonesia east region. In Airlangga University IPR training organized associated with Australia government and has been going for four generations until February, 1999, even several lecturer and practitioner from many field from Indonesia were sent to Australia to get training on Australian government fees.

Institutionally the government forming a team of President's Decision 34 which has job to fixed the provisions of IPR and coordinate the integration of motion and step in effort prevention and mitigation of infringement in field of IPR. This President's Decision Team which in charge of some training in field of IPR, to equate of perception, increasing the understanding and skills law enforcement offices and the society in responding to IPR issues. Besides that the government also has established Copyright Council who has duty to help the government in giving counseling, guidance and coaching of Copyright.

Besides the effort which is done by the government, there are also several efforts which is done by some group of society to increasing the understanding and socialization of IPR like establishing Indonesian Intellectual **Property** Society acronym IIPS) which have motto "disseminating IPR understanding to be a creative and innovative society of Indonesia". The activity to disseminating the understanding of IPR by IIPS is done among others by education and training which at 1999 is done by Education and Training of IPR in Headquarter of Indonesian Police, published a bulletin of IPR as reference for observer and the party who interested with IPR, also done a seminar an symposium.

Seminar which is done that related with traditional artwork is Serial Seminar of Indonesian Art Performance which held in Solo at 19 until 20 February 1999. Seminar which performing artist Ki Dalang Sumartono resulting conclusion that not yet a conducive climate for protection of traditional artwork not caused instrument of legal protection which is minus, but also especially because the awareness of the art players who still minus, then need to be done an effort intensively to increasing the understanding and awareness the creators of traditional artwork.

VI. CONCLUSION

In this research took conclusion that legal protection of traditional art fall within the scope of copyright protection that broadly covers granting of rights to the creator, long term provision of legal protection, license agreement and legal efforts that can be taken in case there is infringement whether through civil, criminal, and state administration.

While the effort to increasing understanding and awareness of the creator against his copyright is done through IPR socialization effort such as, counseling, discussion, seminar, workshop, symposium, education and training of IPRR and institutionally the government has establish Copyright Council. N the end it is that arrangement regarding suggested protection of copyright legislation especially copyright of traditional artwork need to be accompanied by consistent law enforcement and an effort to increasing the understanding and awareness of the creator against his creation need to be more intensified both from side of quality either quantity.

Suggestion

Preferably any infringement or crime against a person's copyright given the punishment penalty for deterrent effect for the people who was taken Person's Copyright. Therefore, the government must act decisively for every crime against Copyright which is owned by the Creator.

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COURTESY IN A MOVIE CALLED SATURDAY WITH A FATHER FROM ADHITYA MULYA

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Abstract: This study aims to observe both how courtesy a movie of *Saturday with a Father* by Adhitya Mulya and its implications on learning Indonesian language in Senior High School. The method used in this research is qualitative research method with content analysis technique. The data collected through this study includes data of (1) verbal courtesy (wisdom, acceptance/praise, generosity, humility, agreement, sympathy) according to Leech and (2) nonverbal courtesy (Kinesics, eye contact, proxemics, artifacts, and kinesthetic) according to Douglas Brown. The source of data for verbal courtesy is the speech/dialogue uttered by all the characters in a movie of Saturday with a Father. While nonverbal courtesy is the behavior/ physical motion shown by all the characters in the movie. Based on the analysis results, the most dominant in the value of verbal courtesy is agreement and discernment/wisdom with the total findings of 39 data agreement and 31 data discernment/wisdom. In Saturday with a Father movie, courtesy of agreement and wisdom/acceptance is illustrated through figures such as Mrs. Itje (wife of Father), Rissa (wife of Satya), and Ayu (Saka's lover). While in nonverbal courtesy, the most dominant were kinesics and eye contact with 39 of data finding for kinesics and 26 of data for eye contact. Physical form of motion in Saturday with a Father movie is also described through the movements of the characters like Saka when staring at Ayu for the first time and the hand gestures of Mrs. Itje when embracing his two sons namely Satya and Saka. Thus, it can be concluded that Saturday with a Father movie by Adhitya Mulya can be used as a medium of learning Indonesian language for Senior High School, given that the greater courtesy aspect was found compared to irreverence aspects.

Keywords: courtesy, movie, learning Indonesian language

PRELIMINARY

Talking about movies, movie is essentially a very powerful art influence that either can enrich one's life experience or can cover the facets of life more deeply. Therefore, movie is useful as a medium of learning. It can be considered as a good education because it has entertainment, artistic, and direct communication. In the Curriculum 2013 on Indonesian language learning in high school, the subject matter of movie which is in class XI on first and second semester are understanding, summarizing, comparing, and producing the film. This shows that the film has a role in the learning process. Obviously, an educator must be able to choose a good movie before it will be given to students as an example or a learning media. Choosing a good movie is not an easy job since an educator has to provide a positive picture to students about the material to be taught. As well to remember that ever since movies are portrayed through audio and visuals, it will be easer to deliver any messages to students.

Hence nowadays movie has become an interesting object of observation to be studied or observed. One of the movies that can be studied is the film of *Saturday with a Father* by Adhitya Mulya. This movie is included in the genre of entertainment and for ages 13 and over. Moreover according to data uploaded from the internet, the movie which was aired in July 2016 had 639,530 viewers and entered in the category of 15 top-ranked Indonesian films in 2016. Not only included in the category, one of twitter account @ afilmcritics even created a poll and put the film of *Saturday with a Father* in the first place with a vote of 72% involving more than 1800 users of social media (netizen).

A movie of *Saturday with a Father* can be used as material for study and research. It is also worth to see whether it can be used as a tool or media that is appropriate for education and learning mainly for educators. Some educators already use film as a means to deliver knowledge. This cannot be denied that nowadays teenagers are fonder of film rather than textbooks. Through movies, they will easily receive messages related to positive attitudes and behaviors that must be applied.

Hence, in *Saturday with a Father* movie both the speech uttered by the figures and the physical behavior shown by the figures are so interesting to be examined from the side of verbal courtesy and nonverbal courtesy. It can provide learning about how to behave, have good attitude, and speak well on young generation. That is the reason for author to lift this title in the study "Courtesy in a Movie called *Saturday with a Father* from Adhitya Mulya and Its Implication on Language Learning in Senior High School".

METHOD

This study was designed using qualitative research method with content analysis technique. Researcher used qualitative methods because the research data were in the form of language verbal forms such as verbal and nonverbal courtesy in the movie being analyzed. Besides qualitative methods, this study also done through content analysis techniques. Content analysis technique (content analysis) is a study that is in-depth discussion of the contents of a written or printed information in mass media. The theory used by researchers is both theory of verbal courtesy from Leech and nonverbal courtesy from Douglas Brown.

RESULTS AND DISCUSSION

Results

Based on the analysis of courtesy in a movie of *Saturday with a Father* by Adhitya Mulya, the results are as follows.

No	Saturday with a Father			
	Courtesy	Verbal	Nonverbal	
1	Wisdom	31		
2	Reception / Praise	10		
3	Generosity	9		
4	Modesty	10		
5	Agreement	39		
6	Sympathy	27		
7	Kinesics		39	
8	Eye Contact		26	
9	Proxemics		18	
10	Artifacts		4	
11	Kinesthetic		16	
	Total	126	103	
	Total amount	2	229	

Discussion

In this study, the researcher used a movie of *Saturday with a Father* as an object of research. Associated with movie, the most important elements found in a movie include the characters, dialogue, scenes/action, occurrence of the place, occurrence of the time, and occurrence of the atmosphere (Trilogy Aristotle). After processing the transcript of this

movie, it found that there were 42 scene (round) in the movie of *Saturday with a Father*. Scene is one or a combination of multiple shots at one location and at the same time in which the image elements are continuous or picture continuity. The main character is Father, then companion figures consist of 5 people namely Ms. Itje, Satya, Cakra / Saka, Rissa, and Ayu. The supporting figures also consist of 5 people namely Ryan, Miku, Bibi, Wati, and Firman. Aristotle's trilogy in this ovie is used to determine the occurrence of place, time and atmosphere. The trilogy consists of 1) place: Ms. Itje's house in Bandung, Satya's house in Bordeaux-France, Saka's/Cakra's house in Jakarta, Saka's/Cakra's office/, on the highway, in a hospital, in a hotel, in a restaurant, 2) time: morning, afternoon, and evening, and 3) atmosphere: sad, happy, touched, relaxed, tense.

The characters, dialogues, scenes (action) or physical movements existed in the film were analyzed using Leech's verbal courtesy theory and Brown's nonverbal courtesy theory. This research data includes (1) verbal courtesy such as wisdom, acceptance/praise, generosity, modesty, agreement, and sympathy, and (2) nonverbal courtesy such as kinesics, eye contact, proxemics, artifacts, and kinesthetic.

1. Verbal Courtesy

• Wisdom

Wisdom is expressed by impositive and commissive speech. Hypothetically, these maxims of wisdom are (a) make the loss of others as small as possible, (b) make as much of the benefit of others as possible. Maksim wisdom centered on others. Wisdom can be in the form of giving advice, commanding, ordering, and pleading. As in the following example.

1) Father: (recording in the work room) "Satya, Saka, this is Dad. I just moved to another place, I do not leave you all. But we promise one thing, you become a good boy, learn diligently, and be obedient to Mom".

In the monologue of Father, seen from the verbal courtesy, his speech conformed one of the courtesy which was wisdom. It is about Father who gave advice to his children through video recording. Judging from the meaning, father loved his two children yet he did not have a long time. Therefore, with his wisdom, he started his videotape containing advice for his two children and stated that ".. I just moved

somewhere else. I do not leave you all ... ". This showed that he will always be there for his children.

• Acceptance / Praise

Praise is expressed in expressive and assertive speech. Theoretically, these maxims of praise are (a) blame the other person as little as possible, (b) praise others as much as possible. Maksim praise centered on others. Here is an example.

2) Father: "**Dad are proud of you, of you all.** Dad already knows from you were small that you all will be a champion. Thank you for making me proud ..."

In a snippet of the dialogue of Father, seen from the verbal courtesy then his speech conformed the courtesy of praise. Father gives congratulation and appreciation for the hard work of his two children. Judging from the meaning, the father in the recording is already convinced that his children will be able to reach champion or achievement even without him accompanying their adulthood.

Generosity

Generosity is expressed by commissive and impositive speech. Theoretically, these maxims of generosity are (a) make yourself as little profit as possible, (b) make yourself as big a loss as you can. This maxim of generosity is self-centered. Here is an example.

3) Ayu : "I invited Salman. It's oke right?"

Saka/Cakra: "Emmm of course it's oke ... ehh Bro? How are you

(Shaking hands)"

In the fragment of dialogue between Saka and Ayu, seen from the verbal courtesy, their speech conformed the courtesy of generosity. Saka allowed Salman to join the lunch with Ayu and he tried to greet Salman and be friendly. Judging from its meaning, although Saka looked disappointed, he was able to give his kindness to receive Salman in his special lunch with Ayu.

Modesty

Modesty is expressed in expressive and assertive speech. Hypothetically these maxims of modesty are (a) praise yourself as little as possible, (b) self-defeating as much as possible. Maksim humbleness is self-centered. Here is an example.

4) Father: "Do not be afraid to raise them by yourself. I've planned everything, even after I'm not here anymore. But I cannot see them growing up, accompany them in graduation, and let them marry later."

In the fragment of the dialogue, viewed from the verbal courtesy, his speech obeyed the courtesy of modesty. Father had planned everything after his leaving.

5) Satya: "I'm sorry, I've been stupid"

Rissa: "No, you're not. I'm the wrong one .. "

In the fragment of Satya's dialogue, seen from the verbal courtesy, his speech conformed the courtesy of modesty. Satya apologized to Rissa (the wife) and confessed that he was a fool all this time.

• Agreement

Agreement is expressed in expressive and assertive speech. Theoretically these maxims of agreement are (a) keep the agreement between yourself and others going as little as possible, (b) try to make the agreement between yourself and others happen as much as possible. Here is an example.

6) Satya: "Let me just work, though far away, despite the danger, but let me just risk it. You all don't have to take any risk. You all will just accept everything. Dad could do it, why don't I..."

Rissa: "Okkkee"

In a snippet of Satya and Rissa's dialogue, viewed from the verbal courtesy, his speech conformed the courtesy of agreement. Satya stated that he will work alone, and Rissa as a wife approved what husband said.

Sympathy

Sympathy is expressed in expressive and assertive speech. Theoretically, these maxims of sympathy are (a) lessen the feeling of empathy and self and others to the smallest possible (b) increase sympathy as much as possible between self and others. Here' is the example

7) Rissa: "I just want to help you .. husband"

In a snippet of Rissa's dialogue, judging from the verbal courtesy, her speech obeyed courtesy of sympathy. Rissa felt sympathy for her husband who worked too hard and too far.

8) Saka: "Wati, listen carefully. Not all women very consider about material things like you "

In the fragment of dialogue Saka, seen from the verbal courtesy, his speech conformed courtesy of sympathy. Wati, whose life is luxurious, always concerned with material things, thus Saka as the boss reminded her not to be like that.

1. Nonverbal Courtesy

Kinesics

Every culture and language uses body language, or kinesics in unique ways but can be clearly interpreted. "There is talk in their mute, language in their gestures," written by Shakespeare in *The Winter's Tale*. All cultures throughout human history rely on kinesics to convey important messages. There are gestures agreed for conveying semantic categories such as moving the head, winking, moving arms and hands that must have their own meaning.

9) Itje's mother: (gesture/nonverbal) Sits looking at the video/recording of father embracing her two children (Satya and Saka) with a smiley face.

In gesture performed by Mrs. Itje, judging from the nonverbal courtesy, her gesture conformed the courtesy of kinesics. Mrs. Itje's hand directed to the arms of both children to be embraced/hugged into her shoulder. It is categorized as polite because their relationship is mother and children.

• Eye contact

Eye contact between two participants in a conversation has a cue as well. Through the eyes, they can imply interest, boredom, empathy, animosity, interest, understanding, misunderstanding, and other messages. An important aspect of unimpeded and unambiguous conversation in a second language is the acquisition of conventions to convey messages with eye gestures.

10) Satya: (gesture/nonverbal) was serving the guests, suddenly he stopped in front of a woman with bangs then paused, and also stunned to see the woman, continued to gaze without saying anything.

In gesture performed by Satya, viewed from the nonverbal courtesy, his physical motion conformed the courtesy of eye contact. Satya suddenly stopped in front of a woman with bangs of course means that he really likes or even loves the beautiful woman. However, judging from the nonverbal courtesy of eye contact, Satya's gesture can be categorized as impolite. It can be argued that people who look at each other without close relation or familiarity is uncommon, particularly for gazing without saying words.

Proxemics

Physical proximity or proxemics is also another nonverbal communicative category. Edward Hall in H. Douglas Brown said about taking into account the acceptable distance to the public, social-consultative, personal, and intimate discourse. Americans feel that they have a certain "personal" bubble of space when a stranger stands closer than 20 up to 24 inches except the room is limited as in the elevator. But it is also different in other countries.

11) Bapak: "Saya minta maaf ya, Neng..." (**Berada dekat di samping Ibu Itje**, tangan kanan memeluk Ibu Itje dan tangan kiri memegang tangan Ibu Itje) Father: "I'm sorry, wife ..." (**Being close to Mrs. Itje**, right hand hugging Itje's mother and left hand holding Ms. Itje's hand)

In physical motion performed by Father, viewed from nonverbal courtesy, the gesture contains courtesy of proxemics. The proximity or distance of speech and view between Mr. and Mrs. It is to talk about personal thing is less than 10 cm. It is categorized as having courtesy since the relationship between the two of them is husband and wife.

Artifacts

Nonverbal messages of artifacts such as clothing and jewelry are also important aspects of communication. Clothing often implies the impression of self-esteem, socio-economic class, and the general character of a person. Jewelry also conveys certain messages. In a multicultural conversation group, artifacts along with other nonverbal cues can be a significant factor in removing obstacles, identifying certain personality characteristics, and setting general atmosphere.

12) Saka: (Smile widely) mmmm ... Friends. Sorry, I'll just take this one .. (just give one shirt he wants to buy and ignore the other shirt that has been chosen by his friends)

Clothing or jewelry appeared in that gesture fragment, seen from the form of nonverbal, was included in the courtesy of artifacts or clothing and jewelry used by Saka. As a director, Saka was a simple man. It proved in the clothes he wanted to buy. He only bought one shirt even though he had a lot of money to buy other shirts.

Kinesthetic

Touching, often called kinesthetic, is another aspect of a nonverbal communication culture. How we touch other people and where we touch them is sometimes the most misunderstood aspect of nonverbal communication. In some cultures, touching hints at a very personal and intimate style, while in other cultures touching in the broadest meaning is common. Knowing limits and conventions is important for clear and unambiguous communication.

13) Rissa: "Yeah, I want .. Oke, here let me kiss first .." (smiling, kissing Satya and holding both of his hands)

In physical motion performed by Rissa, judging from the nonverbal courtesy, it conformed with kinesthetic. The touch given by Rissa as the candidate of Satya's wife. She received the engagement of Satya and her happiness was expressed with a kiss. It is categorized as having no politeness because the physical movement they performed is in front of a public place, thus there is possibility of various guests or other parties seeing this gesture.

CONCLUSION

Courtesy in a movie of Saturday with a Father from Adhitya Mulya had been observed from verbal courtesy (wisdom, praise/acceptance, generosity, modesty, agreement, and sympathy) and nonverbal courtesy (kinesics, eye contact, proxemics, artifacts, and kinesthetic). In the depiction of courtesy in Saturday with a Father movie, it can be seen that the dominant verbal courtesy is agreement and wisdom. While the dominant nonverbal courtesy in this film is kinesics such as gestures, hands, head, etc. It can said that in communication, the verbal language becomes the main way to communicate and nonverbal language is only a supporter of it. Nevertheless, in the movie of Saturday with a Father, sometimes verbal and nonverbal languages are not aligned in giving the meaning of an utterance, but that is actually where the implied meaning will be conveyed later. Moreover, after the analysis and triangulation test with the author and colleagues, it can be concluded that the movie of Saturday with a Father is worthy and is complete to be a medium of learning Indonesian language. The use of polite language, the use of clothing or jewelry that is tailored to all ages makes this movie can be accepted by all parties. Besides, it also has many mandates which can be accepted by children, teenagers, adults, or even parents. This is the agreement between screenwriter (Adhitya Mulya), film producer and director who from the beginning made this film to be loved by all parties.

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Effect of Mutation and Career Development on Performance through Work Motivation at the Class I Airport of Juwata Tarakan Pengaruh Mutasi dan Pengembangan Karir terhadap Kinerja melalui Motivasi Kerja pada Bandar Udara Kelas I Utama Juwata Tarakan

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Improved performance would be influenced by work motivation, high motivation would improve the performance because work motivation was encouragement that influenced by mutation policy and employee career development. The research objective was to find out mutation effect, carrer development to the work motivation and performance on class I airport of Juwata Tarakan.

Population and sample in the research was 141 employees with 60 people as sample. Sampling technique used sampling probability with simple random sampling technique. Data analysis used in the research consisted of statistic descriptive analysis and path analysis with

Populasi dan sekaligus sebagai sampel pada penelitian ini adalah seluruh karyawan yang berjumlah 141 orang dengan jumlah sampel sebanyak 60 orang. Teknik pengambilan sampel menggunakan probability sampling dengan teknik simple random sampling. Data analysis techniques used in this study consist of descriptive statistical analysis and path analysis with tools of SPSS application program (Statistical Package for the Social Sciences) version 22 for Windows.

The results showed that the mutation significantly influenced the motivation at the Class I Airport Juwata Tarakan with the significance of 0.137> 0.05 and tcount1,509 <ttable 2,000 rejected. Career development had a significant effect on motivation at Class I Airport of Juwata Tarakan with significance 0,026 <0,05 and tcount2,291> ttable 2,000 received. Mutation significantly affected the performance at the Class I Main Airport Juwata Tarakan with the significance of 0.038 <0.05 and tcount 2.122> ttable 2,000 received. Career development had a significant effect on performance at the Class I Juwata Tarakan Airport with the significance of 0.000 <0.05 and thitung5,672> 2,000 accepted ttable. Motivation significantly influenced the motivation at the Class I Juwata Tarakan Airport with significance 0,021 <0,05 and tcount 2,378> ttable 2,000 received. Mutations and career development had an indirect and significant impact on performance after work motivation at the Class I Juwata Tarakan Airport, based on the magnitude of the coefficient variable, the direct influence was greater than the indirect effect. Thus, it can be concluded that the motivation is not proven intervening variables that mediate the effect of mutations on performance at the Class I Juwata Tarakan Airport.

Key words: mutation, career development, work motivation, performance

INTRODUCTION

Mutation and career development was a factor that influenced performace. With mutation and clear career development, it could encourage employee to improve performance as company need, so the company and employee goals could run together in order to reach the goals.

In March 2016, the inauguration of the new terminal of Class I Tarakan Airport by President Joko Widodo, after the inauguration of Juwata Airport has an area of 12,440 m2 with a run run length of 2,250 meters, and capable of serving 40 flights per day with passenger capacity of 2,000 people per day. This is a new start for Tarakan Airport to improve the service and quality of Human Resources. Through the official website of the Ministry of Transportation of the Republic of Indonesia www.dephub.go.id dated December 29, 2016 the head of Juwata Airport (UPBU), Hemi Pamuraharjo said that the development of infrastructure combined with professional management by qualified human resources will surely produce good output for the community. HR plays an important role in airport management and operation. For that, repair and refinement continue to be done by Juwata Airport. Improving the quality of human resources is currently being intensively conducted through various training programs. With the improvement of facilities and infrastructure hence required qualified employees and good performance in large quantities then

made mutations from various regions to fill the shortage of employees in Tarakan. In addition, the development of airports in some areas of North Kalimantan also triggered the increase of mutations to some areas such as Tanjung Selor and Malinau. In connection with the mutation on July 21, 2017 the Minister of Transportation inaugurated 401 new officials from the ministry of transportation ranging from high officials to executing officials. The inauguration of officials this time is large in number because most of the rotation of office to improve organizational performance and renew morale that must answer the challenges and demands related to the duty and transportation of transportation.

Career development system at Class I Juwata Tarakan Airport had been regulated and stipulated in Regulation of the Minister of Transportation of the Republic of Indonesia Number: PM. 46 of 2012 concerning the career pattern of the ministry employees of pertunbungan. With such regulations the employee had been bounded and must obey and executed in accordance with the rules. As for career development at the Class I Juwata Tarakan Airport for the two are internal and external. For internal, there were policies from local offices while for external policies from higher office halls. Every employee wanted a faster career to develop from that specified by the agency. In line with that at the Class 1 Juwata Tarakan Airport is an institution that has a lot of human resources and quality. Through good Career Development would maintain the quality of employees by improving sustainable performance.

The purpose of this study is as follows: to determine the effect of mutation, career development on work motivation and performance at the Class I Juwata Tarakan Airport.

REVIEWED LITERATURE

Mutation

Mutation or transfer is the process of moving a person to a new position with the same level (level) and compensation. Mutations can be performed within the internal scope of the part, interdivision, or interunit within a parent company geographically located in a different location. (Edison dkk, 2016: 234).

Transfer or mutation by Mondy (2008: 176) is the lateral displacement of an employee within an organization. According to Simamora (2001: 784) transfer is the transfer of an employee from one job to another whose salaries, responsibilities, and or organizational ladder are relatively similar.

Mutations or transfers according to Wahyudi in the book Badriyah (2015: 216) is the transfer of work of someone who has the same level of level of job position before experiencing a job change. New salary compensation, duties, and responsibilities are the same as before. For Hasibuan (2013: 102) a mutation is a change of position / position / place / work done either horizontally or vertically (promotion / demosi) within an organization.

Career Development

The process to be traversed by employees with a series of stages, each stage was marked by development, activity, and different relationship (Sinambela, 2016:273). According to Sunyoto (2012:183), career development is a process to identify potentials of employee career and material and aplly correct ways to develop the potentials. Generally, career development process started by evaluating employee performance. While I Komang A (2012:183), career development is personality development which is done by someone in order to achieve a career goal and improvement of personality department in order to work plan as the path or organization stage.

According Handoko (2014:130), career development was efforts of an employee to achieve a career goal, these activities may be supported by personality development or not.

Work Motivation

According to Luthans (2006:270), terms motivation came from Latin *movere*, which meant move. It was a prove of definition of motivation as process which is started by d

According to Luthans (2006: 270), the term motivation came from the Latin word *movere*, which meant to move. This meaning is evidence of a comprehensive definition Motivation was a process that began with physiological or psychological deficiencies that drive behavior or impulses that are destined for purpose or incentive. Munandar (2004: 323) Motivation is a process whereby needs encourage a

person to perform a series of activities that lead to the achievement of a particular goal. If the goal is achieved it will satisfy or meet those needs.

Robbins and Judge (2008: 222) defined motivation as a process that explains the intensity, direction, and perseverance of an individual to achieve his goals. Motivation or drive to work is very decisive for the goal achievement, humans should be able to grow the highest motivation of work for employees in the company. And motivation is the impetus to a series of processes of human behavior on the achievement of goals, while the elements contained in motivation include elements of generating, directing, keeping, showing, intensity, continuous and the purpose (Wibowo, 2011).

Performance

According Sinambela (2016: 483) performance is the willingness of a person or group to perform an activity and refine it in accordance with its responsibilities with the expected results. Wirawan (2010: 5) suggests performance is the output generated by the functions or indicators of a job or a profession within a certain time. While Edison et al (2016: 190) performance is the result of a process that refers and is measured over a specified period of time under predefined terms or agreements.

RESEARCH METHOD

Definition of Variable Operational

1. Mutation (X1)

Mutation or transfer is the process of moving a person to a new position with the same level (level) and compensation. Mutations can be made within the internal scope of the section, interdivision, or interunit within a parent company geographically located in a different location. Indicator of Mutations by Hasibuan in Alsyani (2015) is:

- a. Experience, Have experience in accordance with the field, Have a number of experiences that support the work and highly experienced.
 - 1) Mutations add my experience to support my work
 - 2) I have experience and high fly experienced so that I can apply elsewhere
- b. Knowledge, understand well the main tasks and functions, know the policies about mutation and the purpose of mutation.
 - 1) From mutations, I can measure how much my skills and knowledge in working
 - 2) I understand every policy taken by the company is well considered
- c. Needs, the need for certain agencies, the suitability of mutations with the needs, and needs in accordance with the field.
 - 1) I get great facilities and compensation when mutation
 - 2) I feel needed in a new place and according to my field.
- d. Skills, competence in accordance with the field, have skills in another fields, have a skill that can be relied upon.
 - 1) I can work in accordance with the procedures set by the company
 - 2) The skills I have are needed by the company
- e. Responsibility, Responsibility for duties and obligations, Responsible for all decisions.
 - 1) I can take full responsibility for my work
 - 2) The sanction to the undisciplined employee for me is a mutation

2. Career Development (X2)

Career development is a personal improvement that a person does in order to achieve a career plan and improvement by the personnel department to achieve a work plan according to the path or ladder of the organization. According to Bernardin (2003) in Nugroho & Kunartinah (2012) there are two dimensions of measurement towards career development, namely:

- a. Organizational career development, including career information and career programs, training and development opportunities, career diversity, own career responsibilities, realistic career development and development opportunity benefits.
 - 1) I understand clearly the career path that is prepared by the company.
 - 2) I am given the same opportunity to improve my career skills to a higher level
 - 3) Compensation is one of the factors driving me to improve my career
 - 4) Working well and achieving, I have opportunities or opportunities for career development

- b. Individual career development included searching for career information and career plans, building career goals and development, interest in skills and abilities
 - 1) For me to occupy an important position in the company is the peak of one's career
 - 2) Positions that I have now are in accordance with the results of work achievements so far
 - 3) The training and development that I follow is beneficial for my future career development.
 - 4) My work spirit improved as my career grew well.

3. Work Motivation (I)

Job motivation is a process whereby needs encourage a person to perform a series of activities that lead to the achievement of a particular goal. If the goal is achieved it will satisfy or meet those needs. Achievement motivation theory from McClelland explains the development of dimensions and indicators of achievement motivation in Darmayanti, Bagia & Suwendra (2014), namely:

a. Need for achievement

- 1) Awarding employees who are achievers motivate me to improve performance
- 2) The work I am currently doing is very challenging to provide maximum performance
- 3) My work always gets praise and appreciation from my boss
- 4) I have the same opportunity to develop skills related to my work
- b. Need for power (need for power)
 - 1) I am often involved in the decision-making process by superiors
 - 2) I feel more respected by colleagues in the office for my current position.
 - 3) I am able to set an example for colleagues in the corporate environment
 - 4) Positions that I achieve, can add spirit to work
- c. The need for affiliation (need for affiliation)
 - 1) I am always included in important activities in the company
 - 2) I prefer to finish work in team work with colleagues
 - 3) I can adjust to co-workers in the company environment
 - 4) The social life in my current work environment is great

d. Performance (Y)

Performance is the willingness of a person or group to perform an activity and refine it in accordance with its responsibilities with the expected results. According to Dessler in Alsyani (2015) includes the following indicators:

- a. Quality of work is the insurance, accuracy, and can be accepted for the work done.
- 1) Skill I have according to the job I do
- 2) I can quickly adjust to any new decisions the company takes.
- b. Productivity is the quantity and efficiency of work produced within a certain period of time.
- 1) The level of achievement of work volume that I produce has been in accordance with the company's expectations
- 2) I give priority to the work which is the priority of work
- c. Job knowledge is the skills and practical / technical information used on the job.
- 1) I am able to do the job well.
- 2) I am mastering the field of tasks that I do
- d. Attendance is the extent to which the employee is on time, observing the specified break / meal period and whole attendance records
- 1) Come to the office on time is my priority
- 2) I can apply my discipline in completing the work
- e. Independence is the extent to which work is done with or without supervision.
- 1) I can finish my job well without being supervised
- 2) My task is done without asking for help to colleagues.

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Sampling Technique

Population and also as sample in this research is all employees amounted to 141 people with total sample counted 60 people. Sampling technique in this research is by using probability sampling with simple random sampling technique.

Analysis Tools

Data analysis techniques used in this study consist of descriptive statistical analysis and path analysis. In the calculation of data processing, researchers use a tool in the form of SPSS application program (Statistical Package for the Social Sciences or Package Statistics for Social Sciences) version 22 for Windows.

RESULT OF THE RESEARCH

Regression Analysis

Multiple Regression Analysis Equation I

The influence of work mutation and career development on motivation at Class I Airport Juwata Tarakan was done by multiple linear regression technique. The following output data processing results:

Table 1 Multiple Linear Regression Analysis

Model	Unstandardized	Unstandardized Coefficients		t	Sig.
	В	Std. Error	Coefficients Beta	-	2-8
(Constant)	6,327	7,578		0,835	0,407
Mutation	0,380	0,252	0,248	1,509	0,137
Career Dev.	0,626	0,273	0,376	2,291	0,026
R					0,586
R^2					0,343
					0,320
Adj R ² F					14,884
sig					0,000

Table 1 showed that regression equation for work mutation and career development to the work motivation as follows:

$$I = 6,327 + 0,248 x_1 + 0,376 x_2 + e_1$$

The above analysis equation can be interpreted as follows:

- 1. Constant value (a) of 6.327 which means if the variable value of work mutation and career development is zero / no change / fixed, then the work motivation of the first Class I Juwata Airport Tarakan still has a value of 6.327.
- 2. The value of coefficient (beta) variable work mutation of 0.248 indicated if the mutation variables change by one unit will result in changes in variable motivation of 0.248 units.
- 3. The coefficient (beta) value of career development variables of 0.376 indicates if career development variables change by one unit then it will result in changes in motivation variable of 0.376 units.

Path Analysis

The formulation of the second problem and the second hypothesis proved that the influence of mutation and career development on the performance of the Class I Juwata Airport Tarakan employees through work motivation tested by path analysis. From the analysis results obtained output results as follows:

Tabele 2 Path Analysis

•	Unstandardize	d Coefficients	Standardized		
Model			Coefficients	t	Sig.
	В	Std. Error	Beta		
(Constant)	1,760	2,955		0,595	0,554
Mutation	0,211	0,100	0,212	2,122	0,038
Career development	0,628	0,111	0,581	5,672	0,000
Motivation	0,122	0,051	0,188	2,378	0,021
R					0,877
\mathbb{R}^2					0,770
Adj R ²					0,757
F					62,338
sig					0,000

From table 2 showed that regression equation for work mutation, career development and work motivation on performance as follows:

$$Y = 1,760 + 0,212 x_1 + 0,581 x_2 + 0,188 I$$

The equation above can be interpreted:

- 1. The value of constant (a) of 1.760 which means if the variable value of work mutation and career development zero / no change / fixed, then the motivation of employee Main Class I Main Airport Juwata Tarakan still has a value of 1.760.
- 2. The value of coefficient (beta) variable work mutation of 0.212 indicates if the mutation variables change one unit will result in changes in performance variables of 0.212 units.
- 3. The coefficient value (beta) of career development variables of 0,581 indicates if career development variables change one unit then it will result in change of performance variable equal to 0,581 unit.

Determination Coefficient

The result of determination coefficient between Work Mutation and Career Development on Work Motivation can be seen in the following table:

Table 3. Determination Coefficient of Work Mutation and Career development on Work Motivation

R	R Square	Adjusted R Square
0,586 ^a	0,343	0,320

Adjusted R Square value of 0.320 thus work mutation and career development can only explain the variation of work motivation variable by 32% and the rest is explained by other factors outside the variable studied in this research. The amount of variance that can not be explained by job satisfaction variable is:

$$e_1 = 1 - R^2 = 1 - 0.320 = 0.68$$

The result of determination coefficient between Work Mutation, Career Development and Work Motivation on performance can be seen in the following table:

Table 4. Determination coefficient between Work Mutation, Career Development and Work Motivation on performance

R	R Square	Adjusted R Square
.877ª	.770	.757

The adjusted value of R Square is 0.757 and close to 1, thus the work mutation, career development and work motivation are able to explain almost all variations of the performance variable so that the regression model is fit or good. Based on the value of Adjusted R Square can also be interpreted mutation work, career development and work motivation can affect the performance of 75.7%. And the rest is explained by other factors outside the variables studied in this study. The amount of variance that can not be explained by job satisfaction variable is:

$$e_2 = 1 - R^2 = 1 - 0,757 = 0,243$$

Having known the variance value of both equations, it is known value of coefficient of determination (R^2) :

$$R^{2} = 1 - (e_{1} \times e_{2})$$

$$= 1 - ((0,68)^{2} \times (0,243)^{2})$$

$$= 1 - (0,462 \times 0,059)$$

$$= 1 - 0,027$$

$$= 0,973 \text{atau } 97,3 \%$$

The determination coefficient test (R2) is obtained from the result of 0.973 or 97.3% which means variability of performance variable of the main Class I Main Airport Juwata Tarakan can be explained by mutation variable, career development and work motivation 97,3%, while the rest influenced by variable others not examined.

F Test

F-test results between work mutation and career development on work motivation can be seen in the following table results:

Table 5 Table F-Test ANOVA

T dore 3	Tuble I Test II	10 111	
Model		F	Sig.
	Regression	14,884	$0,000^{b}$
1	Residual		
	Total		

From statistical test of F (F test) in table 5 got F count equal to 14,884 and significance at 0.000. Since the value of F arithmetic is greater than F table (3.16) and the number of significance is much smaller than 0.05 then the regression model can be used to predict the dependent variable, or in other words the variable of work mutation and career development, the interaction of work mutation with motivation work and interaction of career development with work motivation have positive and significant influence to employee motivation variable.

Result of F - test between work mutation and career development to work motivation can be seen result in following table:

Table 6. Table F - Test ANOVA

Mod	lel	F	Sig.
	Regression	62,338	$0,000^{b}$
1	Residual		
	Total		

From statistical test of F (F test) in table 6 obtained F count equal to 62,338 and significance at 0.000. Since the value of F arithmetic is greater than F table (3.16) and the number of significance is much smaller than 0.05 then the regression model can be used to predict the dependent variable, or in other words the variable of work mutation, career development and motivation, the interaction of work mutation with work motivation and career development interaction with work motivation have positive and significant influence to employee performance variable.

T Test

Effect of work mutation on work motivation

Hypothesis 1 stated that work mutations have a significant effect on employee motivation. On table 1 we can see the tount of 1.509, while the t value of the table on the significant 95% (α = 0,05) and the degree of freedom 60 (n = 60) equals 2,000 (see table t distribution), then tount < α = 0.05). While the level of significance of 0.137> 0.05. This means that H0 is accepted and Ha is rejected. This meant that work mutations had a positive but not significant effect on work motivation at the Class I Juwata Airport Tarakan.

Effect of Career Development on Work Motivation

Hypothesis 2 stated that career development has a significant effect on employee work motivation. On table 1, we can see the value of t arithmetic of 2.291 while the value of t table at 95% significant (α = 0.05) and degree of freedom 60 (n = 60) equal to 2,000 (see table distribution t), then t arithmetic> t table (α = 0.05). While the level of significance of 0.026 <0.05. This meant Ha is accepted and H0 is rejected. This means that career development has a positive and significant impact on work motivation at the Class I Juwata Airport Tarakan.

Influence work mutation to performance

Hypothesis 3 stated that work mutation influenced significantly to the employee mutation. In table 2 we can see the value of t arithmetic of 2.122 while the value of t table at 95% significant ($\alpha = 0.05$) and degree of freedom 60 (n = 60) equal to 2,000 (see table distribution t), then t arithmetic> t table ($\alpha = 0.05$). While the level of significance 0.038 <0.05. This means Ha is accepted and H0 is rejected. This means that work mutations have a positive and significant effect on the performance of employees at the Class I Juwata Airport Tarakan.

Influence of career development to performance

Hypothesis 4 stated that career development has a significant effect on employee performance. In table 2 we can see the t value of 5.672 while the value of t table at the significant level of 95% (α = 0,05) and degree of freedom 60 (n = 60) equals 2,000 (see table distribution t), then t> t table (α = 0.05). While the level of significance 0.000 <0.05. This meant Ha is accepted and H0 was rejected. This meant that career development had a positive and significant impact on the performance of employees at the Class I Juwata Airport Tarakan.

Influence of motivation to performance

Hypothesis 5 states that work motivation significantly affects employee performance. In table 2 can be seen t value counted 2.378 while the value of t table at a significant level of 95% (α = 0.05) and degree of freedom 60 (n = 60) equals 2,000 (see table distribution t), then t> t table (α = 0.05). The significance level is 0.021 <0.05. This means Ha is accepted and H0 is rejected. This means that the motivation of work has a positive and significant effect on the performance at the Class I Juwata Airport Tarakan.

Intervening Test

To prove that work motivation variable can be a variable that mediate between mutation and career development to performance, hence will be calculated direct and indirect influence between work mutation and career development to performance. If the indirect effect of work mutation on performance through work motivation is greater than the direct effect of mutation and career development on performance, then work motivation can be a mediating variable between work mutation and career development on performance.

Table 7. Result of Path Regression Conclusion

Relationship	Regre		
Direction	Beta	Sig	3
X1 → I	0,248	0,137	0,68
X2 → I	0,376	0,026	
X1 → Y	0,212	0,038	0,243
X2 → Y	0,581	0,000	
I→Y	0,188	0,021	

Table 8. Direct and Indirect Influence

Influence Direction	Direct Influence	Indirect Influence	Total
$X_1 \rightarrow Y$	0,212		
$X_2 \rightarrow Y$	0,581		
$X_1 \rightarrow I \rightarrow Y$		$0,248 \times 0,188 = 0,047$	0,212 + 0,047 = 0,259
$X_2 \rightarrow I \rightarrow Y$		$0,376 \times 0,188 = 0,071$	0,581 + 0,071 = 0,652

Based on the picture and table 8 can describe the direct or indirect influence of mutation and career development variables on performance as follows:

The effect of mutation on performance through work motivation is obtained from multiplication of influence of mutation variable to performance that is 0,047. These results indicate that work motivation is capable as intervening variable of mutation influence on performance. Direct influence between mutation to performance with coefficient equal to 0,212 bigger than indirect influence between motivation through work motivation with coefficient equal to 0,047, so direct influence more dominant than indirect influence.

The influence of career development on performance through work motivation is obtained from the multiplication of the effect of career development variables on the performance of 0.071. These results

indicated that work motivation is able as an intervening variable of career development influence on performance. The direct influence of career development on performance with coefficient of 0,581 is bigger than indirect influence between career development through work motivation with coefficient equal to 0,071, so direct influence is more dominant than indirect influence.

DISCUSSION

Influence of Mutation to Motivation on Class I Juwata Airport Tarakan

Result of t test calculation in this research, work mutation had positive impact but not significant to performance. The value of t count was 1.509 with a significance level of 0.137. This is in accordance with the research conducted by Farianda (2008) but in the research, mutations affected the motivation significantly. Motivation was a passion inside and outside of a person that caused the person to take action. Someone took action to reach the goal. Motivation questioned how to encourage subordinate work passion, so they wanted to work hard by giving all the ability and skills to realize the company's goals. Correspondingly, Siagian (2016: 172) stated that mutations or assignments could be an invaluable opportunity to develop in the framework of self-actualization.

Influence of Career Development to Motivation on Class I Juwata Airport Tarakan

The results obtained from t test in this study can be stated that career development had a positive and significant impact on motivation. The value of t count was 2.291 with a significance level of 0.026 (sig <0.05). This meant the better application of career development, the employee motivation increased. The results of this research were shown in the statement of the training questionnaire that had helped to improve the ability to carry out the work so that employees worked hard in order to get appreciation and acknowledgment of their work according to the career development goal proposed by Caruth and Pane in Sinambela book (2016), namely Encouraging growth, Developing new skills, Reduced saturation, Satisfy employees expectations and Increase the level of achievement. The result of the research approved that there was a positive influence of career development on employee motivation at Class I Juwata Airport Tarakan. The results of this study were also consistent with research conducted by Nugroho & Kunartinah (2012) and Dewi & Utama (2016) who stated that career development had a positive and significant effect on employee motivation. Dessler (1984: 547) explained that all staffing activities, planning and career development can be used to meet the needs of companies and individuals in such a way that both parties gained benefit, the company benefits by enhancing the performance of a more dedicated workforce, and employees benefit from a richer and more challenging career.

Influence of Mutation to Performance on Class I Juwata Airport Tarakan

The value of t count was 2.122 with a significance level of 0.038 (sig <0.05). This showed that mutations had a positive and significant effect on the performance at the Class I Juwata Airport Tarakan. The result of this research was consistent with result of Hasibuan research (2013). The effect of mutation on employee performance at Regional Development Planning Board of Rokan Hulu Regency turned out there was a positive relationship, where the change of value in mutation category was followed by change of value in employee performance category. Alsyani (2015) mutations had a significant and significant impact on the performance of Staff in Post-graduate of Andalas University. To improve employee performance, the Class I Airport of Juwata Tarakan, when the mutation was done, it will create a balance between the workforce and the existing positions in the organization, so as to ensure stable employment conditions, open opportunities for career development and to increase knowledge and employee experience.

Influence of Career Development to Performance on Class I Main Airport of Juwata Tarakan

The t-test value of career development on performance was 5,672 with significance level was 0,000. It meant that career development had a positive and significant effect on employee performance at the Class I Main Airport of Juwata Tarakan. This meant that the increasing and decreasing of employee performance was influenced by the rising of Turunya Mining career. With career development, employees will feel that their knowledge and experience grew so that they were able to complete the works in an organization. An employee who increased his career will demonstrate his performance. This was in line with research conducted by Baroroh (2013) that career development had a positive and significant impact on performance and Wansaga, Oroh & Sendow (2016) stated that Career Development partially significantly influenced Performance.

Motivation Against Performance on Class I Juwata Influence Airport Tarakan Based on t count 2,378 with significance level 0,021 <0,05. It meant the motivation had a positive and significant effect on the performance at the Class I Juwata Airport Tarakan. This showed that the higher the work motivation perceived by employees, then the performance of employees will increase or vice versa, the lower the work motivation the lower the performance of employees. This was in line with several studies conducted by Mahesa (2010), Darmayanti et al (2012) and Baroroh (2013) which stated that motivation influences performance, but was inconsistent from research conducted by Widiyawatiningrum et al (2015). Highly motivated employees will be challenged for more difficult tasks, challenged to take on tougher responsibilities, and be challenged to be able to occupy a higher position. Achievement motivation was reflected in high employee performance. As explained by Robbins & Judge (2008: 300) the reward must depend on performance, which is important that employees should get a clear relationship. Regardless of how close the relationship was between rewards and performance criteria, when individuals perceived these relationships low outcomes were low performance, decreased in job satisfaction, and employee turnover and absenteeism.

Influence of Mutation and Career Development to Performance through Motivation on Class I Juwata Airport Tarakan

The result of intervening analysis showed that the effect of mutation on performance through work motivation was obtained from the multiplication of the effect of the mutation variable on the performance of 0.047. These results indicated that work motivation was capable as intervening variable of mutation influence on performance. Direct influence between mutations to performance with coefficient equal to 0,212 bigger than indirect influence between motivation through work motivation with coefficient equal to 0,047, so direct influence more dominant than indirect influence. The effect of career development on performance through work motivation was obtained from the multiplication of the effect of career development variables on the performance of 0.071. These results indicated that work motivation was able as an intervening variable of career development influence on performance. The direct influence of career development on performance with coefficient of 0,581 was bigger than indirect influence between career development through work motivation with coefficient equal to 0,071, so direct influence was more dominant than indirect influence.

Mutation and career development will improve performance without motivation from the employees themselves. Basically mutations were included in the employee development function, because the goal was to improve the efficiency and effectiveness of work within the company (Hasibuan, 2014: 102). In relation to motivation not mediating mutations on performance, explained by Wibowo (2011: 391) explained that motivation was important, but not a sufficient contributor to performance achievement, performance issues depend on a combination of individual inputs, work context factors, motivation and appropriate motivated behaviors. Career development This is in line with research conducted by Dewi and Utama (2016) which states that work motivation does not significantly mediate the relationship between career development on employee performance. In this study, the performance of employees will increase due to the development of a good career although there is a sign of motivation from the management.

Conclusion

Based on the results of research and studies that have been described previously, it can be concluded as follows:

- 1. Mutation significantly influences the motivation on Class I Juwata Airport Tarakan with the significance of 0.137> 0.05 and thitung 1,509 < ttabel 2,000 is rejected.
- 2. Career development has a significant effect on motivation on Class I Juwata Airport Tarakan with significance 0,026 <0,05 and tcount2,291> ttable 2,000 accepted.
- 3. Mutation significantly affects the performance on Class I Juwata Airport Tarakan with the significance of 0.038 < 0.05 and tcount 2.122> ttable 2,000 received.
- 4. Career development significantly affects the performance on Class I Juwata Airport Tarakan with the significance of 0,000 < 0.05 and thitung 5,672 > 2,000 accepted ttable.
- 5. Motivation significantly influence the motivation on the Class I Juwata Airport Tarakan with significance 0,021 <0,05 and t count 2,378> ttable 2,000 received.
- 6. Mutation and career development have an indirect and significant influence on performance after

through work motivation on Class I Juwata Airport Tarakan, based on the magnitude of the variable coefficient, the direct influence is greater than the indirect effect.

Suggestions

- 1. Mutation and Career Development has a significant positive impact and contribute considerably to the performance of the First Class Service Juwata Airport Tarakan, Then the Class I Juwata Airport Tarakan should pay attention to these factors.
- 2. The management of the First Class I Main Airport of Juwata Tarakan should pay more attention to training and development for employee career development, because with the training and development of employees motivated and have a purpose in working, so this can improve its performance.
- 3. In this study studied only focused to the influence of mutations, Career Development, on Performance through employee motivation. While other factors that also affect the employee performance that has not been revealed how much influence, hopefully in the next research, it can be discussed other factors that have not been studied in this study.

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Wimba learning model (based on visuospatial) for science learning in 7th grade students

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Abstract

The purpose of this research is to know the students' learning outcomes by using visuospatial-based learning model (3D) in grade 7 students, at 13-14 years old in Public Yunior School in a small town of West Java, Indonesia. The visuospatial-based learning model is also called the wimba learning model. The method used in this study is true experimental. The population of the entire class VII of Public Yunior High School, Kota Tasikmalaya was 112 people consisting of four classes. The sample of the study was 2 classes, the first class using the wimba learning model and the second class using the direct learning model as the control, with the number of students each with 28 students. The research instrument is a learning result test consisting of 36 multiple choice questions with four answer choices. Data analysis technique used is the test of two different tools (t-test) with a significance level (α) = 5%. The results showed significantly that the wimba learning model positively influences the learning outcomes. These findings suggest that this wimba learning model can improve students' cognitive learning outcomes at the application, analysis and evaluation level.

Keywords: wimba model learning, visuospatial, learning outcome

Introduction

Often we forget that learning to use images is important to develop students' imaginations. Liu (2007) is concerned about the decline in interest and ability to attract primary school children. Tabrani (2000) states since childhood, children know the language of the picture, but in elementary school, the ability of children's image language is replaced with a verbal language, so that reduced the ability of the

image. Though the ability of the image associated with creativity and spatial intelligence (Liu, 2007). Ramadas (2009) argues visual-spatial thinking is very interesting and relevant for science and research learning in the field of science education.

The results of Suprapto et al (2012) show that the VS model can improve cognitive learning outcomes. A person with

good visual-spatial intelligence, given his image form, he can easily answer cognitive questions well (Lazear, 2004). Korakakis et al (2009) states that children aged 13-14 years of learning interactive 3D learning, animation and the like because it can increase interest and learning materials become more interesting, so it can reduce the cognitive load of children. Handley et al. (2002) suggests that 3D tasking (TOH) is highly correlated with memory capacity and spatial capacity memory.

The wimba learning model is a microscopic representation model based on visual- spatial (3D). This model also called VS (visual-spatial) model helps one to develop spatial intelligence or visualspatial intelligence. Spatial-visual intelligence is a capability that allows the visualization of information and the synthesis of data and concepts into visual metaphysical or images. Visuospasial thoughts cannot be separated from the process of imagination. Tabrani (2000: 1) said that the process of imagination is the process of learning, the process of thinking and the process of creation to form memory and increase knowledge (Lazear, 2004: 18). Shepard (1978, 1988 in Ramadas, 2009) states that spatial imagination visualization is essential for creativity and discovery.

The purpose of this study is to see the influence of wimba learning model on student learning outcomes.

Method

The research method is the true experimental design. The study was conducted in a small town in West Java, Indonesia. The people of this city are Sundanese. dominated by the The population of grade 7 in junior high class is four classes with 112 students. samples were two classes using cluster random sampling technique. The first class uses the wimba learning model and the second class uses direct learning, as a control.

Test validity of items using product moment correlation formula. The results obtained 36 items that meet the valid criteria and 14 invalid items. Then proceed with test reliability of 36 items that have been valid by using K-R formula. 20. Based on the calculation results obtained R-11 = 0.93 which means the instrument has a very high level of reliability. Data analysis was processed by using the learning result enhancement formula, N-Gain (Meltzer, 2002: 2), followed by different test, T test. The learning process begins with the student task of making a summary of the cell material at home, then in the class the students present their assignments in class, followed by observing 2D microscopic images. The result of image observation is

2D drawing made by student design and 3D, then student make 3D concrete by playdough (Figure 1).

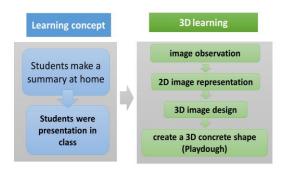


Figure 1: The learning process of the wimba model

Result and discussion

Microscopic representation

The results showed that the students were able to make 2D transverse and longitudinal cell images of student observations. 2D transverse and longitudinal images have been provided by the teacher for drawing by the students.

Gambar 2D Melintang	Gambar 2D Membujur	Keterangan
Gambar XV.VIC.19.VV		berbenbuk
		bulat
Gambar L.EHANK.	2.00	Saluran 2
	Langin)	halus
Gambar K. F. Kasor		Formpor Singres
	W. Com	Permutaan tasar
Gambar Various		
		Rongga sel
Gambar		membran garda
EN PLOS		- Membran War - Membran dalam Membran ba Fricta/membran ba
Gambar Floroplac		Membran rangkap
同問題		erdapat ruang antar Membran
Gambar Badan gagi		Berbentule
		hantung pipih yang bermembian

Figure 2: Student 2D drawings on transverse and longitudinal in cell organelle material

The student drawings are good enough, meaning the drawings made are understandable (figure 2), the nucleus images, the smooth endoplasm reticulum, the rough endoplasmic reticulum, the vacuoles, the mitochondria, the chloroplasts and the golgi body.

3D Representation (visuospatial)

3D representation (visuospatial) is the most difficult form of student activity on the Wimba learning model which is the activity of representing 2D form, into the 3D form both in image and concrete form. In this activity, students experience the process of thinking, which is to imagine with 2D images transverse and longitudinal into 3D images. This process is done through the process of student discussion in groups. The result of the discussion process is a 3D image design (figure 3). When observed the results of 3D images of students, it appears students are still difficult to realize 3D images in accordance with his imagination. Weakness in the picture there are two possibilities, students do not understand about the 3D form of cells or students cannot draw 3D well. The picture shows a lack of 3D detail.

Although the design of 3D images is still not good, but students can realize the imagination in the form of 3D concrete (images 4 and 5). according to Lee, Collins, Winkelman (2015) learns more than

memorizing terminology and characteristics because it stimulates children to geometric and spatial thinking. It is also said the weakness of children who are spirited because children are not explored spatial capacity.

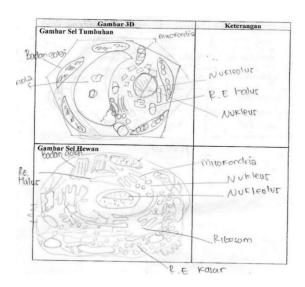


Figure 3: Results of students' 3D designs on plant and animal cell materials

Students more easily realize their imagination in the concrete form using playdough. However, students still have difficulties in making 3D cell forms of animal and plant cells. Students take a long time to be able to represent from 3D design drawings to concrete 3D shapes and a result is a 3D form of animal cells and plant cells.

However, the result of cell representation in 3D using playdough (figure 4) and plant cells (Figure 5) can stimulate learners to understand cells and organelle more deeply. In addition, it can also be used by teachers to know the extent to which the mastery of student concepts.

3D forms created by learners then presented in the classroom can solidify the students about the concepts being studied. Students using the wimba learning model are able to express the results of their analysis to run the results of their own work or others.

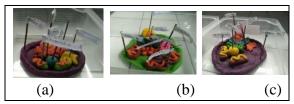


Figure 4: 3D Form of Animal Cell Results Learners. (a) Group 01; (b) Group 03 and (c) Group 05.

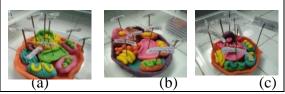


Figure 5 : 3D form of plant cells student results (a) group 02; (b) group 04 and (c) group 06

Based on the above explanation, can be seen as wimba learning model based on visual-spatial intelligence able to stimulate learners to get better learning outcomes than learning. As lost, Michael and Alicia (2005) visual-spatial can improve learning outcomes well.

Improved Learning Outcomes.

Improved learning outcomes were shown with mean values of N-Gains, 0.62 in the wimba learning model and 0.48 using direct instruction as controls (Table 1). The use of the wimba learning model shows better results.

Table 1. Increased student learning outcome

No.	Statistics	N-Ga	ain score
		wimba	direct
		model	instruction
1	Minimum	0,43	0,21
	scroe		
2	maximum	0,81	0,69
	score		
3	average	0,62	0,48
4	Variance	0,0121	0,0169
5	Deviation	0,11	0,13
	standard		

T test results show that there is influence of wimba learning model on student learning outcomes (Table 2).

Wimba learning model, the visual representation of microscopic model based on the visuospatial effect on improvement of learning outcomes 0.62 included in the category of being. When students have been accustomed to believe will get better results. If we look at each indicator of the process dimension C1 (remembering), C2 (understanding), C3 C4 (analyzing) C5 (applyng), (evaluating) and **K**1 (factual), K2 (conceptual) and K3 (procedural) based on Bloom's revised taxonomy (Anderson and Krathwohl's, 2001).

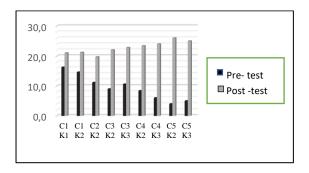


Figure 6. Pretest-Posttest of Learning Results Indicator in wimba learning model.

Figure 6 and Figure 7 show the pretest score appears to decrease at a higher process dimension level. Indicates in both treatments, before student learning has higher on (C1), (C2) and (C3) knowledge, it is called low-order thinking skills, and (C4) and (C5) called high-order thinking skills, appears low, as well as the dimensions of factual and procedural knowledge shared with C4 and C5.

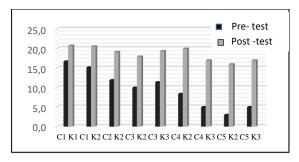


Figure 7: Pretest-Posttest Score on Learning Results Indicator in direct instruction model (control)

After going through the learning process on both treatments showed an increase in score on C4 and C5 (higher order thinking skills) along with K2 and K3. This is in accordance with by Ramadas (2009) states that learning through visual and spatial is able to stimulate cognitive thinking and knowledge representation.

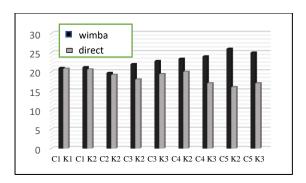


Figure 8. Differences of Posttest Score of wimba model and direct instruction

Figure 8 shows with student scores using improved wimba models better at C3, C4 and C5 levels, indeed the wimba model can improve high-order thinking skills. This shows that the wimba learning model has been able to improve students' thinking ability. 3D and concrete 3D is an activity that can stimulate students' thinking power, and the student's wimba learning model learns in more detail and depth.

In Table 3 shows at meetings 1 and 2, teacher activity is quite high in both learning models. In the wimba model, teacher and student activity is quite high, 7th graders have not been able to learn alone, will still need much guidance of teachers.

Table 3: Teacher Activity Differences and Students Classroom Experiments and Control Classes.

	wimba learn		direct instruction	
Learn	Teacher activity	Student activity	Teacher activity	Student activity
1st Meeting	94,12%	83,69%	94,12%	79,30%
The 2nd Meeting	95,59%	84,33%	94,12%	79,95%
Criteria	very good	very good	very good	good

Learning to use wimba learning model both teachers and students are very active in learning, both classified as the very active category. Learning outcomes using the wimba learning model look better, especially in high-thinking skills. While student activity toward direct instruction is lower, activity is dominated by a teacher. Table 3 shows that teacher activity in direct instruction in the category is very good, but the categories of student activity fall into either category. This has a negative impact on improving student learning outcomes with lower results.

Conclusion

From the research results can be concluded that the wimba model has a positive effect on student learning outcomes, in particular, can improve high-order thinking skills.

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POLITICS LAW OF LEGAL RIGHTS OF THE GOVERNMENT AND LOCAL GOVERNMENTS IN THE LAW NUMBER 32 IN 2009 CONCERNING THE PROTECTION AND MANAGEMENT OF THE ENVIRONMENT

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Abstrak

The regulation of environmental issues in Indonesia has experienced a few great leaps since the enactment of the Environmental Law, with the stronger role of the state in order to provide a good and healthy environment as a means of the Indonesian people's livelihood.

In the implementation of environmental protection and management, the state works on the basis of several principles of state responsibility, which makes the country a central point and reference. The concretization of the strengthening of the principle / legal principle of State responsibility in Law no. 32 of 2009 on the Protection and Management of the Environment is the formulation of legal norms governing the right of government and local government in Article 90 paragraph (1) of Law no. 32 of 2009. The consequence of the legal norms of Article 90 paragraph (1) is that the government may file this right if there is a business or activity that is detrimental to the environment. The mandate and laying of the foundation on the status and legal interests of the government and/or local government in filing civil lawsuits for the benefit of the environment is essential. In addition to strengthening its legal aspect of filing a court case lawsuit (standing in judicial), it also aims to restore the quality of the polluted and/or damaged environment. This is an implementation of the welfare state, where there is a government obligation to realize the general welfare of its citizens.

In principle, the construction of legal norms concerning the right of government and local government in Article 90 paragraph (1) of Law no. 32 of 2009 on Environmental Protection and Management is very important for the protection and management of the environment in Indonesia, but Article 90 paragraph (1) of Law no. 32 the year 2009 it raises legal issues in the form of obscurity/vagueness of legal norms. The obscurity of the legal norm in question is on what basis is the government agency and the local government responsible for the environmental sector have the authority to file the indemnification and the specific action? Due to empirical facts that occur in the field is that almost most of the environmental issues in this case pollution and environmental destruction carried out by the corporation due to ineffective supervision by the government and local government.

A. Introduction to the problem

The 1945 Constitution of the State of the Republic of Indonesia (UUD 1945) states that a good and healthy environment is a fundamental right and constitutional right for every Indonesian citizen. Therefore, the state, the government and all stakeholders are obliged to protect and manage the environment in the implementation of sustainable development so that the Indonesian environment can remain a source and life support for the people of Indonesia and other living things. (General Explanation of Law Number 32 The year 2009).

One of the objectives of environmental protection and management, as stated in Article 3 sub-paragraph a of the Law of the Republic of Indonesia Number 32 Year 2009 on Environmental Protection and Management (hereinafter written UUPPLH No. 32/2009), is to protect the territory of the Unitary State of the Republic Indonesia from pollution and / or environmental damage. Therefore, from the beginning of the planning, the activity has to estimate the environmental zone changes due to the formation of an adverse condition as a result of the development.

Protection and management of the environment in question are certainly done through a mechanism of enforcement of environmental law. According to Satjipto Rahardjo, law enforcement is defined as a process for realizing the legal desires, namely the thoughts of the legislatures bodies formulated and stipulated in the rules of law which then become a reality. (Satjipto Rahardjo 1983).

Soedarto defines law enforcement as the concern and cultivation of lawless acts that really happen (correct in action) as well as possible unlawful acts (onrecht in potential). (Soedarto, 1986:32). The same thing is said by Soerjono Soekanto, who suggests that: "activities to harmonize the relationships of values that are expressed in steady methods and manifestations in attitudes and actions as a series of end-stage values, to create and maintain, peace and association. Conceptually, the core and meaning of law enforcement lie in the interaction of life "(Soerjono Soekanto, 2008:5).

According to Otto Soemarwoto, any development activities, wherever and whenever, would have an impact. The impact is a change that occurs as a result of an activity that can be natural, whether chemical, physical or biological. (Otto Soemarwoto, 2009:24)

The impact can be a positive value which means to benefit human life and can mean negative that is the emergence of risks that harm society. The positive impacts of development are numerous, such as the increased prosperity and welfare of the people, the increase of economic growth, the increasing ability and mastery of technology, expanding and declaring employment and business opportunities, promoting and strengthening healthy and dynamic national stability in order to strengthen national resilience.

Other positive impacts on the environment, such as the control of pests and diseases, the availability of clean water, controlled flooding; and others. While the negative impacts of development on the environment are very prominent is the problem of pollution and/or environmental damage. Physical development that is not supported by environmental sustainability will accelerate the process of natural destruction. The destruction of nature, largely caused by human activities and behavior itself that is not environmentally sound. Or in other words, every activity/business must be oriented to environmental sustainability.

Therefore, the Indonesian environment must be protected and managed properly based on the principle of state responsibility, the principle of sustainability, and the principle of justice. In addition, environmental management should be able to provide economic, social and cultural benefits based on prudent principles, environmental democracy, decentralization, and recognition and respect for local wisdom and environmental wisdom.

Protection and management of the environment require the development of an integrated system in the form of a national policy of environmental protection and management that must be implemented consistently and consistently from center to region.

Preventive measures in the context of controlling environmental impacts need to be implemented by maximally utilizing surveillance and licensing instruments. In the case of pollution and environmental damage that already happened, it is necessary to be repressive in the form of effective, consistent and consistent law enforcement against the perpetrator.

The regulation of environmental issues in Indonesia has experienced some great leaps since the enactment of Law No. 4 of 1982 on Basic Principles of Environmental Management, subsequently replaced by Law No. 23/1997 on Environmental Management, and was

subsequently replaced by the enactment of Undang- Law Number 32 The year 2009 on Environmental Protection and Management.

One of the concerns in these three laws is the stronger role of the state in order to provide a good and healthy environment as a means of the Indonesian people living. The 1945 Constitution of the State of the Republic of Indonesia has stated that a good and healthy environment is a fundamental right and constitutional right for every Indonesian citizen. Therefore, the state, government, and all stakeholders

is obliged to carry out environmental protection and management in the implementation of sustainable development so that the Indonesian environment can remain a source and life support for the people of Indonesia and other living things.

In the implementation of environmental protection and management, the State works on the basis of several principles of state responsibility, which makes the country a central point and reference. The concretization of the strengthening of the principle / legal principle of State responsibility in Law no. 32 of 2009 on the Protection and Management of the Environment is the formulation of legal norms governing the right of government and local government in Article 90 paragraph (1) of Law no. 32 of 2009 on the Protection and Management of the Environment. Article 90 paragraph (1) states that:

"Government agencies and local governments responsible for environmental affairs are authorized to file claims for compensation and certain actions against businesses and/or activities that cause pollution and/or environmental damage resulting in environmental losses."

The consequence of the legal norms of Article 90 paragraph (1) is that the Government may file this right if there is a business or activity that is detrimental to the environment. The mandate and laying of the foundation on the status and legal interests of the government and/or local government in filing civil lawsuits for the benefit of the environment is essential. In addition to strengthening its legal aspect of filing a court case lawsuit (standing in judicial), it also aims to restore the quality of the polluted and/or damaged environment. This is an implementation of the welfare state, where there is a government obligation to realize the general welfare of its citizens.

In principle, the construction of legal norms concerning the right of government and local government in Article 90 paragraph (1) of Law no. 32 of 2009 on Environmental Protection and Management is very important for the protection and management of the environment in Indonesia, but Article 90 paragraph (1) of Law no. 32 The year 2009 it raises legal issues in the form of obscurity/vagueness of legal norms.

The obscurity/obscurity of the legal norm in question is on what basis is the government agency and the local government responsible for the environmental field have the authority to file the indemnification and the specific action? Due to empirical facts that occur in the field is that almost most of the environmental issues in this case pollution and environmental destruction carried out by the corporation due to ineffective supervision by the government and local government.

Based on the latest data from the Ministry of Environment of Indonesia, in 2012 there have been 300 environmental cases such as forest fires, environmental pollution, lawlessness, and mining. Other data supporting the portrait of the Indonesian environment is based on the Environmental Quality Index created by the Ministry of Environment. Noted, there is a decrease in environmental quality, ie in 2009 by 59.79 percent, 2010 by 61.7 percent, and 2011sebesar 60.84 percent. This is also reinforced by the latest data Go Green Indonesia where Indonesia only has a forest cover area of 48.7 percent throughout Indonesia. This is because local governments are trying to increase the local revenue (PAD). As a result, natural resource management permits are too easy to exclude without careful consideration of environmental impacts. Often what happens is the utilization of natural resources no or less heed the norms of environmental sustainability. (National Geographic, May 17, 2016)

Normatively based on Law No.32 of 2009 on the Protection and Management of the Environment, the controls under the authority and responsibility of the government and local government are preventive means to prevent pollution and environmental destruction as regulated in Article 71 of Law No.32 Year 2009 About Environmental Protection and Management. Article 71 states that:

- The minister, governor or regent/mayor in accordance with their authority shall supervise the compliance of the party responsible for the business and/or activity on the provisions stipulated in the laws and regulations in the field of environmental protection and management.
- The minister, governor or regent/mayor may delegate his / her authority to supervise the responsible technical officer/agency in the field of environmental protection and management.
- In exercising supervision, the Minister, governor, or regent/mayor shall appoint an environmental supervisory officer who is a functional official.

Related to that, there is also a contradiction of legal norms between the legal norms of Article 90 paragraph (1) which regulates the Rights of the Government and the Local Government against the business and/or activities causing pollution and / or environmental damage resulting in environmental losses, with the legal norms of Article 71 of Law No.32 of 2009 which regulates the Supervision of Governments and Local Governments in the Protection and Environmental Management in Indonesia.

Taking into account all the above descriptions, in order to sharpen the review of the Polemic The regulation of the legal norms of the Rights of the Lawsuit of the Government and Regional Government in Law No.32 of 2009 on Environmental Protection and Management will be conducted by scientific research through a research proposal entitled "LEGAL POLITICS OF GOVERNMENT AND LOCAL GOVERNMENT IN THE LAW NO. 32 IN 2009 ON THE PROTECTION AND MANAGEMENT OF THE ENVIRONMENT"

RESEARCH METHOD

Research methods used in this study can researchers describe as follows:

Types Of Research

When viewed from its kind, legal research that focuses on the study of the legal rights of government and local governments as law enforcement efforts in the prevention of pollution and environmental damage is a legal research in the field of normative or doctrinal juridical studies. Doctrinal research is another term for normative research. According to Soetandyo Wignjosoebroto, doctrinal research is a study of the law that is conceptualized and developed on the basis of doctrine in the adopted by the conceptual and or the developer. The doctrinal law study works to find the correct answers in the proof of truth sought in or from legal prescriptions written in the books of the law or the religious books or the underlying doctrines. A comprehensive review of the legal instruments governing licensing it examines how the urgency of environmental permits as a form of environmental management in coal mining sectorally constructed in each legal norm. (Soetandyo Wignjosoebroto, 2002)

Research Design

Design research used by researchers is action research that begins with a preliminary study/identification problem. By using the action plan, it is hoped that this research can produce a common perception that environmental permit is a very important instrument in activities related to the exploitation of natural resources.

The Type and Sources of Legal Material

a. Type of Legal Material

As a legal research that is normative, the types of legal materials used in this study include primary legal materials and secondary legal materials. The primary legal material is legal material that is authoritative, that is to say, it has an authority consisting of legislation, official records or minutes in the drafting of legislation, or court rulings. Secondary legal materials are all legal publications that are not authoritative documents. (Soetandyo Wignjosoebroto, 2002)

b. Source of Legal Material

In analyzing the legal issues in this dissertation, the source of primary legal material used consists of environmental laws and regulations, namely, Law Number 4 of 1982 on the Environment (State Gazette of the Republic of Indonesia of 1982 Number 12, Supplementary Sheet State of the Republic of Indonesia Number 3215), Law Number 23 Year 1997 on Environmental Management, and Law Number 32 Year 2009 on Environmental Protection and Management. Subsequent legislation in the field of mining, namely Law Number 11 The year 1967 regarding General Mining and Law Number 4 The year 2009 on Mineral and Coal Mining (State Gazette of the Republic of Indonesia Year 2009 Number 4, Supplement to State Gazette of the Republic of Indonesia Number 4959). Other legal substances that are the source of primary legal material in reviewing the dissertation law issue are Academic Paper and minutes of the meeting of the making of Law Number 32 the year 2009 on Environmental Protection and Management, Academic Paper and minutes of the meeting on the enactment of Law Number 4 Year 2009 on Minerals and Coal, and Government Regulation No. 27 of 2012 on Environmental Permits (State Gazette of the Republic of Indonesia of 2012

Number 48, Supplement to the State Gazette of the Republic of Indonesia Number 5285).

Sources of secondary legal materials include materials that support primary legal materials such as textbooks, research reports, articles and legal journals, published papers, print / electronic media news, and interviews with resource persons and respondents aiming at, apparatus and society).

• Procedures of Legal Material Collection

• The collection of legal materials research both primary, secondary and tertiary researchers do the following steps:

The first step is to collect primary legal materials (as the researchers describe the types of legal materials) and secondary legal materials whose content is relevant to the legal issues of the study. The legal materials that have been collected by the recording system use a qualified file card based on the sub-topics discussed in this study. for primary legal material in the form of recording card of inventory result of legislation study, while for secondary law card is collected by the qualifying recording of excerpt card and analysis summary card.

After the legal materials are inventoried and classified, the second step is to systematize and interpret the primary legal material and then conduct a qualitative juridical analysis based on legal reasoning and legal argumentation coherently. (Phillipus M. Hadjon 1999)

Analysis of Legal Material

The legal material that has been collected is then analyzed. In analyzing the data, the researcher uses descriptive qualitative analysis, which is an analysis that explains or describes the applicable regulations and then studies the legal material so as to find the legal obscurity as referred to in the formulation of the problem.

RESULTS AND DISCUSSION

• The right of Lawsuit Under Law No. 32 of 2009 on Environmental Protection and Management.

The standing/standing to sue is broadly understood as the access of individuals, groups/organizations or government institutions in court as the plaintiff to demand the restoration of rights that have been violated by the defendant, or compensation for what he suffered.

UUPPLH in its cargo material regulates and provides guarantees of access to parties to have access to legal rights. Such access is granted to; (1) individual right (individual); (2) the right of an environmental organization (NGO standing); (3) class action rights; (4) the right of the government and local government; (5) citizen lawsuit (citizen lawsuit).

Rights of the Government and Local Government Lawsuit

The issue of the legal rights of the government and local governments is set forth in Article 90 paragraph (1) stating that government agencies and local governments responsible for environmental affairs are authorized to file indemnification and certain actions against businesses and/or activities that cause pollution and/or environmental damage resulting in environmental losses. In the explanation of article by article, UUPPLH mentioned that the claim of compensation is for a loss arising as a result of environmental pollution and/or environmental degradation.

The provisions of Article 90 paragraph (1) of the UUPPLH cause a biased meaning to the use of authority owned by the government as a public body and the use of civil instruments in the mechanism of environmental law enforcement. Especially when viewed from the scope of protection afforded by Article 90, which expressly states "not private property rights", which a contrary is interpreted as public property. Article 90 paragraph (1) is regulated in Section Three of Environmental Dispute Resolution through Courts which means being within the scope of law enforcement

mechanisms in a litigation manner. However, using the formulation of the rights of the lawsuit, it has provided an interpretation that a real loss must be proven in the court through the provisions of the proof stipulated in Article 1865 Civil Code.

If it is widely interpreted, the provision of Article 90 Paragraph (1) of UUPPLH implies that government agencies and local government responsible in the field of environmental confusion have the authority to file compensation claims and certain actions against the party responsible for the business and / or activities that have committed unlawful acts in the form of unlawful acts against the substance of the agreement fairness the government as a legal entity can act as a defendant or plaintiff. The elements contained in Article 90 paragraph (1) UUPPLH, ie:

- Government agencies and local governments responsible for the environment;
- Authority to file a lawsuit;
- Certain compensation or action;
- To businesses and/or activities that cause pollution and/or environmental damage;
- Resulting in environmental losses.

About the first element, Article 90 paragraph (1) UUPPLH does not provide a detailed explanation of the sentence "government agencies and local governments responsible for the environment. Article 1 of the UUPPLH only states that the Minister responsible for environmental protection and management is the minister who conducts government affairs in the field of PPLH, and the minister referred to in the governance structure is the Minister of Environment and Forestry.

The authority possessed by the government and regional government in implementing article 90 paragraph (1) UUPPLH refers to the interpretation of the granting of the right to the organs of government to take a legal action to the party who has done pollution and / or environmental damage resulting in the loss of the public environment because the aim protect the public interest.

Furthermore, in the third element relating to certain compensation or action, wherein the Elucidation of Article 90 paragraph (1) it states that certain actions in question are precautionary measures and the prevention of pollution and/or damage and restoration of environmental functions to ensure that will not happen or recurrence of negative impacts on the environment. As for "indemnification", UUPPLH does not provide further explanation of it. However, when viewed from the position of Article 90 which resides in the same chapter with the position of another claimant's right, the compensation element referred to in Article 90 shall refer to the definition of compensation in Article 1365 of the Indonesian Civil Code, namely "a right for a party feel aggrieved to claim his right to return from the person responsible for the loss, in which the function of the indemnity has the following purposes:

- a. Restores dissatisfaction as a result of a person's loss due to the actions of others;
- b. A general sanction problem which aims to uphold and/or restore legal order in society as a result of unlawful acts.

In environmental pollution occurring in Indonesia, the problem of compensation is difficult to calculate, because the factors that influence such as:

- a. From legal factors constrained from the evidentiary process as specified in Article
 1865 of the Civil Code regarding the burden of proof on any person who controls a right;
- b. From economic factors, it will be difficult to determine the amount of material loss precisely to an environmental damage that has occurred.

By looking at the various obstacles, it would be difficult for the government to take a lawsuit, considering its position as a civil institution in balance with other civil institutions as the responsible / business actors that pollute the environment so that it exceeds the standard criteria of environmental damage.

The last element of the provisions of Article 90 paragraph (1) UUPPLH is regarding the loss suffered as a result of such business and/or activity which is not a private property. When viewed from the legal theory of state administration / public law

then the state is an organization of positions that perform the duties/functions of government that aims to protect the interests of the public/society. Public property includes all things related to the livelihood of the public and organized by the government, in accordance with the provisions of Article 33 of the Constitution of the Republic of Indonesia Year 1945 of Amendment IV)

The right of government and local government is used to hold civil liabilities accountable to businesses and/or activities that cause ecosystem losses to obtain compensation for ecosystem damages (ecosystem damages). (Indonesian Center for Environmental Law: Annotation of Law No. 32 The year 2009. 2016).

Actually, the government's legal rights have been regulated since environmental management is regulated in the old Law, namely Law Number 23 The year 1997 on Environmental Management (hereinafter referred to as UUPLH). UUPLH provides that:

"If it is known that the public suffers because of the pollution and/or destruction of the environment in such a way that it affects the basic life of the community, then the government agency in charge of the environment can act in the interest of the community".

Furthermore, UUPPLH in its cargo material regulates the right of the government or local government that:

"Government agencies and local governments responsible for environmental affairs are authorized to file claims for compensation and certain actions against businesses and/or activities that cause pollution and/or environmental damage resulting in environmental losses".

Of the two legal norms governing the legal rights of the government or local government is located in the object of the lawsuit. Positive environmental law, namely UUPPLH explicitly states that the object of a government lawsuit is to file a lawsuit of compensation and certain actions against business and/or activities causing pollution and/or environmental damage resulting in environmental losses. Whereas the UUPLH in its clause mentions the government's legal right to suffer the public caused by the occurrence of pollution and or damage to the environment, in this content material, the government or local government is acting in a matter of public interest.

In the UUPPLH, the public in filing a lawsuit for damages suffered as a result of pollution and/or environmental damage, no longer represented by the government or local government. But the UUPPLH gives each citizen the right to file a lawsuit.

Conclusion

The right of the Government to take a civil suit to the Court is also recognized in Law No. 32/2009; Article 90 of the UUPPLH states that: "Government agencies and local governments responsible for environmental affairs are authorized to file claims for compensation and certain actions against businesses and/or activities that cause pollution and/or environmental damage resulting in environmental losses"

In accordance with article 90 UUPPLH explains that the right of the lawsuit of government and local government can be utilized to hold civil liability to the responsible business or activity that cause ecosystem loss to get compensation for ecosystem damages (ecosystem damages).

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Notary Public in Regulatory Framework in Indonesia

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Abstract. Notary in the conduct and implementation of the profession in Indonesia, has been regulated in the Law of the Republic of Indonesia Number 30 Year 2004 regarding Notary Position (UUJN No. 30 Year 2004), and its amendment with the Law of the Republic of Indonesia Number 2 Year 2014 on Amendment to the Law of the Republic of Indonesia Number 30 Year 2004 regarding Notary Position (UUJN No. 2 Year 2014). Notary is a public official authorized to make an authentic document and other authority as intended by law. Public notary as a public official runs part of the State's power to meet the needs of the community in terms of making authentic document. The authority exercised by the notary is the public authority of the government authority delegated to the notary public. Notary public only provides legal counseling required by the parties in relation to the making of the document, accepted or rejected by the parties all returned to the parties themselves. The legal arrangement of oversight of notaries is essential, in order to ensure the safeguarding of the public interest against notary irresponsible and disregarding ethical values and standards and neglecting the nobility of their dignity and duties.

Keywords: notary public; regulatory framework; Indonesia.

I. INTRODUCTION

Notary in the conduct and implementation of the profession in Indonesia, has been regulated in the Law of the Republic of Indonesia Number 30 Year 2004 regarding Notary Position (UUJN No. 30 Year 2004), entered into force on October 6, 2004, and has been placed in the State Gazette of the Republic of Indonesia of 2004 Number 117, Supplement to the State Gazette of the Republic of Indonesia Number 4432 and UUJN No. 2 Year 2014, as well as amendments to Law of the Republic of Indonesia Number 2 Year 2014 on Amendment to Law Number 30 Year 2004 regarding Position of Notary (UUJN No. 2 Year 2014), entered into force on January 15, 2014, and has been placed in the State Gazette of the Republic of Indonesia Year 2014 Number 3, Supplement to the State Gazette of the Republic of Indonesia Number 5491, hereinafter referred to as UUJN[1].

II. NOTARIY IN LEGAL FRAMEWORK

The framework of Law on Notary Position, consisting of 92 Articles, and 13 Chapters as follows:

- Chapter I : General Provisions (Article 1).
- Chapter II : Appointment and Dismissal of Notary (Article 2 13).
- Chapter III : Authority, Obligations, and Prohibitions (Article 15 17).
- Chapter IV : Place of Position, Formation, and Position of Notary (Article 18 24).

- Chapter V : Leave Notary And Notary Substitute (Article 25 35).
- Chapter VI : Honorarium (Article 36 37).
- Chapter VII: Notarial Deed (Article 38 65).
- Chapter VIII : Photocopy of Minuta Deed and Notary Call (Article 66 66 A).
- Chapter IX: Supervision (Article 67 81).
- Chapter X: Notary Organization (Article 82 83).
- Chapter XI: Sanctions (Article 84 85, has been deleted and subsequently the provisions on sanctions are not regulated separately, but become dispersed, and are added and arranged on any articles deemed necessary to be supplemented with the provision of sanctions).
- Chapter XII: Transitional Provisions (Article 86 90).
- Chapter XIII : Closing (Article 91 92).

Notary is a public official authorized to make an authentic deed and other authority as intended in the Law on Notary Position.

Notary as a public official runs part of the State's power to meet the needs of the community in terms of making authentic deeds. The authority exercised by the notary is the public authority of the government authority delegated to the notary public. According to Wawan Setiawan, Public officials are state organs equipped with general powers, authorized to exercise the power of the State to produce written and authentic evidence in the field of civil law[2]. Civil law is the law governing relationships between individuals, including

"Legal Entities", regulating their rights and obligations reciprocally and their rights to material[3].

Notary is authorized to make an authentic deed of all action, agreements, and stipulations required by legislation and/or desired by interested parties to be declared in an authentic deed, guaranteeing the date of making the deed, preserving the deed, granting the copy, all of which during the making of the deed are not also assigned or excluded to other officials as may be prescribed by law[4].

III. NOTARIES AND NOTARIAL DEED

Notary deed is an authentic deed made by or in the presence of a notary, according to the form and ordinance specified in UUJN[5].

Creating an authentic deed is the principal work as well as the authority of a notary[6]. Creating an authentic deed can not rely solely on the examples of the deed without knowing what the law is based on and why using certain phrases, sentences, and wording in the deed made[7]. The form of the agreement is generally free to be determined by the parties, but the law provides that certain agreements must be made in a certain form[8]. In contracts in general, the promises of the parties are "opposite", for example in the sale and purchase agreement, of course one party wants goods while the other wants money, because it is impossible to buy and sell if both parties want the same thing[9]. Although it is generally said that the agreement is the promises of the parties that are "opposite", but in certain agreements the parties make noncontradictory promises, for example in the agreement of the establishment of a Limited Liability Company (PT) in which the parties have a will same, ie depositing money as the company's capital (shares), and each party expects profits from the PT. This PT establishment agreement is a required agreement in a certain form, ie by notarial deed, and is not valid if it is not done by notarial deed[10].

A notary must know and have expertise in making a deed, but if the notary does not know and does not have the expertise in making a notary deed, although ignorance is a knowledge that should exist in a notary (privation of knowledge), but ignorance can be categorized as ignorance that can be overcome, so to overcome that ignorance, then the notary must immediately seek and gain knowledge about the procedure of making the deed[11]. So one way to overcome that ignorance, then if the legal issue to be handled has not been or has not been mastered, the notary must ask for consultation with more expert peers[12]. Notary is a job with special expertise that demands a wide knowledge, and heavy responsibility to serve the public interest and the core task of notary public is to arrange in writing and authentic legal relations between the parties in a consensus request notary services[13].

In the process of notarial deed, the parties come to the notary, explain (convey) his will so that his statements of the parties can be poured into notarial deed, have legal consequences and are binding on the parties themselves. The Notary embodies the wishes of the parties, to the extent that which is desired by the parties not to contradict the law, morals, and public order, by recording the wishes of the parties, preparing the notes in the form of a notarial deed, consisting of the beginning of the deed, the deed, and the

cover of the deed. The Notary prepares, completes and reads the deed at the place of domicile or territory of the notary, to the interlocutors, and witnesses, and immediately upon completion of the reading process, followed by the parties, the witnesses and the notary sign the notarial deed.

A reading by a notary or in self-disclosure by the addressee must be made in every notarial deed, since the reading has the intention that the understanders understand and understand the contents of the deed and its consequences.

Notary deeds are made by the parties in a state of peace parties. There can be no notarial deed if the parties are not peaceful because the notarial deed is read by a notary and signed by the parties before the notary. The parties sign the document, meaning the parties have agreed. Notary is not possible to impose the parties to agree, since the notary is not a party in the deed, so it should not have any interest to the parties (subject) nor the object and the contents of the agreement of notarial deed. The exercise of the content of the deed required by the parties to be poured into a notarial deed as an authentic deed, is binding and shall be executed and is the responsibility and risk of the parties in the notarial deed. Notary is not responsible for the use and execution of the agreement by the parties, insofar as in the notarial deed, it does not violate the limits set by the Notary Code of Ethics, UUJN, and other laws and regulations.

A deed is a writing that was deliberately made to be a proof of an event and signed, Thus the essential elements for a deed are intentional to create a written proof and signature of that paper[14]. Signatures for a document play a very important role in the law of evidence[15]. In principle, it would be very meaningless for a contract if the contract is never handled[16]. In this case, a signature will serve as follows: (a) as identity; (b) to link the parties to the contents of the documents concerned; (c) provide certainty of the parties' actual participation in the document; (d) indicates where the signing is located at the time[17].

IV. NOTARY AND LEGAL COUNSELING

Notary in performing its obligations, providing legal services, in addition to making an authentic deed, the notary is also authorized to provide legal counseling to the parties, in connection with the making of deed[18]. Notary in providing legal services, is obliged to enforce the law in accordance with his position, by donating his energy and mind and performing his duties with a mandate, honest, thorough, independent and impartial[19].

Notaries in providing legal services in accordance with UUJN, in addition to making authentic deeds, also provide legal counseling needed by the parties in relation to the making of deed. All legal counseling granted by a notary, accepted or rejected by the parties is all returned to the parties themselves in the exercise of their right and choice, but in any case, the choice of the parties becomes the will of the parties and not the choice or will of the notary, and it becomes the duty and full responsibility of the parties who have made their choice as their will.

Specifically, Any legal extension provided by a notary to the parties in the framework of the deed, made by a notary in accordance with applicable laws and regulations, if accepted by the parties and then by the parties requested by the notary to pour it into a notarial deed as the will of the parties, if the notary public pours into a notarial deed, the will of the parties is entirely the responsibility and risk of the parties themselves.

Notary is obliged to keep secret everything about the deed made by/before him, and all information obtained by the notary for the purpose of making the deed in accordance with the oath/promise of office[20]. The obligation to conceal, is a very important obligation to be performed by a notary consistently. Notary must be strong and strong in holding the secret of his position. Violation of the obligation to conceal is a violation of a heavy notarial obligation, which consequences to the notary concerned may be imposed by the Notary Supervisory Board, and the public's trust in the notary concerned is lost, and the injured party may claim compensation.

V. COACHING AND SUPERVISION OF NOTARIES

The main task of the notary is to make an authentic deed, that the notary as a servant of the community performs part of the task of the State and therefore it is very important for the notary in taking office to provide services to the public and for the benefit of the community[21]. A notary in running his office even if he has adequate legal skills, but not based on responsibility and without any appreciation of the nobility and dignity of his position and ethical values and measures, shall not be able to perform his duties as required by law and the interests of the general public[22].

Based on the above matters, it is reasonable to have legal arrangements regarding the oversight of notaries, to ensure the safeguarding of the public interest against notaries responsible for their irresponsible conduct and ignoring ethical values and measures as well as neglect of nobility of his dignity and duties[23]. Since the presence of Notary Institution in Indonesia, the supervision of the notary is always done by the judiciary and the government, that the purpose of the supervision so that the notaries when carrying out their duties fulfill all the requirements related to the execution of duties of notary public, for the security of the public interest, since the notary is appointed by the government, not for the self-interest of the notary itself, but for the benefit of the community it serves[24].

In the conduct and execution of his position, the Notary is supervised and supervised continuously and continuously, in order not to exceed the limits set forth in the Notary Code, which is stipulated in the Extraordinary Congress of Indonesian Notaries Association, in Tangerang City, Banten Province, 29-30 May 2015, UUJN, and other laws and regulations, such as Law of the Republic of Indonesia Number 40 Year 2007 regarding Limited Liability Company. Therefore, if a notary public wishes to make a Limited Liability deed, besides must be based on the Notary Code of Ethics, and UUJN, must also be based on the Law on Limited Liability Company.

Supposedly, as a coacher or supervisor conducting coaching or supervision of a notary, has understood the duties and functions of a notary, and the laws and regulations governing it, that if a person wishes to conduct an inspection of another's work, the examiner must know the duties, rights and duties of the person examined . So in the case of a notary

examined, the examiner must know the work of a notary and must learn and master the rules of the notary and other laws that have to do with the rule of office of a notary[25]. In PJN, the supervisory function is delegated to the District Court. The scope of supervision ordered by PJN covers the profession area when the notary performs his service duties as a public official and private area when not performing his professional duties[26]. Since the enactment of UUJN, the guidance and supervision of the notary public is conducted by the Supervisory Board of Notaries, and the Notary Publicity Council, which has different duties and functions.

VI. SUPERVISORY BOARD OF NOTARIES

The Supervisory Board of Notary is a body which has the authority and obligation to carry out guidance and supervision on the notary. Notary is appointed and dismissed by the Minister. The supervision of a notary is done by the Minister. In exercising its supervision, the Minister established the Supervisory Board, consisting of 9 (nine) persons, consisting of elements:

- a. Government of 3 (three) persons;
- b. Notary Organization 3 (three) persons; and
- c. Experts or academics 3 (three) persons.

The Supervisory Board of Notary consists of:

- 1. The Local Supervisory Board/MPD, in the form and domiciled in the Regency/City;
- 2. The Regional Supervisory Board/MPW, in form and domiciled in the provincial capital.
- 3. The Central Assembly/MPP, in form and domicile in the state capital

The Notary Supervisory Board is authorized to hold a hearing to examine the alleged violation of the Notary Code of Ethics or the violation of the execution of a notary public, which is carried out in stages starting from the MPD, MPW, MPP levels. If the examination is proven to be a violation committed by a notary, then the Notary Supervisory Board may impose sanctions on the notary concerned in accordance with the violation committed. Such sanctions may be: a. Warning; b. Suspension; c. Dismissal with respect; or d. disrespectful dismissal. While the authority to examine notary protocol periodically 1 (one) time in 1 (one) year at any time deemed necessary, is only the authority of MPD.

VII. HONORARY COUNCIL OF NOTARIES

Honorary Council of Notaries is an entity which has the authority to carry out guidance on a notary, and has an obligation to give consent or to reject the request of the investigator, prosecutor or judge for the court proceedings, to take a copy of the deed and / deed or notary protocol in the notary's depository, and / or calling a notary to be present in the examination relating to a notarial deed or protocol which is in the notary's deposit. Article 66 paragraph (1) UUJN stipulates that:

For the purposes of the judicial process, the investigator, the public prosecutor, or the judge with the approval of the Honorary Council of Notaries shall be authorized:

- taking photocopies of minas deeds and/or letters attached to a minute deed or notary protocol in a notary's deposit, and
- calling a notary to be present in the examination relating to a deed or notary protocol which is in the notary's depository.

Based on the provision of Article 66 Paragraph (1) of the aforementioned Law, on the order of the law of the investigator, public prosecutor or judge for the interest of the judicial process, when dealing with a notarial and notarial deed must first request approval from the Honorary Council of Notaries, on the other hand, if the notary wishes to fulfill the request of the investigator, prosecutor, or judge in the interest of the judicial process, it must have obtained the approval of the Honorary Council of Notaries.

In conducting the guidance, the Minister shall establish a Honorary Council of Notaries, consisting of 7 (seven) persons, consisting of elements:

- a. Notary 3 (three) persons;
- b. Government 2 (two) persons;
- c. Expert or academician 2 (two) persons.

The Honorary Council of Notaries consists of:

- The Centre Honorary Council of Notary, established and domiciled in the state capital, The task of carrying out coaching, and Function of conducting supervision on the Regional Notary's Board of Honor related to its duties.
- 2. The Regional Honorary Council of Notary of the Territory, in form and domiciled in the provincial capital, The task of examining the petition filed by the investigator, the public prosecutor and the judge, and giving approval or rejection of the request for a notarial summoning agreement to be present in the investigation, prosecution and judicial process, and The function of conducting guidance in order to maintain the dignity and honor of the notary in the implementation of his position, as well as to provide protection to the notary related to the notary's obligation to conceal the contents of the deed..

The granting of approval from the Regional Honorary Council of Notary to the notary is not an imposition of sanctions or penalties for a notary, and does not mean that the notary concerned is guilty, or the notarial deed is wrong. However, in general, the problem is the parties in the deed, not the notary or notarial deed, because after all the notarial deeds that are requested by the parties before the notary in accordance with the law, the use and execution is the responsibility of those parties own. However, on the order of the law, the notary concerned based on the results of the examination of the Regional Honorary Council of Notary which has given approval shall respect the law and fulfill the request of the investigator, the public prosecutor, and the judge, as part of the exercise of his/her position, in order for the problems to occur bright.

VIII. CONCLUSION

- Notary in the conduct and execution of his / her position shall oblige to obey and comply with Notary Code of Conduct, Law concerning Notary Position, and other laws and regulations.
- Public notary as a public official runs part of the State's power to meet the needs of the community in terms of making authentic deeds. The authority exercised by the notary is the public authority of the government authority delegated to the notary public.
- 3. Notary deed is an authentic deed made by or in the presence of a notary, according to the form and ordinance specified in UUJN.
- 4. Notary public only provides legal counseling required by the parties in relation to the making of the deed, accepted or rejected by the parties all returned to the parties themselves.
- 5. The legal arrangement of oversight of notaries is essential, in order to ensure the safeguarding of the public interest against notary irresponsible and disregarding ethical values and standards and neglecting the nobility of their dignity and duties.
- 6. The Supervisory Board of Notaries is a body which has the authority and obligation to carry out guidance and supervision on the notary.
- 7. The Notary Public Council is an entity which has the authority to carry out guidance on a notary, and has an obligation to give consent or to reject the request of the investigator, prosecutor or judge for the court proceedings, to take a copy of the deed and/deed or notary protocol in the notary's depository, and/or calling a notary to be present in the examination relating to a notarial deed or protocol which is in the notary's deposit.

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Models of Language Teaching and Humanizing Education

by

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Abstract

Modern, digitalized, high tech, global era characterized by the development of sciences has transform human beings into heartless machines with no sense of humanity and no concerns to their surrounding environment. Therefore, education should be packed with loads that include the perspective of humanism.

Education should not be interpreted as a mere class teaching-learning activity. Education should refer to the various processes and activities that should be productive; creative; develop skills, personality, integration, and excellence; and up to moral and spiritual reinforcement. Education shall be managed and directed with clear objectives, which are capable to develop positive values in learners. Education should be able to create figures with solid and proven character and personality both in the field of science and the humanities.

Humanizing education means it is capable to produce human with sense of "humanity" which is characterized by the willingness to help others; empathy; honesty; share; loyalty; the willingness to take valuable lessons; persistent and tenacious,; high-respect of pluralism; tolerance; respect to others; patience; replied good for evil; always puts the good rather than evil, continuous efforts to improve the quality of charity and kindness; humility; and sincere. Therefore, the teaching materials must also be interpreted, filled, and imbued with the messages of humanity. These entire facts mean that teaching materials are not mere "soulless and empty" materials since if it is, then the materials will be like empty casket with no benefit to human life

and livelihood. Approach of humanism in modern era education is considered as the most appropriate solution since this kind of education has education activities that don't works like the machines do, and this means the students, teachers, and teaching materials should also be "humanized" in order to achieve educational goals optimally and in accordance with the vision and mission carried. This research discuss model of language teaching with humanistic perspective. Hopefully, through language teaching with humanism approach, students and teachers may rediscover the "human side" that may have been lost and undetected.

Keywords: models of language teaching, humanism, teachers, students, the modern era

I. Background

The recent era has changed the mindset, the pattern of social relationships, consumption patterns, and the human pattern of view of life. On the one hand, this is a result of the growth and development of the era through the movement of modernism that stems from the paradigm of Western thought. On the other hand, it is also a compulsion which must be experienced when society has no choice but to follow the dominance of Western thought. The recent era has brought about social change in human culture. All spheres of life, from economy, politics, education, transportation, information, to art, rearranges with a more current perspective. Rationalization is established as a means to achieve the ideals of free, critical, and universal. Science and technology is a modernization agent that will make it happen.

Science and technology have indeed brought meaningful change to mankind. As a cutting-edge agent, these two areas have made life easier, effective, and fast-paced. Humans compete to advance technology and science as darts darting through boundaries that were previously too strong to break down. Rationalization, exploration of reality, and unlimited experiments, is the basic concept of this ideology. Industrialization, information and communication technology, and transportation are instruments to make it happen.

The universal liberty and freedom of mankind must be established through the use of unlimited ratios. It is this belief that then marks the emergence of excitement and passion to apply sophistication as the only movement that can improve human dignity. The future of mankind lies in a continuity of life and consciousness. Without it, progress and growth of

humanity will be remarkably slow. How left behind a nation when it rejects such a development paradigm. As a result, in any hemisphere, the movement of modernism becomes the only inevitable choice. The latest era is characterized by globalization, advances in information technology, modernization, and the development of science that brings impacts on Indonesian society.

The modern era of modern, global, high-tech, all-digital era, characterized by the growing knowledge of science has pushed people like machines that have no heart, no sense of humanity, and do not care about the surrounding environment. Therefore, education must be packed with content that has a humanism perspective.

In essence, education should not be interpreted as an activity or teaching and learning activities in the classroom only. Education should refer to the various processes and activities that must be productive, creative, skill developers, personality, integration, excellence, until the moral and spiritual strengthening. Education should be directed and managed with a clear purpose, which is able to develop positive values in learners. Through education, we should be able to bring out the figures that have the character and personality that is strong and tested, both in the field of science and in the field of humanity.

II. Theoritical Review

Education is an important element in human life. Therefore, through educational media is expected to be born human plenary and morals. Hopefully, through education, human beings who will bring light and enlightenment for others, community, and the surrounding life can be produced.

Education must also be interpreted as a human activity in which there are educational and didactic acts intended for the generation who are in the process of becoming a whole human, fully human, or primary human. That is the essence of education, which is regarded as the source of the springs of life in which contained noble values.

If we talk about education, then we are discussing the fundamental, intrinsic, and human issues and human life itself. All educational issues will surely concern human beings. Therefore, as long as there is life, as long as humans still exist in the earth, and as long as humans are still breathing, as long as that education is still there

Education is not just an activity in which knowledge transfers, but more than that, education must be able to make learners able to develop and explore their own potential, emotional intelligence, and the meaning of their existence in society. According to Zuchdi (2008), humanizing education (humanization of education) implies, "education capable of realizing a smart nation".

However, along with the advancement of science and technology's time and development, the model or system of education has begun to shift into an education that is without "spirit", education that is "not humanizing". The atmosphere of education in this country has indeed undergone a shift in meaning. Increasingly the proliferation of schools that embrace the corporate-style management system; although the perpetrators admitted it was all noble motive to improve the quality of education. With this shift of meaning, shifting also the orientation and urgency of education from the development of Indonesian human character, to the education that follows the market taste only. It is easy to understand that then the school becomes part of the business event. Not to mention cases like the sale of titles (fake diplomas), plagiarism cases, the practice of National Examination which is colored by fraud and violent practice in education, without us knowing it, will kill "humanity" in education.

III. Research Method

In this research, descriptive analysis method is used, that is the problem is discussed with facts obtained in the field. Zulnaidi (2007) says that descriptive method can be interpreted as a procedure or problem-solving method that is investigated by describing the existence of research objects (person, institution, society, and so on) in the present with reference to the facts that appear or as it is.

Based on the above understanding, it can be concluded the characteristics of descriptive method in this study.

- 1) Focus on the problems that exist at the time of the research done (at present) and actual problems.
- 2) Describe the facts that have a close relevance to the issues being investigated as they are, concrete, factual, without being interfered by personal opinions.

In order for the use of methods in this study to achieve goals and to be successful, descriptive methods are applied with data collection techniques based on surveys, relationship studies, and developmental studies.

IV. Discussion

4.1 Humanizing Education Model

Teachers are less creative utilizing existing facilities to optimize learning media. Secondly, the learning activities are still dominated by lecture method and the learning process is less varied so that less accommodates the difference of learning styles of students. Third, the planting of religious values does not become an important part of language learning. Fourth, oopportunities for students to perform communicative activities, both in the classroom and outside the classroom are still lacking. Fifth, the lack of effort to create a conducive language environment in order to increase the motivation of students to practice the language they learn.

The application of a humanistic approach to language learning in schools starts from the formulation of lesson plans, their implementation in methods and learning techniques, to evaluation. Implementation of learning certainly cannot be separated from the current curriculum. Education Unit Level Curriculum (KKNI) 2013 is a curriculum that has characteristics of humanistic approach, because it not only oriented to the achievement of mere material, but also sided with the basic needs of students. However, of course humanization efforts in language learning are not enough to be realized only in the formulation of the curriculum, but rather the full support and consistency of all educational stakeholders, and especially the earnest efforts of teachers to be able to implement them in classroom learning.

With this humanistic approach, language teachers can create a learning process that contributes greatly to the character building of the students, and helps them to develop their full potential. In addition, the applied humanistic approach can train students to be able to learn independently, trained to think critically and creatively, and generate considerable confidence to speak.

4.2 Humanizing Language Education Model

One of the impacts of language is to reinforce positive values in the mind and human persuasion. Humans can be creative, broad-minded bias, even biased to be a good leader when he draws the values poured by authors in the work of language.

Language can be said is always a very important part of any civilization in the world. The community that taps can be interpreted as a society that has the courtesy and goodness of character or can also be interpreted as a polite society and have advanced life inner level.

Another role of language is the spread of science. Language is created by utilizing the nuances of science as well as the pattern of life of society and nation. In the works of language often found reviews about iptek yamg developed leh figures, or new discoveries.

In the current era, language teaching in schools can use a humanistic perspective, namely:

- 1. Developing and cultivating positive human values, such as helping, doing good, believing, and piety;
- 2. Teach moral messages to human beings, especially leaders, to do what is in accordance with the expectations of society, love justice, truth, and honesty;
- 3. Encourage people to work hard for their own interests and common interests;
- 4. Strengthen and nurture the personal character, identity and resilience of a positive, strong and strong nation, in order to achieve the ideals of the nation and state.

Efforts to strengthen the identity and resilience of the nation should be done as early as possible, i.e. since childhood. Children should be treated to language readings that contain positive plots and characters, showcase the diversity of cultural values, and accompanied by interesting and captivating illustrations of local cultural treasures characterized by Indonesia.

In the world of education, teachers must be keen to choose teaching materials that are loaded with local traditions and cultural values. In the process of language learning, teachers must use multicultural language learning methods, train students to appreciate local values that educate, positive, and noble. Of course, in the selection of language works to be appreciated must be tailored to the cognitive and psychological abilities of learners.

The government, in this case the Department of National Education, should dare to incorporate multicultural language learning with local color in the curriculum of primary, secondary, or even higher education. Thus, the teaching of local values in the language becomes embedded.

In terms of teachers themselves, teachers must be willing to teach the language in the classroom, do not just want to teach the language only. Teaching languages does require special skills. Teachers must also reconstruct their mindset in a multicultural perspective.

Language books are a source of language learning, but those stored in school libraries are few and limited. Therefore, the government and the community should be encouraged to hold a fund-raising program to add a collection of language books in school libraries in both big cities and remote schools.

Society should be counseled and enlightened that the difference is beautiful, must be respected, and accepted. Indonesian people should be taught and given examples of tolerance, loyal friends, not imposing wills, not playing their own judges, and not thinking of themselves and their groups.

The Information and Communications Department should expressly filter out less educational, vigilant, violent, ethnically and pornographic television shows. In addition, strictly porn sites must be blocked and closed. Through television shows and news in the print media, it

can be inserted with the teachings of tolerance, self-control, morality, politeness, and nationalism in society.

Linguist is encouraged to continue giving birth to works of language that reflect Indonesia and strong localities. The linguist should have raised themes highlighting the treasures of cultural wealth, local wisdom, morality, manners, religion, social class differences, ethnic and cultural differences, gender differences, and love of the nation. Linguist consciously or unconsciously has become the main actor in an effort to strengthen the identity and resilience of the nation so as to realize humanization in education. Thus, in the future, human beings of Indonesia are getting better in quality both intellectually and morally.

The following are language teachings that can "humanize" learners, teachers, and teaching materials.

- 1) The provision of language teaching materials that can connect teachers, learners, and the environment, for example learners should make a report on interviews with teachers, friends, and communities around the school about "spirit of togetherness". With the theme of "spirit of togetherness" can cultivate a sense of unity among the ethnic, caring, and love of the homeland. Students can be encouraged to cultivate a sense of humanity.
- 2) Provision of tasks of analyzing and appreciating local literary works that contain cultural diversity, eg *Robohnya Surau Kami*, a work by A.A. Navis, which presented the setting and wealth of Minangkabau culture, Umar Khayam's *Priyayi* revealing Javanese nuances and ideologies, *Antologi Puisi* written by D. Zawawi Imron highlighting Madurese culture, Korrie Layun Rampan's *Upacara* revealing the existence of the Dayak, *Bila Malam Bertambah Malam* the work of Putu Wijaya that exposes the richness of Balinese culture, and Clara Ng's *Dim Sum Terakhir* by describing life in Chinese ethnic settlements.
- 3) In language learning in the classroom, there must be an interaction between teachers and students. Interaction is mutual action, there is a reciprocal relationship, there is a two-way communication. Interactions are of course dynamic, not static. In language learning, verbal interaction is most prominent and dominant.

- 4) Need the design of tasks that empower the character and humanistic to the learners. For example, providing group assignments in the form of analysis reports of interviews to small traders selling near the campus. In addition to the students apply the theory of interview techniques and report writing, they are also touched to realize care or concern to the little wong. In addition, the assignment of group discussions by role play, forcing learners to empower their national character. With role play, they can be creative in playing the character, synergize with others, train the role, train the sensitivity, and train to actualize themselves. Role play in language learning, for example, plays the role of overseas students enrolled in big cities who are ridiculed by their friends for using Indonesian language accent interefered by regional language mixing with the Indonesian language. In addition to the achievement of teaching materials that are language interference, as well as role play activities can foster moral values that respect peoples, pluralism, and each person has a uniqueness. Assignment can be done by utilizing computer technology, such as creating creative, innovative, and full of creative and animated point of view when learners present their tasks.
- 5) With a humanistic approach, we can design rules in the classroom. For example, rules should not be cheated, rules should not be late, well-dressed rules, rules on shoes, rules do not activate mobile phones, do not eat or drink in class, pray before and after learning, and other rules that can empower national character skills. In language learning, we can apply the rules of "standard, good and correct language use zone" in the class if any of the violations may be fined (eg Rp5000.00 per violation and the result can be donated to foster care program).
- 6) Learners can also develop themselves actively in theater activities, arts units, sports, study groups, and research groups to improve the character of nationality and sense of humanity.
- 7) To support language learning with a humanistic approach, activities such as class-class debates, presentation of research findings by learners in public, poetry reading contest with musicalisation, use of computer technology in making posters about taglines / political expression that build and educate nation, and so forth.
- 8) As a form of humanistic language-measured language study in rotation every parallel class once a week teaching in elementary school the majority of students are children of weak-minded parents Students are trained to become volunteers to help their younger siblings learn a

good Indonesian language and true, learning to write, and learning to read. The sensitivity of the learners to empathize, to feel the condition of concern, to witness firsthand the suffering of life, and to know that there are some communities or groups who are economically disadvantaged finally make learners appreciate life and life. Exercise to be a volunteer can develop the national character and multi-cultural understanding of learners.

IV. Conclusion

Based on the above discussion, the things found are as follows.

- 1. Language is able to establish positive local values in the minds and feelings of the Indonesian nation.
- 2. Language is capable of being a filtering device or an influence filter from the outside.
- 3. Language is a very important part and plays a role in the civilization of any nation anywhere in the world.
- 4. Language teaching can be used as a tool to nurture national character.
- 5. Teaching language can be used as a means to "humanize" learners, teachers, and teaching materials.
- 6. Children should be treated to language readings that contain positive plots and characters, showcase the diversity of cultural values, and be accompanied by interesting and captivating illustrations of local cultural treasures characterized by Indonesia so that they can become human beings of character and become complete human beings, who love to the nation and country, caring for others, and upholds morals.

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The Social Consequences of Farming Programs in Indonesia

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Abstract

Modernization of agriculture as a development jargon intended substantially to improve crop productivity of rice farmers. It assumed to improve the welfare of peasant's life. Through the program "Five Farming Programs" in the form of the use of quality seeds, chemical fertilizers, diversification and extension, and using of machine technology, there was who called the "Agricultural Revolution". This means that the replacement of the traditional way of farming systems to modern ways. However, in the application process actually causes a shift in the social consequences of a way of life or behavior of farmers, including agricultural social system they lived.

Keywords: agricultural revolution, five farms programs, social system, social consequence, social institution

1. Introduction

Farmers are groups of people who are important not only in industrialized countries of Europe, but also in many developing countries. Small farms that cultivate the limited land, using all or most of the power of his own family in independent economic entity. The farm is an establishment situated at the most and supply most of the agricultural production.

In some rural areas in the developing world, agricultural system that results only for their sustainable is still a prominent part in the agricultural sector as a whole, and it will continue the next few years. The main objective will achieve by the production of agriculture is provide food for farmers and their families, society and the economy set according to the traditional lines [1][2][3]. Production substantially determined by biological processes; labor productivity is quite low and unreliable, while the money is still not widely used; farmers live in poverty and are rarely able to buy goods produced outside the agricultural sector.

Research on the effects of agricultural modernization of the rural population in Indonesia has done. Some of the research are White and Wiradi about the patterns in the Cimanuk watershed past and present some notes as summarized in the Prisma magazine[4] and chapter by Sajogyo in the book "Population and Poverty: the Case of Srihardjo in Rural Java authored by Masri Singarimbun and Penny.[5]

Connection with this, agricultural modernization is a level in the diffusion and use of agricultural innovations achieved by farm households or communities rice paddy fields, which include the use of: a) irrigation engineering / irrigation techniques, b) tractor mini, c) quality seeds / VUTW, d) fertilizers, e) pesticides, f) crescent, and g) rice milling[6][7]. The application of technology in the agricultural sector to increase the productivity of land and labor productivity. According to Hayami and Ruttan[8], in agriculture, there are two kinds of new technologies, namely a) chemical-biological technology, and b) mechanical technology. Chemical-biological technology, for example, the use of quality seeds / VUTW and modern chemicals for fertilizer, pest eradication and disease, tend to be labor intensive. Mechanical technology, for example the use of earth moving machinery, new harvesting tools and tools for processing by modern agriculture, tend to lead towards capital-intensive[9].

In the process of implementation, it became clear social consequences of its own. The social consequences is to shift social norms, values, behavior patterns, customs, society

stratification, organizations and civic institutions. Conditions that gave birth to the strain because of changes not as fast on the parts that are closely related called the gap of culture.

2. Research Method

Based on the above, this paper analyzed the implementation of Five Farming Programs, analyzed the social consequences of the program to farmers in Songka village of South Wara sub district. For this purpose, it surveyed a population of farmers totaling 180 households. They further classified into three levels according to the farmers' land controlling. Furthermore, respondents drawn at Random Sampling with the number of each 50 percent of each stratum[10][11]. Total sample here are 90 households.

- a. Farmers on high level. In this level, farmers controlled land ≥ 2.1 Ha. There are 20 households and as sample about 10 households.
- b. Farmers on medium level. In this level, farmers controlled land 1.1-2.1 Ha. There are 80 households and as sample about 40 households.
- c. Farmers under level. In this level, farmers controlled land ≤ 1 Ha. There are 80 households and as sample about 40 households..

3. Results and Analysis

3.1. The Implementation of 'Five Farm Programs'

Use of Quality Seeds. The transfer of the use of seeds from local seeds to quality seeds did not easily accept by farmers. This caused by the past experiences that the existence of a failure at the time of the introduction of seeds in the framework of the implementation of the Mass Demonstration Program. Today it is relatively before farmers have been using superior seeds. There was the impression reception quality seeds coincided with the waning role in the agricultural sector *Pakpananrang* village.

The difficulty of farmers to receive quality seeds in the past gained the impression from their taste buds to the taste of rice farmers produced. Yet another factor that greatly inhibit the reception of seeds because the seeds are superior in the early days in advance not show encouraging results.

The introduction and use of quality seeds is the electoral reform effort type of seed that planted. It also meant the transfer of the use of old seedlings. It expected the farmers to change old habits and adjust to the use of new seeds. Nonetheless, there were number of farmers from the bottom layer in addition to using high-yielding rice seeds are also still using local rice seeds as immortal *'lipstick baka'*, *'virgin baka'* and kind of glutinous rice in small quantities. This caused by their lack of charge to hold the superior seedlings.

The advantages of superior rice seeds have an impact on this type seedlings enjoyed rapid results compared with other rice seedlings. This was one purpose of the holding-yielding rice seeds so farmers could harvest as much as possible up to twice or three times a year formally once a year - in order to be able to increase rice production. The consequence was to improve the quality of life of farmers[12].

Use of Chemical Fertilizers. Using of chemical fertilizers in the early implementation of the Mass Guidance Program troubled by some factors, such as; (a) The experience of past implementation of Demas program, where the addition of fertilizer was less gave rise results. (b) Lack of guidance the correct use. (c) Use chemical fertilizers turns adding to the burden of work on the farm.

The introduction and use of chemical fertilizers done in conjunction with the use of quality seeds. The use of chemical fertilizers is also a way of fertilizing reform effort and the type of fertilizer used. The fields were not previously fostered or who have intensive fertilization or fertilization by using natural fertilizers in various areas have been stimulated to intensive use of chemical fertilizers and regular. The fertilizer used as organic fertilizer, Urea, SP 36, KCL, UMK, TSP, Micro Organic Fertilizer 62 001, Super Bionics, herbicide-Agroxone-4, Rula, and so forth.

Use of Irrigation System. Improved irrigation system was the reform effort irrigation conditions. These efforts gave importance in changing the level of productivity of rice fields

because of its regularity get water. With this increase originally expected that the rice fields have irrigation systems or rainfed technical half and had a simple irrigation system can be upgraded to technical irrigated.

Eradicate Pests. The fastest effort received by farmers in order to eradicate pests or other crops disorders. There was the impression that it has been in quite a long time farmers often suffer from crop failure because of their pest problems. Attempts ritual at that time did not always show results. Today the ritual efforts always accompanied by the use of drugs and invasive plant pest eradication, which was relatively low, while the results are very encouraging.

Prevention and eradication of pests was a business update on the way, the type of drugs and equipment for this purpose. This effort was intended to change the old way of combating pests which considered less effective. By the way, the type of drug and the new equipment expected to make it possible for farmers to work more effectively in control and eradicate pests; so farmers were not in the party always loses. In terms of the amount of chemical pesticides have been introduced to farmers, including how to use and its benefits, such as insecticides, Dorusban, hiss, Matador, Kilsop, Diazinon and so forth.

Improve Cultivation Methods. Ways of growing old that three row planting method abandoned and farmers generally have to replace it with a new way of planting that use row planting four. The mechanism in each paddy field created a model water flow longitudinally and transversely allow the water to flow accompanied by the use of fertilizers.

Efforts to improve cultivation methods could considered as an update in adjusting cropping techniques according to the type of seed used. Changes in attitudes and ways of farming that either allow an increased yield. Thus based on the reality on the ground, the farmers have felt the impact of the implementation of the five farming program. In connection with the mentioned factors, the following was stated perception of respondents helpful regarding whether or not the program of the five farms.

In general, farmers were recognizing the benefits that they have felt using the program five farming. Moreover, during this paddy rice farming communities who envision improved quality of life through increased agricultural production has been met mechanically in the program of the five farms. Nonetheless, axiomatically that everything new is applied will always create an impact on other sectors of life. Likewise with the implementation of the five farming program in addition to providing a good impact also caused side effects to the social life of the farmers.

Tudang Sipulung. The background of the appointment of institutions formally are (a) Failures of Demas Program in the past that did not involve actively institutions have in organizing the agricultural system. (b) To take advantage of *Pakpananrang* in regulating the water, which is a problem very sensitive among farmers. (c) To increase confidence in the *Pakpananrang* that were currently fading confidence of farmers.

The decisions resulting in the institution was more comprehensive, including: (a) the period scatter seed, (b) the period from planting, (c) future water supply, (d) an estimate of the harvest, and (e) past the start of the farmers should be dropped fields. Forwarding the decision of this institution at the district level held in *Tudang Sipulung* district level and the problems of a technical nature and distinctive to each village held at the village. With these figures, the *Tudang Sipulung* who used traditional nature has now become the formal basis of rational calculation.

Took part in this institution is the Head, Agriculture Department officials, *Pakpananrang* district and village, district and village religious leaders and the head of *Kampung*. By looking at this structure, it is evident that this institution is not just the traditional institutions sanctioned village chief but now the village chief is responsible for the implementation *Tudang Sipulung*.

The system characterized by a division of labor discussions that sorted based on the role in this institution. Here is the order of the greatest role, namely; (a) Sub-district discussed the government policies in the agricultural sector by referring to the results of *Tudang Sipulung* district level. (b) Officers from the Department of Agriculture discussed issues relating to the ability of the irrigation system village. (c) *Pakpananrang* districts outlined the background of the emergence of *Tudang Sipulung* decision at the district level. The emphasis is the need to abide by the decisions superiors society. (d) Head of village opened the event *Tudang Sipulung*. (e)

Clergy districts as readers closing prayer. It appears here that the religious leaders and village level *Pakpananrang* village did not participate in the discussion or a role even in his own field.

Role of Subdistrict *Tudang Sipulung* In essence, the subject of this regulation covers issues: (a) setting and the provision of water, (b) the determination of start down the field, (c) The establishment of the seedlings should planted.

The first subject did not mean for farmers in subdistrict Songka District of South Wara. Various reasons referred here, among others: (a) there was few benefits of the irrigation system in the village of Songka District of South Wara district. (b) The water supply from the dam is not as expected, (c) the existing channels are not able to accommodate the rain so that often cause flooding.

Regarding the second subject is also not important as this issue closely related to the first. Regarding the third principal importance for farmers, because this issue closely related to the provision of seeds by the government through Guidance program. So farmers need information on the characteristics of the seeds will be determined to be planted.

2. The Social Consequent of 'Five Farm Programs'

The increase of agricultural results. The use of seeds accompanied by the use of chemical fertilizers has revealed evidence to increased agricultural output. Characteristics of seeds have now shortened the growing season from one year to two times a year.

The combination with the use of chemical fertilizers according to a predetermined dose resulted from the increasing amount of rice in each harvest. The fact is increasingly attracting farmers given that the use of fertilizers for local rice does not add significant yields.

Compared with the results of the rice before the implementation of the Agricultural Development Program today yields had experienced 4-5 times. It also resulted in the changed view of the farm, which is on the "to meet their own needs" (subsistence) becomes "to meet its own needs and for trading" (commercial). Thus, the function of money will become increasingly important given the money in the trade as the exchange rate is increasingly widespread.

Broad of Planting Area. Based on the vast rice fields before the implementation of the Agricultural Development Program compared with the current decline instead of the original area. Based on the quality of the paddy field has indeed been an increase, and in terms of the extent of the planting area has been an increase from the previous planting area.

Whether the expansion of planting area in the village of Songka this is as a result of the implementation of the Agricultural Development Program did not exactly mentioned here because no supporting data. However, it obtained the impression that the factors increasing population in which there are farm labor and the implementation of the Agricultural Development Program are the two factors that support each other. With increasing crop yields and harvest frequency increased after the implementation of the Agricultural Development Program resulted in the expansion of planting area as it is today.

Increasing of Income. The increase of the harvest frequency and the increase in the number of crops can used as a hint increasing farmers' income.

The increased income has resulted in the growth of new rules relating to the agricultural sector, namely: (a) Payment of dues irrigation, (b) Payment for officers *Ulu-Ulu*, (c) Payments for donations LSD/K, and (d) Payment of taxes for rice sold outside the village. In general, this tax paid by the buyer.

In tune with the increasing income of farmers who generally spent to meet the needs of Radio, Television, Motorcycle, Cars, and so on allowed the opening of more Songka village of outside influences. Thus, it obtained the impression that the gap between rich and poor are also visible.

The government's efforts to increase farmers' incomes appear created the situation more difficult the lives of farmers who do not have a rice field. On the other hand, has made farmers who have relatively extensive paddy fields more easily gain.

Change of "Tudang Sipulung" System. The concept that grew out of the public regarding *Tudang Sipulung* essentially giving top notch for *Pakpananrang*. This institution is informal and organized by a group of farmers who live nearby.

Now, the structure of this institution consists of government figures from the district, sub-district and village. The most instrumental figures in this institution is no longer *Pakpananrang* but administration officials. The characters that play a role in these institutions comply with government structure system. In the first sequence is the Head then followed the officials from the Department of Agriculture. In the next sequence is *Pakpananrang* sub-district and district level religious leaders, village chiefs when it merely serves as an opening discussion, while *Pakpananrang* Village not have any role.

As consequence of the structural arrangement *Tudang Sipulung* currently visible as a formal institution that is built on the concept that grew out of the community. Another consequence is the existence of structural hierarchy if *Tudang Sipulung*, namely *Tudang Sipulung* the district, sub-district and village level. This structure system indicates a change in the coverage area of *Tudang Sipulung*. If in the past *Tudang Sipulung* coverage was only around the residence *Pakpananrang*, but now more broadly.

Changes in the structure is also a direct impact on the change in the system. System discussion on agricultural issues previously done by *Pakpananrang* now carried out by subdistrict. In the past, the main speaker at this institution basing his discussion on *lontara*' writing, but in the village that became the basis of the discussion contained in the government policy formulation consensus decision *Tudang Sipulung* district level. *Pakpananrang* role at the District level consultations at the level of village just be a reinforcement of the discussion by quoting Head of the old story while *Pakpananrang* village level in this occasion no role at all.

System of social relations between speaker and farmers who follow this discussion limited by distance formality. Inside the structure itself consequences on the order of speakers. Speaker system that applies also keep leveling system in government. This means that the subdistrict or regent always get the first opportunity to speak.

Change of Receiving and Water Distribution System. With the flow of water from the dam for agricultural purposes causing the familiar "irrigation system" in the Village Songka. This term refers to the existence of a series of ordinances in an effort arrangement, administration and control of water for agricultural purposes. In this field distinguished between technical irrigation systems and technical ½. The difference lies in the quality of the building both channels as well as a range of channels.

Adherence of farmers to the rules regarding the need for water in the past has only begun before the rainy season arrives, but now apply throughout the year. The old structures maintained, which is placing officers *Ulu-ulu* position as the only person in charge in the fulfillment of agricultural water. The boundaries of the work area still use a certain size. A series of systems in this field has changed. This change is necessary to adjust the availability of facilities relating to the need for water with the needs of farmers for water.

To maintain the enactment of *Ulu-ulu* systems work both for the officers and for farmers, the farmers have now burdened dues to pay for the work of *Ulu-ulu*. This contribution system in effect in order to reconcile the interests of both parties to the *Ulu-ulu* no sense of responsibility, while for the farmers felt their attachment to *Ulu-ulu*.

Other fees charged to farmers who have irrigation systems are technical or technical $\frac{1}{2}$ Watering dues. This fee paid to the village to take care of the dam in the village or other purposes related to the problem of irrigation systems.

Regularity of water supply requires farmers to comply with the compliance schedule for obtaining water and schedules had to throw water on persawahannya. All of these rules are formulated in consultation *Tudang Sipulung* district/city in an effort to provide water for farmers who are in need.

Change of Agriculture System. Changes in the labor force that stands out is the declining contribution of the hoe in preparing the fields in the early stages.

Next is the labor for the purposes of taking care of the rice plant. Today the use of tools and sprayers Cultivators lawn pests cannot proven workforce has shifted to it. However, this tool seen to have significance for farming because it enhances the effectiveness of human labor without harming other workers. In a farm today, farmers must race against time to be able to keep a relatively short growing season.

Cultivators tool grass has been able to help the human labor to compensate for the expansion of planting area that also means the extent of paddy fields that must nursed.

Similarly, the atomizer pest made it possible for farmers to at least reduce agricultural losses from pests. With the atomizer expected that the farmer is not a party always loses against plant pests.

Change of Agriculture Funding System. With the development program, farmers must pay for seeds, buy fertilizer, buy fertilizer toxins, poisons for pest plant in addition to the irrigation fee paid to the government. Create the purposes of that today farmers have an attachment and dependence on credit system for agriculture which can introduced through the Program Guidance. Addiction sometimes show higher if the harvest does not meet expectations.

Change of *Pakpananrang* **Role.** The appointment of *Tudang Sipulung* institutions to the level of role formal turned *Pakpananrang* mostly down. Currently, the influencing *Pakpananrang* is still Pakpananrang in district level. *Pakpananrang* called *Pakpananrang* districts have a dual function. In deliberations district he represented residents of his district farmers', while at the district level and village he represents the government's discretion.

Other changes in the role can attributed to their *Pakpananrang* structure system in *Pakpananrang* position. In the past, *Pakpananrang* is the master in agriculture for farmers, but now mostly do not play a role anymore. A structure system of Pakpananrang village level, district level seems to have shifted a large number of *Pakpananrang* from *Tudang Sipulung* deliberation.

Change of *Ulu-Ulu* **Role**. The existence of irrigation system of technical and technical ½ the role of *Ulu-ulu* higher. *Ulu-ulu* role in capturing the period and dividing the water has changed at all in this new system.

The operating frequency increases while the water control capabilities need improved. If in the past he can work based on experience, but this time they must based on rational calculations. Their irrigation systems as well as the shortening of the growing season resulted in the growing role of *Ulu-ulu* in the agricultural sector. The extent of the increase is in line with the increase in the role of his position in society is still to be questioned[13].

Agricultural development through the modernization of agriculture essentially associated with the introduction of the all new, plants grow faster, and can potentially provide higher yields, the so-called modern rice varieties/new (modern rice varieties, MRVs) [14]. One of the farm modernization program is Panca Usaha Tani. Panca Usaha Tani is an agricultural program that includes the use of quality seeds, fertilizers, insecticides, irrigation and planting techniques better.

To speed up the yield of rice production, farmers must use quality seeds that grow faster so that it can harvested more than once compared with local seeds that grow slowly so that the harvest is only once a year. Along with this, farmers must use chemical fertilizers to accelerate growth and fertility of the rice plant. However, the main rice crop always needs provided water. In this case, the "irrigation" play a very important role. Given this irrigation, farmers who usually grow only in the rainy season, the irrigation has helped farmers can grow well in the dry season [15]. This farmer can enjoy the harvest at least twice a year.

The last aspect of the five farming program is the eradication of pests by using poison and change the way farmers grow rice. In eradicate pests, the use of poison had been able to overcome the attacks of mice that destroy rice plants that reproduce yields while changing the way the planting of row three to row four through the creation of plots, farmers can manage and control the plant destroyer who live near the rice plant. On the other hand, the application of the new system in agriculture indirectly has replaced farming system which has been well established used.

4. Conclusion

The social life of paddy rice farming community in the Songka Village District of South Wara Palopo after five farming has increased regarding revenue/income, vehicle ownership, home ownership, ownership of agricultural inputs, and ownership of the means of entertainment.

Changes that occur in lowland rice farming community after five farming involves changing the function and role in agricultural institutions such as the distribution of water and fence institutions, officials *Ulu-Ulu*, *Pakpananrang*; changes in women's roles, and changes in the role of farmers. While the social consequences in the form; increased yield, increased costs of farming, and the increasing cost of living

Thus, in order to improve the social life of farmers in Sub Songka District of South Wara, farmers should more consistent in implementing the five farms so that agricultural production increased and reactivate the institutions of traditional agriculture that used before implementation of the five farming with nature been refurbished.

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Potentials of Regional Owned Enterprises in West Papua Development from Liquidity Perspective

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Abstract. The ability to analyze and optimize local potential can be a source of regional strength in continuing development. One way is to establish a regional company that has a very important and strategic position in supporting the regional autonomy implementation. Regional owned enterprises in Manokwari is a water supply company (PDAM) and Papua Doberai Mandiri (PADOMA). The aim of this research is to identify the potential of regional owned enterprises in Manokwari Regency by examining its liquidity level. The research sample is a water supply company (PDAM) and Papua Doberai Mandiri (PADOMA) in Manokwari Regency. Financial analysis ratio consisting of current ratio, cash ratio and current asset ratio of total assets is used to analyze the research data. The research findings show that average of the liquidity level of Papua Doberai Mandiri (PADOMA) is minimum 0.26 or 26 percent, which is high. Meanwhile, average of the liquidity level of a water supply company (PDAM) is very low which is minimum 0.03 or 3 percent. This indicates that PADOMA have more potential compare to PDAM in the development of West Papua. However, involvement of local government is still needed to evaluate and control the existing regional owned enterprises in order to increase its potential in the development of West Papua.

Keywords: Regional Owned Enterprises, West Papua, Liquidity

I. INTRODUCTION

Based on the Government law number 23 Year 2014 about Regional Government and law number 25 year 1999 about Financial Balance between the Central and the Regional Government, each region must be able to optimize the potential of its human and natural resources. The ability to analyze and optimize local potential can be a source of regional strength in continuing development. One way is to establish a regional company that has a very important and strategic position in supporting the regional autonomy implementation. Regional companies are companies established by local governments who mostly or entirely owned the capital such as the Regional Owned Enterprises. According to the law number 5 Year 1962, regional owned enterprises is a regional company that can support the regional autonomy implementation.

West Papua is one of the provinces with abundant natural resources that can become the potential revenue for the region. An establishment of Regional Owned Enterprises will manage the potential of the region. The role of Regional Owned Enterprises needs to be directed and supported by good management in order to provide income for the region in the form of local revenue. Local revenue will contribute to the welfare of the people in the development that continues to grow. To assess the performance of Regional Owned Enterprises an evaluation on its financial liquidity is needed.

Previous studies on the Regional Owned Enterprises performance such as by Handayani (2013) uses financial

ratios to evaluate the financial aspect of a water supply company (PDAM) in Surakarta. The result shows that the performance of the water supply company (PDAM) as one of the Regional Owned Enterprises in Surakarta during the period of 2007 to 2011 has not reached the maximum value in terms of financial aspect. Suroso (2007) also done a research to evaluate the Regional Owned Enterprises performance in Purbalingga. There were three Regional Owned Enterprises examined (a water supply company (PDAM), Purba Husada pharmacy and Purbalingga Ventura company). The result shows that all three Regional Owned Enterprises have sufficient performance.

Based on the explanation above the purpose of this study is to identify the potential of regional owned enterprises in Manokwari Regency by examining its liquidity level.

CONCEPTUAL FRAMEWORK

This study evaluates the performance of the Regional Owned Enterprises by using liquidity ratio. The higher the liquidity ratio means the better the financial performance of a company. As for the Regional Owned Enterprises means it able to provide benefits for regional development in the form of local revenue. However, if the level of liquidity is low then it can be assumed that the operational is slow and will not be able to provide benefits for the region. This study identifies the potential of regional owned enterprises in Manokwari Regency by examining its liquidity level by using liquidity ratios. The conceptual framework is presented as follows:



Figure 2. Conceptual Framework

II. METHODS

The research data of this study is financial report of the Regional Owned Enterprises in Manokwari, a water supply company (PDAM) and PT. Papua Doberai Mandiri (PADOMA), from the period of 2010 to 2015. The data is analyzed by using liquidity ratio as summarize in the following table:

TABEL I LIQUIDITY RATIO USED IN THE STUDY

Rasio	Formula	Description
Current Ratio	Current Asset /	The company's ability to pay short-
	Current Liability	term and long-term obligations.
Cash Ratio	Cash / Current	The amount of cash and short term
	Liability	equivalents a company has over
		current liabilities. It helps to
		determine whether the company has
		potential short-term liquidity issues.
Current Asset	Current Asset /	To observe how much portion of
to Total Asset	Total Asset	total assets is occupied by the current
Ratio		assets, as current assets are
		essentially involved in forming
		working capital.

Resource: Assauri, 2008

The indicator used is the greater the value of the ratio means the greater the ability of the company to be able to pay its liabilities. The value of the ratio is 1 or 100%.

III. RESULT AND DISCUSSION

The analysis of collected financial data of a water supply company (PDAM) and PADOMA during 2010 to 2015 is presented below:

1. Regional Water Supply Company (PDAM)

Audited financial data of PDAM during 2010 to 2015 has shown that the amount of fixed assets of PDAM over the years has decreases while the amount of current assets fluctuate. However, the company's equity since 2010 experienced losses. The financial data of Water Supply Company can be seen in Table 2. Meanwhile, the proportion of Balance Sheet can be seen in the Table 3.

TABLE II.
FINANCIAL DATA OF WATER SUPPLY COMPANY
MANOKWARI REGENCY

BALAN CE SHEET (in million)	2010	2011	2012	2013	2014	2015
ASSETS	19.887	17.540	16.104	14.817	14.930	13.406
Current	1.568	2.681	2.942	3.130	4.483	3.867
Assets						
Fixed	16.836	14.859	13.163	11.687	10.447	9.539
Assets						
Other	1.483	-	-	-	-	-
Assets						

LIABILI TY	19.887	17.539,90	16.104	14.817	14.930	13.406
Liability	22.776	22.219,75		20.059	20.641	23.764
Equity	(2.889)	(4.680)		(5.242)	(5.711)	(10.35

Resource: Financial Report of PDAM 2010-2015

TABLE III PROPORTION OF BALANCE SHEET OF WATER SUPPLY COMPANY MANOKWARI REGENCY

BALANCE SHEET	2010	2011	2012	2013	2014	2015
ASSETS	100	100	100	100	100	100
Current Asset	7,89	15,29	18,27	21,12	30,03	28,84
Fixed Asset	85	85	82	79	70	71
Other Asset	7	-	-	-	-	-
LIABILITY	100	100	100	100	100	100
Liability	115	127	138	135	138	177
Equity	(15)	(27)	(38)	(35)	(38)	(77)

Resource: Processed Data 2017

Collected financial data also shown in the form of financial liquidity ratios that consist of current ratio, cash ratio and current assets to total assets ratio. The liquidity ratio of PDAM during 2010 to 2015 can bee seen in Figure 2 below:

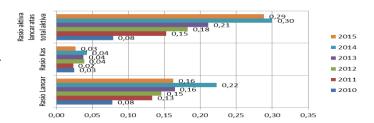


Fig. 2 Liquidity Ratio of PDAM

There are three liquidity ratios being shown in figure 2. For current ratio, it can be seen that the highest value of current ratio is in the period of 2014, that is 0.22 or 22%. This means PDAM only have 22% ability to pay its liabilities with its current assets, while the remaining 78% is needs to be funded from other sources. However, the average value of current ratio throughout the examined years is 0.15 or 15% per year. As for the value of cash ratio is 0.04 or 4% at the highest with the average value of 0.03 or 3%. This means the ability of PDAM in paying its liabilities with its cash is very low. Further, the ratio of current asset to total asset has better values compare to other liquidity ratios, since it shows the value of 0.30 or 30% at the highest with the average value of 0.20 or 20%. This means 20% is the portion of total assets is occupied by the current assets.

Overall, the liquidity level of PDAM is low since it ranges only from 0.03 to 0.30 at the highest. PDAM is been having financial difficulties in paying its liabilities due to lack of income. This is because it has outstanding water payments problems over the years. The amount of average income in the form of cash received during six years is Rp. 660.859.580 or Rp. 9.178.605 per month, which is not large enough to cover its routine equipment maintenance cost that tend to be high, such as water pipes maintenance and any other operational equipment cost maintenance.

This however affects the potential of PDAM to give contribution to the economic development in Manokwari Regency in the form of local revenue. As a water supply company, PDAM expected to be able to give high contribution to the economic development since it provides the main need of every human being. Therefore, PDAM needs to increase its liquidity by minimizing the outstanding water payment that's been a problem over the years.

2. PT. Papua Doberai Mandiri (PADOMA)

Audited financial data of PADOMA during 2010 to 2015 has shown that the amount of fixed assets of PADOMA increases over the years while the amount of current assets decreases. Furthermore, the company's equity also decreases. The financial data of PADOMA can bee seen in Table 4. Meanwhile, the proportion of Balance Sheet can be seen in the Table 5.

TABLE IV FINANCIAL DATA OF PT. PAPUA DOBERAI MANDIRI MANOKWARI REGENCY

BALANCE SHEET (in million)	2010	2011	2012	2013	2014	2015
ASSETS	49.443	46.914	45.124	41.655	39.274	44.233
Current Assets	49.030	45.546	19.275	17.433	11.732	11.702
Fixed Assets	412	1.368	25.849	24.222	27.542	32.530
Other Assets	-	-	-	-	-	-
LIABILITY	49.443	46.914	45.124	41.655	39.274	44.233
Liability	25.313	25.099	25.339	29.021	30.449	35.301
Equity	24.130	21.815	19.785	12.634	8.826	8.931

Resource: Financial Report of PADOMA 2010-2015

TABLE V PROPORTION OF BALANCE SHEET OF PT. PAPUA DOBERAI MANDIRI MANOKWARI REGENCY

BALANCE SHEET	2010	2011	2012	2013	2014	2015
ASSETS	100	100	100	100	100	100
Current Asset	99	97	43	42	30	26
Fixed Asset	1	3	57	58	70	74
Other Asset	-	-	-	-	-	-
LIABILITY	100	100	100	100	100	100
Liability	51	54	56	70	78	80
Equity	49	46	44	30	22	20

Resource: Processed Data 2017

It is shown in Table 5 that the numbers of current asset allocation in the first two years were large compare to fixed assets. Then in the following years of 2012 to 2015 the number of fixed assets allocation were larger compare to current assets. This is due to large amount of unusable fund in the first two years. However, collected financial data also shown in the form of financial liquidity ratios that can bee seen in Figure 3.

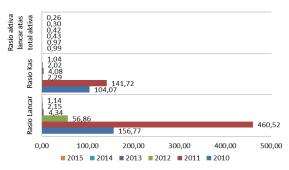


Fig. 3 Liquidity Ratio of PADOMA

It is shown in figure 3 above that the current ratio of PADOMA is quite high particularly in the period of 2010 and 2011. The value of current ratio of PADOME reach up to 156.77 or 15677% in 2010 and 460.52 or 46052% in 2011. This means PADOMA's ability to pay its liabilities is very high. Similar with the value of cash ratio that reach up to 104.07 or 10407% in 2010 and 141.72 or 141% in 2015. This means the amount of cash of PADOMA has over current liabilities is very high. However, the value of both ratio then decreases in the following year of 2012. As for the ratio of current assets to total assets is 0.99 or 99% at the highest in 2010 and 0.97 or 97% in 2011. This means about 97% to 99% of the portion of total assets of PADOMA in the first two years is occupied by the current assets. However, the value of the ratio decreases in the following year, which means the the portion of total assets occupied by the current assets also decreases. This shows that the company is able to balance the allocation of assets through out the following year.

Overall, the liquidity level of PADOMA throughout the examined years is good since the value of the liquidity ratio range between 0.26 to 460.52. This means PADOMA is able to pay its short or long term liabilities. The value of liquidity ratios were high at the first two years were due to a large amount of unused fund or cash as current assets compare to the amount of the company's short term liabilities. Thus, PADOMA have potential to contribute in the economic development of Manokwari Regency in the form of local revenue. However, in 2012 to 2015 PADOMA started to allocate its fund in fixed assets by buying an airplane to be used as public transportation and distribution service. Therefore the liquidity ratio of PADOMA from the start of 2012 to 2015 decreases. Moreover, the company's assets has not been used productively, therefore it affects PADOMA contribution to the economic development of Manokwari Regency. The company needs to find a better and a faster way to do business in order to generate profit.

IV. CONCLUSIONS

Based on the result and discussion of this study, it is concluded that from the liquidity perspective, PDAM as a water supply company has lower potential in giving contribution to the economic development of Manokwari Regency compare to PADOMA. This is due to the value of the liquidity ratio of PDAM that is smaller than the value of the liquidity ratio of PADOMA, which ranges only from 0.03 to 0.30 at the highest. This means PDAM only able to cover or

pay its liabilities in the maximum of 0.30 or 30%. Thus, the amount of income is not large enough to cover its routine equipment maintenance cost. Meanwhile, PADOMA has the value of liquidity ratio that ranges between 0.26 to 460.52. This means PADOMA is able to pay its short or long term liabilities at the minimum of 0.26 or 26% percent. However, PADOMA has not been able to use the company assets productively. Therefore, it affects PADOMA contribution to the economic development of Manokwari Regency.

Further, PDAM needs to reduce its outstanding water payments in order to increase its liquidity performance. Meanwhile, PADOMA needs to productively use its assets to generate profit. Moreover, the role of local government is also needed to evaluate and control the existing regional owned enterprises in Manokwari in order to increase its potential in the development of West Papua.

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MINE MINING PROBLEM IN THE VILLAGE VILLAGE

(A Review of Ecotology on Gold Mining Practices by Villagers of Bawan)

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Abstract

The Gold Mine by Bawan villagers makes the environment ruined, they are not

aware of the values of life. While human ecoteology was created to master nature.

But mastering nature is not by dominating the usually destructive. The purpose of

this study is to describe the understanding of the people about the environmental

damage caused by gold mining in the village of Bawan, against the environmental

damage caused by gold mining in Bawan village. This research methodology

using qualitative method with narrative descriptive research type its nature give

explanation in analyzing data. Qualitative approach emphasizes the descriptive

process of describing and analyzing the subject matter, the writer observes

something that exists or the symptoms (cases). Based on the results of research

conducted, that lack of understanding of the people about the environmental

damage caused by gold mining, They have a attitude that does not care about

replanting the damaged forest.

Key Words: Ecotology, gold mining

Preliminary

Eksploitasi besar-besaran terhadap sumber daya alam di planet bumi

dimulai dengan terjadinya perambahan hutan, kebakaran hutan, dan penambangan

hasil bumi, seperti penambangan intan, batu bara dan emas. Lingkungan

hidupadalah kesatuan ruang dengan semua benda, daya, keadaan, dan mahluk

389

hidup, termasuk manusia dan perilakunya, yang mempengaruhi kelangsungan kesejahteraan manusia serta mahluk hidup lain. Lingkungan hidup yang rusak karena kegiatan eksploitasi mencakup bidang-bidang yang sangat luas, antara lain kerusakan tanah, air, hutan dan keanekaragaman hayati, energi dan mineral, sumber hayati laut dan sebagainya (Robert P. Borrong, 2009: 49).

U.S.Worldwacht Institute pada tahun 1984 melaporkan suatu prediksinya tentang kerusakan lingkungan hidup. Menurutnya, jika kita perhatikan pencemaran lingkungan, maka pada tahun 2000 ada satu spesies hilang setiap jam. Sejak tahun 1950, kita kehilangan 5% per tahun lahan untuk bercocok tanam dan hutan tropis untuk menarik hujan. Setiap tahun kita kehilangan 20-25 juta ton humus melalui erosi, penggaraman dan menjadi gurun. Setiap tahun 20 milyard hektar hutan hilang. Indonesia menghancurkan hutan kira-kira 51 kilometer persegi setiap hari (Mateus Mali, 2008: 139).

Kerusakan lingkungan hidup salah satunya akibat penambangan emas. Penambangan emas memperburuk kualitas sumber daya alam dan lingkungan hidup yang bukan hanya merugikan generasi masa kini, tetapi juga mendatangkan kerugian bagi generasi yang akan datang. Salah satu contoh kerusakan lingkungan hidup akibat penambangan emas terjadi di Bawan, Kecamatan Banama Tingang, Kabupaten Pulang Pisau, Provinsi Kalimantan Tengah. Jika air dilihat dari atas, maka akan terlihat warna air tampak kecoklatan, sementara banyak wilayah lain, terlihat hamparan pasir yang cukup luas, hamparan pasir ini akibat aktivitas penambangan emas, yang mengakibatkan terangkatnya material pasir ke atas sehingga mengakibatkan pendangkalan. J.E. Lovelock, dalam bukunya *Gaia*, *A New Look at Life on Earth* mengatakan bahwa Kalimantan sebagai " makhluk hidup" yang tengah dirundung sakit (Hadi Alikodra, 2008: 157).

Dari banyaknya kegiatan penambangan di dunia, baik yang dikelola oleh perusahaan ataupun dikelola masyarakat semuanya berkontribusi terhadap perubahan iklim global yang mengancam tidak hanya satu daerah tertentu akan tetapi seluruh dunia. Kerusakan lingkungan akibat eksploitasi alam tidak hanya diakibatkan oleh adanya perusahaan-perusahaan yang besar akan tetapi karena kurang adanya kesadaran dari dalam diri masyarakat, terhadap pemeliharaan alam

dan lingkungan di daerah mereka. Hal ini terlihat dari rusaknya lahan dan sungai akibat penambangan emas tanpa ijin, di desa Bawan yang merupakan bagian dari mata pencarian warga.

Desa Bawan adalah salah satu desa di Kecamatan Banama Tingang Kabupaten Pulang Pisau, Kalimantan Tengah. Bawan yang dulunya merupakan kawasan perkebunan dengan hamparan pohon karet dan ladang masyarakat kini dimasuki oleh mesin-mesin sedot pengolahan emas dan lubang-lubang yang berdiameter cukup besar di dasar sungai, bukan hanya itu, aktivitas penambangan emas ini juga menghasilkan pendangkalan pada sungai karena material pasir dan kerikil diangkat naik ke permukaan dari dasar sungai mengakibatkan terbentuknya hamparan pasir putih, hal itu dapat terlihat jelas jika keadaan air sungai sedang surut.

Mercuri (Hg) atau air raksa yang merupakan unsur kimia berupa logam cair berwarna perak dan bersifat racun ini digunakan para penambang sebagai bahan pemisah antara emas atau pasir halus berwarna hitam atau yang sering disebut dengan Puya (Tim Redaksi Buku SMU, 2005: 159). Dari proses pemisahan emas dari pasir halus inilah akan menghasilkan limbah tambang yang berbahaya bagi tubuh, dan juga mahluk hidup yang berada di daerah yang tercemar tersebut. Limbah merkuri, dikenal juga sebagai salah satu limbah industri pertambangan yang mematikan secara perlahan jika berkontak langsung dengan mahluk hidup. Mesin-mesin sedot pengolah emas kini telah beroprasi di bantaran sungai yang dekat dengan pemukiman warga.

Research Issues

Rumusan masalah dalam penelitian ini adalah pada persoalan ekologis yang diakibatkan oleh penambangan emas di jemaat GKE Bethesda Bawan. Berdasarkan latar belakang diatas , maka rumusan masalah sebagi berikut:

1. Bagaimana pemahaman teologis warga Bawan terhadap kerusakan ekologi akibat penambangan emas?

2. Bagaimana sikap warga Bawan terhadap kerusakan ekologi akibat penambangan emas?

Tujuan Penelitian

Terkait dengan masalah dan lingkupnya di desa Tangkahen, penelitian bertujuan untuk:

- 1. Mendeskripsikan pemahaman warga tentang kerusakan lingkungan hidup lingkungan hidup akibat penambangan emas di desa Bawan.
- 2. Mendeskripsikan sikap warga terhadap kerusakan lingkungan hidup akibat penambangan emas di desa Bawan.

Manfaat Penelitian

- 1. Usaha dalam mengembangkan dan memperdalam ilmu pengetahuan tentang kerusakan lingkungan hidup di desa Bawan.
- 2. Memberikan sumbangan pemikiran bagi warga Bawan tentang bahaya kerusakan lingkungan hidup akibat penambangan emas di desa bawan.
- 3. Besarnya peran pimpinan desa dalam memberikan arahan dan penyadaran bagi warga Bawan.

Ruang Lingkup Penelitian

Penelitian ini dibatasi ruang lingkup wilayahnya yaitu di Desa Bawan Kecamatan Banama Tingang Kabupaten Pulang Pisau, Kalimantan Tengah sebagai unit analisis penelitian, dan sumber data untuk kepentingan content analysis adalah masyarakat yang ada di desa Bawan. Penelitian di lapangan dibantu oleh para mahasiswa STAKN di Palangka Raya, tempat peneliti bertugas sebagai dosen.

Theoretical Framework

Ekologi berasal dari bahasa Yunani *oikos* dan *logos* (Ilmu atau pengetahuan). Kedua kata ini membentuk pengertian tentang rumah, namun pengertian ini lalu berkembang menjadi ekologi yang meneliti hubungan antara

pelbagai mahluk yang berbeda dan hubungan mereka dengan tempat dimana mereka hidup, dengan iklim, jenis tanaman dan sebagainya (Mateus Mali, 2008:137). Istilah ekologi pertama kali diperkenalkan oleh Ernst Haeckel ahli ilmu hewan pada tahun 1869 sebagai ilmu interaksi antar segala mahluk hidup dan lingkungannya. Persoalan tentang wawasan lingkungan pada masa kini memperkembangkan rasa tanggung jawab terhadap lingkungan dan mendorong kedudukan ekologi dari segi akedemis menjadi perhatian umum (Heinz Frick dan FX Bambang Suskiyantono, 2007:1).

Planet bumi sebagai rumah tempat kediaman manusia dan seluruh mahluk dan benda-benda fisik lainnya, maka lingkungan hidup ini dipahami dalam arti *oikos*, sebagi *oikos* bumi mempunyai fungsi yang sangat penting, yaitu sebagi tempat kediaman (*oikoumena*) dan sebagai sumbar kehidupan (*oikonomia*). Secara umum ekologi dapat diartikan sebagai hubungan antara organisme dan habitatnya, atau ilmu yang mempelajari tentang hubungan antar mahluk hidup dan lingkungannya (Wisnu Arya Wrdhana, 2001:10). Sampai sekarang planet bumi merupakan satu-satunya tempat yang memungkinkan berlangsungnya kehidupan. Walaupun manusia terus berupaya untuk mencari dan merekayasa kehidupan diplanet lain, namun manusia belum menemukan alternatif lain untuk dapat hidup selain di planet bumi. Itulah sebabnya planet bumi wajib dan harus dipelihara, karena itu kerusakan bumi berarti ancaman terhadap kehidupan manusia sendiri (Robert P. Borrong, 2009:18).

Satu hal yang tidak boleh dilupakan oleh manusia, bahwa alam dan seisinya semakin lama semakin berkurang daya dukungnya. Mengingat bahwa daya guna dukung alam sangat mentukan bagi kelangsungan hidup manusia, maka kemampuan daya guna alam tersebut harus dijaga agar tidak rusak dan berakibat buruk bagi manusia. Secara umum kerusakan alam dapat dibagi menjadi dua faktor yaitu; kerusakan karena faktor internal, yang berasal dari dalam bumi/alam itu sendiri. Misalnya: gunung meletus, gempa bumi, gelombang laut, dan sebagainya, dan kerusakan akibat faktor eksternal adalah kerusakan yanga diakibatkan oleh ulah manusia dalam rangka meningkatkan kualitas dan kenyamanan hidupnya. Kerusakan eksternal biasanya disebabkan oleh kegiatan

industri, berupa limbah baungan industri, pengeksploitasian hutan dan lahan seperti perambahan hutan dan penambangan emas (Wisnu Arya Wardhana, 2001:15-16).

Usaha pertambangan yang dilakukan oleh masyarakat dalam sekala kecil juga sebagai salah satu penyebab kerusakan dan pencemaran lingkungan. Dalam pertambangan emas dalam proses amalgamasi merkuri (Hg) digunakan sebagai media untuk mengikat emas. Mengingat sifat merkuri yang berbahaya, maka penyebaran logam ini perlu diawasi agar penanggulangannya dapat dilakukan sedini mungkin.

Dampak penambangan emas bagi ekologi dimana air sering tercemar oleh berbagai komponen organik, diantaranya oleh berbagai jenis logam berat berbahaya, yang beberapa diantaranya banyak digunakan dalam keperluan industi pertambangan secara kontinyu. Logam berat yang berbahaya sering mencemari lingkungan, yang terutama adalah merkuri (Hg), Timbal (Pb), Arsenik (As), Kadmium (Cd), Kromium (Cr), dan Nikel (Ni). Logam tersebut diketahui dapat mengumpul di dalam tubuh suatu organisme dan tetap tinggal dalam tubuh dalam jangka waktu yang lama sebagai racun yang *terakumulasi*. Merkuri ditulis dengan symbol kimia Hg atau *hydragyrum* yang berarti "perak cair". Merkuri merupakan elemen yang sering mencemari lingkungan. Sifat kimia dan fisik merkuri membuat logam tersebut banyak digunakan untuk keperluan kimia industri.

Penggunaan merkuri dalam industri terutama dalam industri pertambangan sering mengakibatkan pencemaran lingkungan, baik melalui air limbah maupun melalui system ventilasi udara. Merkuri yang terbuang kesungai, dapat mengkontaminasi ikan dan mahluk air lainnya termasuk ganggang dan tumbuhan air. Selanjutnya ikan-ikan atau hewan air lainnya yang telah terkontaminasi dengan merkuri kemudian dikonsumsi oleh manusia sehingga manusiapun dapat mengumpulkan merkuri di dalam tubuhnya. FDA menatepkan batasan kandungan merkuri maksimum adalah 0,005 ppm untuk makanan, sedangkan WHO (World Health Organization) batas maksimal lebih rendah, yaitu 0,0001 ppm untuk air. Keracunan merkuri terutama oleh konsumsi ikan yang tercemar merkuri, atau tumbuhan yang berkontak langsung dengan air yang tercemar. Walaupun

mekanisme keracunan merkuri dalam tubuh belum diketahui dengan jelas, tetapi beberapa hal mengenai daya racun merkuri dalam jumlah yang cukup komponen merkuri dalam jumlah cukup beracun terhadap tubuh, engaruh merkuri didalam tubuh diduga dapat menghambat kerja enzyme biasanya bersifat permanen dan sampai saat ini belum dapat sembuh.

Dampak penambangan emas bagi kesehatan, karena air yang telah tercemar oleh limbah merkuri dapat mengakibatkan kerugian yang besar bagi manusia, kerugian yang terasa secara langsung oleh manusia, air tidak dapat digunakan untuk keperluan rumah tangga, pertanian dan industri lainya. Air yang sudah tercemar oleh limbah merkuri juga menjadi penyebab timbulnya penyakit, baik itu penyakit menular atau penyakit yang tidak menular. Penyakit-penyakit yang dapat diakibatkan air yang telah tercemar oleh limbah merkuri adalah, keracunan merkuri, kanker, sakit kepala dan lainnya (Wisnu Arya Wardhana, 2001:133-134).

Kegiatan mencemari lingkungan yang dilakukan disuatu tempat tertentu tidak hanyak berdampak buruk terhadap lingkungan tersebutm tetapi dapat pula meluas kelingkungan lain atas bantuan arus air dan hembusan angin. Misalnya, suatu industri hulu yang mencemari lingkungan air akan berdapak buruk samapai kehilir sungai, bahkan sampai kelaut. Dengan sifat pencemaran yang berjangka panjang dan meluas dilingkungan yang tak terbatas itu, maka pencemaran dapat dianggapsebagai perusak lingkungan hidup yang sangat berbahaya. Kerusakan lingkungan global yang sekarang ini sangat mengkhawatirkan, seperti masalah pemanasan global dan terjadinya lubang ozon, merupakan dampak dari pencemaran yang bersifat meluas dan berakumulasi selama jangka waktu yang panjang. Hal ini sekaligus membuktikan bahwa masalah pencemaran adalah masalah yang bidang cakupannya sangat luas dan rumit.

Pencamaran lingkungan biasanya dianggap sebagai produk sampingan dari kegiatan manusia dalam pembangunan, khususnya pembangunan industri, pertanian, transportasi dan kegiatan sehari-hari. kegiatan-kegiatan itu mengahasilkan produk sampingan yang disebut limbah. Limbah mengandung bahan pencemar yang bersifat racun dan bahaya. Limbah ini dikenal dengan

limbah B3 (bahan beracun dan berbahaya). Bahan ini dirumuskan sebagi bahan yang mempnyai potensi mencemar/merusak lingkungan hidup dan sumber daya alam. Limbah dari kegiatan industri, pertanian dan pertambangan baik berupa gas dan limbah cair maupun limbah padat, merupakan bahan-bahan pencemar utama terhadap lingkungan hidup (Robert P. Borrong, 2009:80, 84).

Pandangan ekoteologi terhadap permasalahan ekologi manusia telah sangat jauh mencampuri dan merekayasa kehidupan alamiah menjadi kehidupan alam buatan, hal itu mengakibatkan terjadi gangguan ekosistem di pelanet bumi, istilah yang digunakan teologi Kristen mengenai lingkungan hidup atau alam adalah 'ciptaan' (*creation*). Penggunaan istilah ini bertolak dari keyakinan bahwa lingkungan hidup atau alam diciptakan oleh Allah dan bukan sesuatu yang terjadi dengan sendirinya.

Research Methods

Jenis penelitian yang digunakan adalah kualitatif. Penelitian kualitatif adalah penelitian yang menggunakan format studi kasus, penelitian ini juga pada umumnya langsung melakukan pengumpulan data dengan metode-metode partisipatif, seperti wawancara mendalam dan observasi partisipatif (Burhan Bungin, 2001: 168). Pada dasarnya penelitian bertumpu pada fakta empiris sebagai bahan analisis untuk menghasilkan kesimpulan yang akurat terhadap fenomena yang diteliti (M.Toha Anggoro, 2007: 127) Dengan kata lain penelitian kualitatif juga berusaha memahami dan menafsirkan makna suatu interaksi tingkah laku manusia dalam situasi tertetentu menurut perspektif penelitian itu sendiri (Husaini Usman dan Purnomo Setiady Akbar, 1996:81).

Hasil Penelitian

1. Alasan dilakukanya Praktek Penambangan Emas

Dari hasil wawancara dengan bapak Pdt. I nyoman S.Th mengenai alasan dilakukannya praktek penambangan emas sebagai berikut:" Alasan utama hingga saat ini dilakukan Praktik penambangan emas adalah tidak adanya lapangan pekerjaan yang menjanjikan hasil yang cukup untuk

memenuhi kebutuhan sekolah anak dan kebutuhan sehari-hari" (Wawancara dengan 14 September 2017).

Sehubung dengan hasil wawancara tersebut warga jemaat yang melakukan penambangan emas, yaitu bapak Tuteng dan Bapak Otun menyatakan " alasan utama melakukan praktek penambangan emas adalah untuk mencari uang demi memenuhi kebutuhan sekolah anak dan kebutuhan sehari-hari"(Wawancara dengan 15-16 September 2017).

Hal yang sama di katakana bapak Puyuk dan Kacul " uang yang di dapat dari bekerja sebagai penambang emas untuk membantu memenuhi memenuhi kebutuhan keluarga dan memasukkan anak kuliah." (Wawancara dengan 15-16 September 2017). Demikian juga yang dikatakan Bapak Pendi dan bapak Awung " mencari uang untuk membeli makan, dan untuk menyelesaikan pembangunan rumah, dan untuk memenuhi tanggung jawab untuk memenuhi kebutuhan orang tua yang sudah lanjut usia (Wawancara dengan 17 September 2017).

Dari hasil peneltian di dapatkan bahwa alasan warga jemaat yang melakukan praktek penambangan emas hampir sama yaitu: dilakukanya praktek penambangan emas dikarenakan faktor ekonomi dan juga faktor pendidikan.

2. Akibat Penambangan Emas Bagi Lingkungan dan Kesehatan

Saat ditanyakan tentang akibat penambangan emas bagi lingkungan dan kesehatan Pdt. I nyoman S.Th mengatakan " praktek penambangan emas merusak lingkungan, karena hutan dan lahan habis sebagai tempat penambangan, dan air sungai tidak layak lagi untuk digunakan karena buangan oli dan raksa (merkuri) yang terbuang ke dalam sungai, dan akibat limbah tersebut dapat mempengaruhi kesehatan karena dapat termakan oleh manusia dari ikan ataupun sayuran yang hidup di tempat yang telah terkontaminasi" (Wawancara dengan 15-16 September 2017).

Pertanyaan yang sama terhadap Bapak Tuteng dan Bapak Otun mengatakan " penambangan emas memang merusak lingkungan, buktinya kebun karet saya sudah tidak ada karena habis menjadi tempat lanting sedot, dan banyak tumpukan pasir, pohon-pohon tumbang akibat ditebang. Dan mungkin saja limbah dari praktek penambangan emas mempengaruhi kesehatan karena rasa mual dan pusing yang sering dirasakan jika kami mandi di tempat bekerja" (Wawancara dengan 15-16 September 2017).

Demikian pula yang dikatakan bapak Puyuk dan bapak Kacul " penambangan emas tidak bisa dikatakan sebagai perusak lingkungan satusatunya karena lingkungan dapat rusak juga dengan sendirinya seperti dikarenakan banjir atau angina kencang. Limbah penambangan emas juga dirasa mempengaruhi kesehatan karena seringnya terjadi mual-mual dan pada saat kami mandi di lokasi bekerja kami terserang penyakit kulit dan gatalgatal"(Wawancara dengan 17-19 September 2017).

Bapak Pendi dan bapak awung mengatakan: "selama kami bekerja air berubah warna, dan ikan-ikanpun sudah tidak ada lagi di lokasi kami bekerja, akan tetapi saya tidak kahwatir karena kami bekerja hanya mengambik apa yang sudah disiapkan alam. Saat di Tanya tentang apakah penambangan emas mempengaruhi kesehatan bapak pendi dan bapak Awung mengatakan"jika kami mandi di lokasi kerja, saya pasti mengalami gatal-gatal dan rasa mual, dan saya juga pernah mendengar limbah penambangan emas dapat mengakibatkan kanker akan tetapi saya tidak peduli karena banyak jalan menuju kematian" (Wawancara dengan 19,22 September 2017).

Dari hasil penelitian di dapatkan bahwa penambangan emas memiliki akibat yang cukup buruk bagi kesehatan dan juga lingkungan, hal ini terlihat dari rusaknya perkebunan masyarakat karena di tebang untuk tempat dilakukannya penambangan dan juga banyaknya hamparan pasir akibat terjadinya pendangkalan, selain itu air berubah arna menjadi keruh dan ikan-ikan tidak terlihat di tempat lokasi bekerja.

Selain itu juga praktek penambangan emas juga berakibat buruk bagi kesehatan, hal tersebut dikarenakan seringnya rasa mual, muntah dan pusing yang terjadi pada para pekerja, tidak hanya itu para pekerja sering mengeluhkan terkena penyakit kulit dan gatal-gatal jika mereka menggunakan air di sekitar tempat penambangan.

3. Mengatasi Agar Praktek Penambangan Emas Tidak Merusak Lingkungan

Saat ditanyakan bagaimana mengatasi agar praktek penambangan emas tidak merusak lingkungan Pdt. I nyoman S.Th, Bapak Tuteng dan Bapak Otun mengatakan hal yang sama yaitu "Sebaiknya mengambil alternatip lain yaitu kembali kepada cara yang tradisional dan tidak memaksa alam" (Wawancara dengan 14,15,16 September 2017). Hal yang sama dikatakan bapak Puyuk, bapak Kacul, bapak Pendi dan bapak Awung "kembali kepada alam saja, namun jika hanya seperti itu maka hasil yang kami dapat tidaklah mencukupi kebutuhan" (Wawancara dengan 19,22 September 2017).

Dari hasil penelitian di dapatkan bahwa praktek penambangan emas dapat dilakukan tanpa merusak lingkungan dengan menggunakan cara tradisional atau kembali pada jaman dimana para pekerja tidak mengenal mesin-mesin sedot, yang mereka kenal hanya dulang (alat pemisah antara emas dan pasir) yang terbuat dari kayu ulin yang berbentuk piringan hitam. Para pekerja hanya mengambil pasir di tepian sungai dan menaburkan sedikit deterjen sebagai pelican agar pasir dapat cepat terpisah dari emas, akan tetapi menurut mereka hasil yang didapat tidak mencukupi kebutuhan sehari-hari yang kian besar.

4. Pemahaman Teologis Warga Bawan Terhadap Kerusakan Ekologi Akibat Penambangan Emas

Dari hasil wawancara dengan bapak Pdt. I Nyoman S.Th mengenai pemahaman teologis mereka terhadap praktek penambangan emas terhadap lingkungan adalah sebagai berikut:

"Penambangan emas dianggap bertentangan dengan Alkitab selama pengerjaannya mengarak kepada pengeksploitasian alam. Seharusnya penambangan emas itu elihat kelangsungan hidup mahluk hidup lainnya, karena dalam Alkitab kita diinta untuk berkuasa dan menaklukkan bukan berarti menghancurkan atau merusak tetapi berarti menjaga, memelihara, dan memperbaiki apa yang rusak" (Wawancara dengan 14 September 2017).

Dari pernyataan diatas bahwa peran sebagai manusia seharusnya tidak hanya mengejar keuntungan materi akan tetapi juga harus memikirkan kelangsungan mahluk hidup lainnya. Manusia memiliki tugas dan tanggung jawab yang besar yaitu untuk saling menjaga, memelihara dan memperbaiki apa yang sudah rusak, dengan kata lain dilakukan penghijauan kembali. Dengan demikian para penambang emas bertanggung jawab atas kelangsungan ciptaan lainnya sesuai dengan Firman Tuhan. Para penambang emas seharusnya tidak hanya dapat mengambil hasil dari alam akan tetapi bagaimana prakteknya dalam mempertanggung jawabkan akibat dari hasil penambangan emas.

Beberapa orang penambang emas saat di tanya mengenai pemahaman teologis mereka terhadap praktek penambangan emas terhadap lingkungan. Menurut pernyataan bapak Tuteng sebagai berikut: "menurut pemahaman saya praktek penambangan emas tidak melaanggar atau bertantangan dengan alkitab karena hanya mengambil hasil yang sudah Tuhan sediakan" (Wawancara dengan 15 September 2017).

Bapak Otun, dan bapak Puyuk menjelaskan: "bahwa penambangan emas bukanlah suatu yang bertantangan dengan alkitab, karena dalam alkitab juga dituliskan bahwa manusia berkuasa atas apa yang Tuhan berikan, manusia diberikan hak untuk menggunakan apa yang ada di alam untuk mencukupi kebutuhan manusia itu sendiri" (Wawancara dengan 16 September 2017). Hal sama menurut bapak Kacul dan bapak Pendi menyatakan: "manusia diciptakan derajatnya lebih tinggi dari yang lain karena sebagai manusia diciptakan menurut gambar dan rupa Tuhan, dan manusia berhak untuk mengusahakan apa yang ada di bumi" (Wawancara dengan 19 September 2017). Bapak Awung menyatakan: "bahwa dalam alkitab tertulis bahwa manusia diijinkan untuk menguasai dan menaklukkan apa yang sudah ada, jadi penambangan emas hanya mengambil sebagian yang sudah disediakan" (Wawancara dengan 22 September 2017).

Dari hasil wawancara dengan penambang emas mengenai pemahaman teologis mereka terhadap praktek penambangan emas terhadap lingkungan mereka menganggap apa yang dikerjakan sekarang ini adalah hal yang wajar dilakukan. Penambangan emas adalah mata pencaharian sebagian besar masyarakat, masyarakat masih banyak menggantungkan pendapatan mereka dari hasil usaha penambangan emas. Karena bagi mereka hasil dari penambangan emas dapat mencukupi kebutuhan hidup sehari-hari, dibandingkan dengan menyadap karet yang bergantung dengan keadaan cuaca.

Kenyataan yang ada dilapangan berdasarkan hasil penelitian dikarenakan alasan ekonomi, dan tidak adanya lapangan pekerjaan yang dapat menjamin terpenuhinya kebutuhan sehari-hari, dan karena alasan itulah mereka mengabaikan apa yang telah tertulis dalam Alkitab. Warga jemaat yang bekerja sebagai penambang emas menyatakan bahwa kitab suci telah menuliskan dominasi manusia atas alam dan menetapkan suatu kecendrungan antroposentris.

Karena kesalahan pemikiran itulah membuat mereka memandang alam hanya dari sudut pandang manusia. Artinya pusat dunia ini adalah manusia dan karenannya ciptaan yang lain harus mengabdi kepada manusia. Nilai ciptaan yang lain tergantung kepada kegunaan dan keuntungan bagi manusia dan komunitas manusia. Dari sinilah lahir tindakan semena-mena atau tindakan eksploitatip manusia terhadap alam.

b. Sikap warga Bawan terhadap Kerusakan Ekologi Akibat Penambangan Emas

Berbicara tentang sikap warga Bawan terhadap kerusakan ekologi akibat penambangan emas bapak Pdt. I nyoman S.Th (Ketua Majelis GKE Bethesda Bawan) menyatakan:

"Sebaiknya para penambang tidak terlalu memaksakan apa yang ada, seperti menyedot sampai merusak lahan perkebunana dan pinggiran sungai longsor dan sungai menjadi dangkal, salah satu cara yang sebaiknya dilakukan para penambang adalah jika mereka merusak lingkungan akibat masuknya mesin penambang emas, sebaiknya mereka memikirkan alternative lain agar kerusakan lingkungan tidak semakin memburuk" (Wawancara dengan 29 September 2017).

Sehubung dengan hasil wawancara tersebut, penambang emas yaitu bapak Tuteng dan Otun mengatakan: "sebaiknya apa yang rusak itu di perbaiki lagi, atau di tanam lagi apa yang rusak" (Wawancara dengan 15-16 September 2017). Demikian juga menurut bapak Puyuk, bapak Kacul dan bapak Pendi mengatakan: "berbicara tentang kerusakan yang telah terjadi memang tidak mudah jika memperbaiki yang sudah rusak, tetapi sebaiknya para pekerja bekerja sama untuk berusaha memperbaikinya" (Wawancara dengan 17-18 September 2017). Selanjutnya menurut bapak Awung mengatakan: "bekerja seperti biasa karena apa yang dilakukan tidak merusak apa-apa, karena itu sudah disediakan alam untuk manusia. Kalau terjadi sesuatu di alam itu sudah tseharusnya terjadi" (Wawancara dengan 22 September 2017).

Dari hasil penelitian kurangnya kerjasama dan kesadaran warga terhadap kerusakan lingkungan yang terjadi akibat penambangan emas mengakibatkan mereka memiliki sikap yang dapat dikatakan tidak peduli, meskipun secara teorinya mereka mengetahui apa yang seharusnya dilakukan tapi tidak ada tindak lanjut untuk melakukan prakteknya dilapangan.

Menghargai alam berarti mengasihi Allah sang Pencipta yang telah menyatakan kasih-Nya kepada seluruh ciptaan. Menghargai alam berarti melaksanakan kasih Allah dan mengakui ketergantungan semua ciptaan Allah. Kerusakan lingkungan akibat penambangan emas, warga Bawan yang bekerja sebagai penambang emas memiliki penafsiran yang tradisional, mereka mempertahankan superioritas manusia atas ciptaan yang lain karena pada saat penciptaan Allah memberi perintah kepada manusia dan manusia mempunyai hubungan yang khusus dengan Allah. Manusia diciptakan Allah menurut gambar dan rupa Allah maka manusia berperan sebagai "penguasa" atas ciptaan lainnya.

Krisis ekologis bukan karena disebabkan oleh warta Kitab Suci melainkan karena penafsiran yang salah atas teks Kitab Suci itu. Manusia tidak boleh lagi menganggap dirinya sebagai wakil Allah yang berkuasa atas seluruh ciptaan yang lain meskipun gambar dan citra Allah melekat didalam

diri manusia itu sendiri. Penganugrahan martabat insani kepada manusia pada saat penciptaan sebetulnya penyerahan tanggung jawab kepada manusia untuk mengatur dunia ini agar berjalan dengan baik. Tanggung jawab mengandung arti bahwa manusia mengelola alam semesta (dalam hal ini lingkungan), karena alam semesta mempunyai nilainya sendiri yang ada didalam dirinya yang harus dihormati oleh manusia.

Manusia tidak seenaknya saja bertindak atas alam semesta, melainkan ia harus menghargai nilai bawaan yang ada di dalam setiap ciptaan. Konsep ini berimplikasi bahwa manusia harus memperlakukan alam semesata ini sebagai subjek. Alam semesta patut dihargai. Alam semesta memiliki nilai hakiki yang membuat dirinya harus dihormati karena keberadaannya.

Sebagai ciptaan Tuhan yang berbeda dengan ciptaan yang lain, manusia ditetapkan untuk menjadi tuan atas ayang lain. Manusia diberi kuasa untuk membudayakan bumi dan seluruh lingkungannya dan untuk menguasainya. "Kuasa" bukan sebagai hak atau kewenangan untuk menghancurkan apa yang dipercayakan. Kekuasaan disamakan dengan kewenangan yang dimiliki "Raja", makakuasa dimaksudkan sebagai tanggung jawab, memelihara, menjaga, mengayomi dan melimpahkan berkat. Allah mengakhiri seluruh ciptaan dengan kata sungguh amat baik (Kejadian 1:31) yang mengungkapkan bahwa semua yang telah diciptakan itu seperti yang dikehendaki Allah (Henrika, 2008:131).

Dunia serta semua yang telah diciptakan termasuk bagaimana cara mereka berada merupakan sesuatu kehendak dan rencana Allah. Seluruh dunia keluar dari sabda Allah, yakni sebuah panggilan Allah yang membutuhkan jawaban melalui cara berada di dunia. Seperti ciptaan yang lain demikian juga dengan manusia sebagai ciptaan memiliki panggilan yang sama, dan dengan keistimewaannya sebagai "citra Allah" manusia menjawab panggilannya.

Conclusion

Based on the findings, conclusions were obtained as follows:

1. Pemahaman warga jemaat yang melakukan penambangan emas menganggap

bahwa praktek penambangan emas tidak bertantangan dengan alkitab, karena

pemahaman mereka adalah manusia diberikan hak untuk menggunakan dan

mengambil hasil dari bumi yang Tuhan sudah sediakan bagi manusia tanpa

memandang kelangsungan ekosistem yang ada, sehingga warga jemaat ini

lebih atoposentris.

2. Warga Bawan yang melakukan praktek penambangan emas menyadari bahwa

apa yang mereka lakukan merusak lingkungan, namun mereka menyikapi hal

tersebut sebagai hal yang wajar, karena itu mereka tidak mempedulikan

penanaman kembali hutan yang rusak.

Suggestions

Based on the conclusions obtained several suggestions put forward as

follows:

1. Kepala desa seharusnya bersikap lebih peka dan terbuka terhadap

permasalahan nyata yang terjadi di sekitarnya, terbuka bukan berati menerima

semuanya akan tetapi dapat dilihat dan diambil kemudian diolah (filter) guna

dapat memperkaya ajaran kekristenan yang lebih kontekstual terhadap apa

yang terjadi di sekitar tempat gereja itu ada.

2. Kepada masyarakat sebagai penambang emas, hendaknya praktek

penambangan emas tersebut dapat dilakukan lebih berpihak kepada

kelangsungan keseimbangan daya guna alam, alam tidak untuk di paksa dan di

kotori namun sebaiknya alam dapat diambil hasilnya lalu di baharui lagi.

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404

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Effect of Variations Throat Length on Ejector Performance

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Abstract. In the present work, experimental investigations have been carried out on ejectors with throat length variation, the changes in throat length variation in the ejector was affect the vacuum pressure produced, of the three variations of throat length tested it, where the length of each throat is 10 cm, 20 cm and 30 cm with throat diameter that same is 2 cm and the diameter of the vacuum cylinder ie 30 cm. The results is the highest vacuum pressure value is in the experiment using a throat length of 30 cm with a vacuum pressure of 87.5 kPa. while the lowest vacuum pressure using a throat length of 10 cm with a vacuum pressure of 90.5 kPa.

Keywords: Ejector, Throat Length, Vacuum Pressure, Performance

I. INTRODUCTION

Historically, several different types of devices have been given the generic name "ejector" simply because they rely upon the induction of a quantity of secondary fluid from a lower to a higher pressure into a duct by some form of interaction with a primary stream fluid in the duct [1].

The main function of the ejector is to entrain the maximum secondary flow at any given primary operating condition and to compress the entrained mass within the ejector to the required discharge condition [2]. The higher the secondary flow, the larger is the energy saving potential of the system. Therefore, the secondary to the primary mass flow rate ratio, *Ws/WP* can be assumed as large as required if adequate pumping can be achieved in the ejector. Therefore, a good understanding of the ejector entrainment capability is critical in its design and operation.

Ejectors have simple geometry and no moving parts. Their operation does not require electrical or mechanical shaft energy input. This greatly reduces equipment mass and increases reliability. Ejectors have found wide use in power plant, aerospace, propulsion etc [3]. Ejectors are simple pieces of equipment. Nevertheless, many of their possible services are overlooked. They often are used to pump gases and vapors from a system to create a vacuum. However, they can be used for a great number of other pumping situations [4], [5].

Jet ejectors have been successfully used for polluted gas cleaning application over last many decades due to their capability of handling gas containing pollutants such as vapor, gaseous, and solid/liquid aerosols up to $0.1~\mu m$ size. However they have inherent disadvantage of high pressure drop across the system which results in high fan/pump operating cost. But this disadvantage is compensated by their

significantly less capital and maintenance costs compared to other wet scrubbers with comparable collection efficiencies [6]

A jet ejector when used as a scrubber is considered to have given optimum performance when its desired scrubbing efficiency is achieved at minimum pressure drop [7]. [8]. [9]. Models to predict pressure drop and scrubbing efficiency are required for optimization of performance of jet ejector. Pressure drop and scrubbing efficiency are complex functions of gas velocity, liquid-to-gas ratio, ejector geometry (shape and number of nozzles, area ratio, throat diameter, throat length, projection ratio, angle of divergence and convergence), operating and suction pressure, properties of gas and liquid (temperature, concentration, diffusivity, viscosity, surface tension, etc.), reactivity of fluids, variation in composition of fluids, etc.[10], [11], [12].

Ejectors are flow induction devices employed for the generation of a vacuum for compressing a fluid [13], Figure 1 shows a straight throat ejector. High pressure motive fluid enters a converging diverging nozzle and is accelerated to a supersonic Mach number. The pressure at section NE is below that of the entrained fluid at its inlet. Consequently, the entrained fluid is drawn into the ejector. The motive and entrained fluids mix between sections NE and U and the uniform mixture is diffused to reach the discharge pressure.

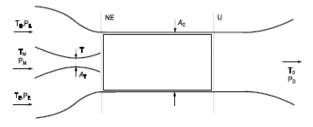


Figure 1. Schematic diagram of a straight throat ejector

Ejectors are devices used to induce a secondary fluid by momentum and energy transfer from a high velocity primary jet. Ejectors can be operated with incompressible fluids (liquids), and in this application are normally referred to as jet pumps or eductors. On the other hand when ejectors are operated with compressible fluids (gases and vapors) the terms ejector and injector are generally employed. A major difference between the two, besides the working fluid states, is the supersonic, choked flow nozzle of the gas ejector system. The supersonic approach allows a greater conversion of primary fluid energy to secondary fluid pressure head increase. However, this occurs with the penalty of considerable thermodynamic complexity in the mixing and diffusion sections.

The ejector configuration consists mainly of four parts, primary nozzle, entrance (suction) section, mixing section, and diffuser. In the ejector, the kinetic energy of the primary fluid is used to create a low pressure in the suction chamber by entraining the secondary fluid stream. The mixing of the two fluid streams occurs inthe mixing chamber of the ejector, and the resultant mixture is compressed downstream out of the diffuser [2]. The system is inferior in efficiency compared to a fan [14]. However, its advantages lie in its simplicity, ease of operation and rugged construction, having no moving parts and requiring less maintenance, has a long life and sustains its efficiency even when handling corrosive or dusty fluid streams.

In this study, conducted variation of throat length change three times, where the length of each throat is 10 cm, 20 cm and 30 cm with throat diameter of 2 cm and the diameter of the vacuum cylinder ie 30 cm and vacuum presssure will be observed.

II. METHODS

A. Tes Stand and Instrumentation.

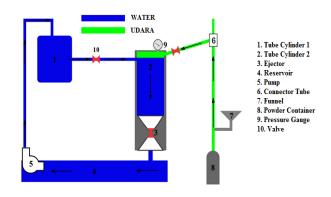


Figure 2. Test Stand and Instrumentation

B. Testing Method

Tests on the installation system that has been made then the test method will be done as follows:

- Comparative analytical methods: Analyze the tests with the rules of physical rules and fluid mechanics standard then compare the measurement results with theoretical calculations.
- Descriptive method: Observing a change caused by treatment on an object or system that can produce a conclusion.

C. Experimental Procedure

The test procedures that will be carried out are as follows:

- Connecting equipment installation system with electric power.
- Operating the pump machine (5) to fill the reservoir 4).
- Opening the valve (10) and valve (11) and closing the valve (3) until cylinder (2) can be fully charged.
- Put in the sawdust \pm 60 grams in powder container (7).
- Close the valve (10) and valve (11) after the cylinder (2) is fully charged.
- Measure cylinder pressure (2) measured at pressure gauge (9) with open valve (3).
- Measuring of the initial water level of the powder container (4).
- Run the ejector by opening valve (3) and valve (11).
- Record the time until the water on the cylinder (2) runs out
- Record the amount of sawdust sucked and unsuccessful to into the predictor glass (6).
- Record of the level water in reservoir (4).
- Change the throat ejector variation (3).
- Turns off the test equipment.

III. RESULT AND DISCUSSION

In this study conducted variation of throat length change three times, where the length of each throat is 10 cm, 20 cm and 30 cm with throat diameter of 2 cm and the diameter of the vacuum cylinder ie 30 cm. Based on the Figure 3, it shows the highest vacuum pressure value is in the experiment using a throat length of 30 cm with a vacuum pressure of 87.5 kPa. while the lowest vacuum pressure using a throat length of 10 cm with a vacuum pressure of 90.5 kPa. The throat diameter used is 2 cm. When the length of the throat is getting longer then the compressive strength of the top of the ejector will increasingly be converted to a flow velocity which will result in greater vacuum pressure.

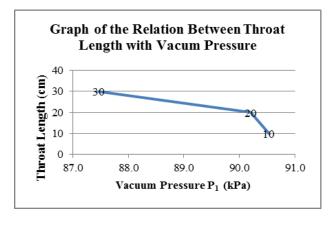


Figure 3. Graph of the Relation Between Throat Length With Vacuum Pressure.

Based on the graph below (Figure 4), shows that at the highest vacuum pressure value of 87.5 kPa then the flow velocity will be bigger that is equal to 0,021 m/s. while for the lowest vacuum pressure of 90.5 kPa, the flow rate is smaller at 0,018 m/s. The greater the flow rate the vacuum pressure will increase.

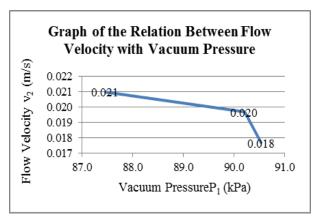


Figure 4. Graph of the Relation Between Flow Velocity with Vacuum Pressure.

Vacuum pressure is also affected by the throat diameter of the ejector, when the experimental, the ejector valve is opened as many as $\frac{1}{2}$. The vacuum pressure of the ejector is very small and there is not sawdust is sucked upward towards the ejector, we assume that when the diameter is added then the discharge will get bigger so V_2 will also get bigger.

Based on the graph below (Figure 5), shows that at the highest vacuum pressure value of 87.5 kPa it will be more and more sawdust is sucked up to 32.2 grams, while for the lowest vacuum pressure of 90.5 kPa, the sawdust sucked will be less that is equal to 15.6 grams. The vacuum pressure created makes the sawdust sucked into the ejector, but sawdust does not entirely into the ejector, this is due to the lack of vacuum pressure created, and the pipe diameter to the ejector is too small with the size of observation glass rather large making the sawdust obstructed for entry into the ejector.

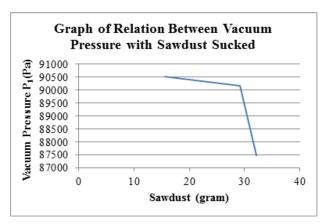


Figure 5. Graph of the Relation Between Vacuum Pressure With Sawdust Sucked.

IV. CONCLUSIONS

By passing the fluid (water) from the cylinder to the ejector, then there will be a vacuum pressure on the cylinder, resulting from fluid flow and changes in cross-sectional area of the cylinder to the ejector, changes in throat length variation in the ejector will affect the vacuum pressure produced, of the three variations of throat length tested it can

be concluded that the longer the throat on the ejector the greater the vacuum pressure produced, But the resulting vacuum pressure is not continuous because at the time of charging water to the cylinder the pressure will go up (not vacuum), but when the water from the cylinder re-flowed through the ejector it will re-create vacuum pressure, From a one-time testing process 2/3 of time is used for water filling to the cylinder and vacuum pressure appears only at 1/3 of the test time, where from 1/3 the time the particles on the exhaust gas in this case sawdust that can be sucked into the ejector is only ½ of the sawdust tested on the sewer, even then with the maximum pressure ejector 87.5 kPa, that is with throat length 30 cm.

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Once Again about LMKN (Review On the Lembaga Manajemen Kolektif Nasional and Its Position and Fuction)

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The growth of Indonesian society has produced new creations. A new creation could bring copyright in Indonesia into the next level. The writer has rights for their own copyrights; moral right and economic right that is expressed as royalty. An institute called Lembaga Manajemen Kolektif (LMK) is an Institute that collecting the royalty given rights by the copywriters. LMKN supported by LMK in terms of collecting royalties, but the existence of LMK have caused uncertain status for LMKN. Therefore, the Government needs to be in function to supervise LMK and LMKN.

Juridical Normative method has been selected to be used for this study reviewed the status and position of LMKN. LMKN got reviewed by using the principle of law/teachings/doctrine approach in regards of HKI specialist opinions. The data used in this study is secondary data consisted of primary resource of Acts No.28 2014 in respect of Law Minister Juncto Copyrights Regulation and Human Rights, No.29 2014 in respect of the Procedure to Apply and Publish Operational Permit and also the Evaluation of Lembaga Manajemen Kolektif, library resources, books, etc.

The result of this study has stated that LMKN is an organization but not an institute. This is not in accordance with Article (87) up to Article (93) in respect to Copyrights Act where the legal form of LMKN is not clearly stated. The role of government to supervise and develop still could not be fully implemented because of the problem that occurred in chain of coordination.

Keywords: LMKN, Supervision and Development by Government and Copyrights

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A. Background

Intellectual Property Rights (in this case called HKI) or so-called Intellectual Property Rights (IPR) has become a matter of great concern. Intellectual works do contribute greatly to the progress of society, including in the economic field, so that the inventors and creators deserve credit through their intellectual rights. Then, the need for IPR protection is no longer limited to the will of the individual HKI owners, but is already related to the interests of the state. HKI was influential on the economic growth of a country, which ultimately affects the welfare of the community.

Over the years, economists have tried to explain why some of the economies of developing countries are growing rapidly while others are not. In general, it is agreed that science and invention play an important role in the current economic growth.

Many countries in the world have experienced rapid economic growth because of its success in exploiting the development of science and technology and then able to inflame the creative industry.

According to a lawyer and Consultant HKI, Ludiyanto, HKI is one part of the wheels of the Indonesian economy. Proper implementation of IPR by the government will support the welfare of the community. On October 16, 2014 the Indonesian government adopted its latest law, Law No. 28 of 2014 on Copyright (hereinafter referred to as

the New UUHC) which renewed Law Number 19 Year 2002 on Copyright (hereinafter referred to as UUHC Lama). The people of Indonesia expect renewal in this law. Renewal of this law covers the governance of economic rights and moral rights for the composers, artists and creators of other works.

Creative society, working in the arts, hoping to get royalties on works from their own works. The New UUHC in chapter XII explains the concept of management collective institutions (hereinafter referred to as LMK) the task of collecting and paying royalties from the public using the work of the creators. Creator community copyrighted works can benefit the economic rights of the creators who are members in the LMK. This is to facilitate in terms of helping the collection of royalties.

At this time LMK in Indonesia is still established by private. One example of LMK in Indonesia is Yayasan Karya Cipta Indonesia (hereinafter called YKCI) and Wahana Musik Indonesia (hereinafter referred to as WAMI). LMK helps the creators of works in Indonesia. However, at present there is a lack of clarity on the status of LMK to uphold the economic rights of the creator. On the other hand. the coordination arrangement with the Directorate General of HKI of a LMK is also unclear. Government guidance and supervision of members or agencies of the LMK needs to be reviewed. Although there is now a ministerial regulation governing the LMK namely Minister of Justice and

Human Rights of the Republic of Indonesia Number 29 of 2014 on Procedures for Application and Issuance of Operational Licenses and the Evaluation of Collective Management Institutions has not been accommodated.

So far there has been no research that discusses or examines the National Collective Management Institute that is linked to the guidance and supervision of the government. The research is approaching the topic of the author's research, such as the position of Collective Management Institution in the new law by Ester Theresia Emelyn, Fhany Yunita Christin, Dian Narwastuty from the Faculty of Law of Maranatha Christian University Bandung in Proceeding of National Seminar of UNIBA 2015. The author stated that the previous research has a different perspective from the authors for this study. This study is examined from the point of view of supervision and guidance of the National Collective Management Institute

B. Problem Formulation

Based on the above background description, the author tries to identify the problems of law that arise, as follows:

- 1. What is the status and legal standing of the National Collective Management Institution in Indonesia?
- 2. What is the governance arrangement in the supervision and guidance of the

National Collective Management Institution in practice?

C. Discussion

The newly enacted copyright bill does seem to be trying to meet the public demand for clarity on the position and status of this Collective Management Agency. Article 1 Sub-Article 22 UUHC, explains the Collective Management Institution already in the definition. It is said as follows:

A Collective Management Institution is an institution in the form of a non-profit legal entity authorized by the Creator, Copyright Holder, and / or owner of the Related Rights to manage its economic rights in the form of collecting and distributing royalties.

Later, the newly authorized Copyright Bill also includes a special Chapter regarding the Collective Management Institution in Chapter XII. The arrangement of the Collective Management Institution into this Law which is intended to clarify the legal status of the Collective Management Institution is, of course, to many as an advancement which is endeavored by the newly authorized copyright bill. Unfortunately, the articles on the new Collective Management Institution found in the recently passed copyright bill are still unclear.

Chapter XII on the Collective Management Institution does govern how a Collective Management Agency should operate in Indonesia on its terms.

Article 87 regulates how the relationship between the Author / Copyright Holder or the Owner of the Related Rights, the Collective Management Institution, and the User. The following is the complete contents of Article 87 of the newly authorized copyright bill:

- (1) In order to obtain the economic rights of each Creator, Copyright Holder, the owner of the Related Rights shall become a member of the Collective Management Institution in order to be able to withdraw reasonable remuneration from users who utilize Copyright and Related Rights in the form of commercial public services.
- (2) Users of Copyright and Related Rights utilizing the Right as referred to in paragraph (1) shall pay Royalties to the Creator, Copyright Holder or owner of Related Rights, through the Collective Management Institution.
- (3) The user referred to in paragraph (1) shall enter into an agreement with the Collective Management Institution which contains the obligation to pay Royalty on Copyright and Related Rights used.
- (4) Not to be construed as a violation of this Act, the use of the Related Works and / or Related Products commercially by users as long as the user has performed and fulfilled the obligations under the agreement with the Collective Management Institution.

Article 88 stipulates on how a Collective Management Institution must have permission from the Minister to operate:

- (1) The Collective Management Institution as referred to in Article 87 paragraph (1) shall apply for an Operational Permit to the Minister.
- (2) The operational permit as referred to in paragraph (1) shall be eligible:
- a. in the form of a non-profit Indonesian legal entity;
- b. obtaining power from the Creator, Copyright Holder, or owner of the Related Rights to withdraw, collect and distribute the Royalties;
- c. has an authorized member of at least 200 (two hundred) Creators for Collective Management Institutions of song and / or music field representing the interests of the creator and at least 50 (fifty) persons for the Collective Management Institution representing the owner of the Related Rights and / or objects Other Copyright;
- d. aims to attract, collect, and distribute Royalties; and
- e. able to withdraw, collect, and distribute Royalties to the Creator, Copyright Holder, or owner of the Related Rights.
- (3) Collective Management Institutions that do not have operational permission from the Minister as referred to in paragraph (1) are prohibited to withdraw, collect and distribute Royalties.

When viewed, the two articles mentioned above, it appears that the articles are quite good, until the word "national" appears in Article 89 paragraph (1) which disappears again in paragraphs (2), (3), and (4).

Article 89

- (1) For the management of the Royalty of Copyright in the field of songs and / or music shall be established by 2 (two) national Collective Management Institutions representing each representation as follows:
- a. the interests of the Creator; and
- b. interests of the owner of the Related Rights.
- (2) The two Collective Management Institutions as referred to in paragraph (1) shall have the authority to withdraw, collect and distribute Royalties of Commercial User.
- (3) In order to accumulate as referred to in paragraph (2) both Collective Management Institutions are obliged to coordinate and determine the amount of Royalties to which each Collective Management Institution is entitled in accordance with custom in practice based on justice.
- (4) Provisions concerning the guidance on the determination of the amount of Royalty shall be stipulated by the Collective Management Institution as referred to in paragraph (1) and ratified by the Minister.

The word "national" in Article 89 paragraph (1) is of course made unclear if in Articles 87 and 88 regulated on the Collective Management Institution with all its conditions, but as if narrowing in Article 89. This can be interpreted that later two years after this Act comes into effect, there will be only two Collective Management Agencies in Indonesia. There were only maxims of two years after this Law comes into effect, because in Article 121 point (g) the Transitional Provisions are mentioned as follows:

"A professional organization or similar institution with any existing title whose duties and functions of collecting, administering and / or distributing Royalties prior to the coming into effect of this Law shall adapt and change to the Collective Manpower Agency within a maximum period of 2 (two) years from the coming into effect of this Law.

In many countries, the arrangement of these Collective Management Agencies has become an important part. Some countries have control or oversight of Collective Management Institutions, some of which also provide independent independence. China is one of the countries in control of the existing Collective Management Institutions in the country. intervention of the Government or the State in this case is necessary to avoid unhealthy competition practices and provide legal certainty of the status of the Collective Management Institution itself.

If this newly passed copy of the Bill attempts to clarify the status and status the Collective Management Institution legally, then what writer catching is the desire to divide the concentration of the Collective Management Institution into two specific sections without having to include the confusing word "national" as mentioned in Article 89 paragraph (1) **UUHC**

Article 89 makes the notion of LMKN to be unclear in paragraph (3) which states:

To collect as referred to in paragraph (2) both Collective Management Institutions are obliged to coordinate and determine the amount of Royalties to which each Collective Management Institution is entitled in accordance with the custom in practice based on justice.

The very basic question is "on what basis does a Collective Management Institution be entitled to royalties?"

In accordance with Article 1 number 21, royalties are rewarded for the utilization of the Economic Right of a Work or Related Rights Items received by the creator or owner of the rights concerned. If then Article 89 states that the Collective Management Institution is entitled to each part, although followed by the phrase "in accordance with the custom in practice based on justice", it is of course contrary to the rules contained in the Act itself because the eligible to obtain royalty under the Act is the Author or Owner of the Related Rights. Perhaps the more appropriate term is "management fee"

as mentioned in the WIPO document which says:

Management costs are paid for out of the royalties collected. With the rights of public performance broadcasting-unlike recording rights-the practice is for deductions to be confined to actual, genuine expenses. The percentage of deduction for expenses therefore varies from year to year. Deductions that do not exceed 30 per cent are considered acceptable in the first year of a newly born authors' society in developing countries; rates have been following a downward trend in recent years. In European collective management organizations there is an average deduction of around 15 per cent. (The Importance of Collective Management of Copyright and Related Rights, WIPO / CR / KRT / 05/4, Sudan, January 2005).

Article 88 Paragraph (1) The recently passed copyright law stipulates that the Collective Management Institution as referred to in Article 87 paragraph (1) shall apply for an operational permit to the Minister and paragraph (3) to state that Collective Management Institution which has no operational license from the Minister as referred to in paragraph (1) is prohibited from drawing, collecting and distributing Royalties. However, given the newly enacted copyright bill is unclear, we expect that the Ministerial Regulation that will regulate the procedures for application and issuance of operational licenses, as well as evaluations of the Collective Management Institution may

be issued promptly, as provided in Article 93.

Division of Power in State Organizations

The Role of Government in State Organizations

The essence of a state is an organization. In the sense of the state as an organization; contained activities of administration or administrative activities. Administration activities closely with a support organization of government, the implementation of various development activities and community empowerment. Another name of the administrative activity is government.

Governance can be understood through two meanings as a function of government and as a government organization. Government can defined in the narrow sense is all functions, activities, duties and obligations undertaken by the executive to achieve state goals. Governance in the broad sense is all organized activities are sourced on sovereignty and independence, based on the basis of the state, the people or the population and the territory of the country for the achievement of the objectives of the state. In addition, in terms of structural functional governance can also be defined as a system of structures and organizations of various functions performed on certain grounds to realize the purpose of the state.

Governance is a series of socio-political interaction process between government and society in various fields related to public interest government intervention on those interests. A series of government activities required a good interaction between the government and the people of Indonesia to achieve common goals. The authors in this study conducted an interview government of the Directorate General HKI. Hasil interviews, indicating that still has not achieved optimalisasiperan government against social interaction to the people of Indonesia one of them Copyright field.

The government's role in relation to the interests of the people requires the power of the government. The power of government is divided into 3 (three), namely Legislative, Executive and Judiciary. Montesquieu divides the power of the state into 3 powers namely:

a. Legislative Power (the power to make the Law).

Legislative power is the power to make the Law.Pembuatan Law should be given to a body that is entitled specifically for it.If the preparation of the Act is not placed there is a certain body, then maybe each group or each person to make the Act for its sake In a democratic country where legislation should be based on the sovereignty of the people, the representative body of the people should be regarded as the body that has the ultimate power to

draft a law called legislative. This legislative is very important in the state, because the Law as a tool that guides life for society and country.

Legislative or people's representative institutions have the main function of:

1) Legislation Function

According to the theories that apply the main task of the legislative body lies in the field of legislation or make the regulation, for that legislative institution given the right of initiative, the right to amend the draft law made by the government

2) Supervision Function

Not only in the field of legislation, the function of legislative control in the field of supervision and control of the executive (government). The supervision is carried out by the legislative body through special control rights, such as the right to ask (interpellation), as well as the right of inquiry.

3) Function of Budget

The legislature is entitled to determine the budget of state income and expenditure through the House of Representatives with the president by considering the consideration of DPD.

b. Executive Power (power to enforce the Law).

The Executive Power is the power to enforce the Law. The power to enforce

this law is held by the head of state. The head of state certainly can not by itself carry out all this Law. Therefore the power of the head of state delegated (delegated) to the officials government or state which together constitute the implementing body of the Act (executive body). It is this body that is obliged to exercise executive power.

c. The power of the Judiciary (the power to oversee and judge).

The Judicial Power is the power to oversee and judge. This judicial power is obliged to defend the Law and is entitled to provide justice to the people. The Judiciary has the power to decide cases that are punished for any violation of the Act which has been held and executed. Although the judges are usually appointed by the head of state (executive) but they have a privileged position and have their own rights, because they are not governed by the head of state who appointed him, and even the judiciary is the body entitled to punish the head of state if the head of state violates the law.

With the separation of the three authorities in 3 different institutions, it is hoped that the state government will not be unbalanced, avoid government corruption by one institution, and will create check and balances mechanisms (mutual correction, mutual balance). The separation of powers of the Government Administration is carried out above the rules and laws. Without the rules and laws of government

administration are unable to show the effective and clean performance. However, in addition to the division of power there is also a mutual interconnection between the power of one with the other power to run and support the existence of appropriate activities with the rules and applicable laws. If the government is done outside the formal rules of the order, then the government administration is no longer bias guarantee the implementation of clean performance. With laws and regulations, governments impersonate the various interests of those who are governed and served.

According to Denhard, as quoted by Tamin, the performance of government bureaucracy has a reference task, namely:

- 1) Commitment to shared social and political values and public goals.
- 2) Implementation of socio-political values based on ethics in the public management order.
- 3) Realization of social political values.
- 4) Emphasis on public policy work in the implementation of government mandate.
- 5) Involvement in public services.
- 6) Work in the framework of handling the public interest.

1. Government Function

The government is required to provide services to the community and create conditions that allow everyone to develop the ability and creativity in order to achieve mutual progress. In accordance with the opinion Ryaas Rasvid. the main goal of establishment of government is to maintain order in the life of society so that every citizen can lead a quiet, and peace. Modern government essentially a service to society, government is not held to serve itself.

The government in a life of the people of the nation demands that it be able to carry out missions, perform functions and carry out all activities under its responsibility with the highest level of efficiency, effectiveness coupled with service orientation, not power orientation and functional behavior.

In general, the function of government includes three main functions that should be run by the government both central government and local government

a. Function Settings.

This function is implemented by the government by making legislation to regulate human relationships in the community. Pemerintah are parties who are able to apply the rules for life to run properly and dynamic. Such as the function of the central government, local governments also have a regulatory function to the community in the The difference, which is governed

by the Regional Government more specifically, that is the affairs that have been submitted to the Daerah. Untuk regulate the necessary regional regulations that are made jointly between the DPRD and the executive.

The enactment of a regulation if it has a juridical foundation, sociological basis, philosophical foundation. Judicial jurisdiction is the legal basis (juridische gelding) which becomes the basis of the authority of legislation as in Article 20 paragraph (1) of the 1945 Constitution, namely: the people have the power to form laws.

The sociological foundation (sociologische grondslag) is when the provisions conform to the general beliefs and legal consciousness of the people. It is this that the rules made must be understandable to society, in accordance with the realities of people's lives.

The philosophical foundation (philosifische grondslag) is to contain the moral and ethical values of the nation. Moral and ethics basically contain good and bad values. Good values are views and aspirations that are upheld, in which there is value of truth, justice, decency, and other values that are considered good.

Service Function.

Differences in the implementation of service functions undertaken by the Central Government and Local Government lies in their respective authorities. The authority of the central

government includes the affairs of Defense Security, Religion, Foreign Affairs, Monetary and Justice. In general, government services include public services and civil service that appreciate equality.

c. Empowerment Function.

This function is to support the implementation of regional autonomy, this function requires the empowerment of local government with sufficient authority in management of local resources to carry decentralized affairs.For out that Regional Government needs to increase public and private participation in development activities and governance.Government policies, central and regional levels, is directed at improving the economic activities of the community, which in the long term can support the funding of the Regional Government. In this function the government must provide sufficient space for the community's self-activities so that community participation in the region can be improved. in the rules and in the real action the government will promote the State.

The government is expected to provide excellent public services that can provide prosperity for the community. Public service is an activity undertaken by a person or group of people on the basis of material factors through certain systems, procedures, and methods in order to fulfill the interests of others in accordance with their rights. Characteristics of service should be

owned by the provider organization, namely:

- 1) Procedure of service should be easy to understand, easy to implement, so avoid the bureaucratic procedure that snagat excessive, berbeli-stalking;
- 2) Service is provided with clarity and certainty to the customer;
- 3) Provision of services cultivated to be effectively efficient;
- 4) The service providers are concerned with the speed and timeliness specified;
- 5) Customers at any time easily obtain information related services openly.

In carrying out the duties, the Directorate General of IPR performs the following functions:

- 1) Preparation of policy formation of the Ministry in the field of Copyright, industrial design, layout design of integrated circuits and trade secrets, patents, brands, cooperation and development as well as information technology;
- 2) Implementation of policies in the field of Copyright, industrial design, integrated circuit layout design and trade secrets, patents, brands, cooperation and development and information technology;
- 3) The formulation of standards, norms, guidelines, criteria and procedures in the field of Copyright, industrial design, integrated circuit layout design and trade secrets, patents, brands,

cooperation and development and information technology;

- 4) Provision of technical guidance and evaluation: and
- 5) Implementation of the administration of the Directorate of Intellectual Property Rights.

Relationship Among Institutions in Government based on Good Governance Principles

To describe the state of relations among institutions in the Indonesian government; then the authors describe the results of interviews into the points on the principles of good governance. The principles of good governance can be explained as follows:

1. Effective Coordination

Communication is the key to effective coordination. Direct coordination Indonesian among government institutions depends on obtaining, disseminating and processing required information. Coordination of these institutions is aimed to have harmony or harmony in activities to achieve the expected development goals. So that every department or part becomes balanced and aligned. The need for coordinating institutions depends on the nature and needs of communication in the execution of tasks and the degree of dependence of each unit of implementation.

Google Translate for Business:Translator Toolkit Service Function.

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In order to realize one government goal, an effective coordination chain is required. The existence of an effective coordination chain facilitates the government in overseeing and fostering the course of a process of activity. There are three kinds of coordination approaches:

a. Coordination Approach with Basic Management Technique Mechanism.

Plans and objectives as general director of activities and rules and procedures. The relative organization does not require more coordination equipment than these techniques, namely:

- 1) Rules and procedures are managerial decisions can deal with all activities and can also be as efficient equipment for coordination and supervision.
- 2) Plans and assignments also serve as the development used for coordinating through the steering of all orgaizational units against their goals.

b. Coordination Approach by Increasing Potential Coordination.

Increasing potential coordination becomes necessary when there are many different organizational units becoming interdependent and wider in size and functionality. This can be improved in two ways:

- 1) Vertical information system is a tool where there is data that is channeled various levels of the through organization. In this case, communication occurs through a series of organized orders. This information system is developed by management such as marketing, finance, production and international operations to improve the information available for planning, coordination, and oversight.
- 2) Lateral (horizontal) relationships.

Through cutting the command chain, lateral relationships let information be exchanged and decisions are made at the hierarchy level where the required information exists. A kind of lateral relationship, such as:

- a) Direct contact between individuals that can increase effectiveness and work efficiency.
- b) The role of liaison, which handles communications between departments to reduce the length of the communication channel.
- c) Committee and task force. The committee is usually organized formally with regularly scheduled meetings. A

task force is formed when needed for specific problems.

- d) The integration of roles, eg, product or project managers, needs to be created when a particular product, service or project requires a high degree of coordination and continuous attention from a person.
- e) The role of managerial liaison, which has the power to approve budget formulation by integrated units and their implementation. This is required when the integration position does not effectively coordinate a particular task.

c. Coordination Approach with Coordination Needs Reduction Method

In some situations, the government can not make any additional coordination. This is due to the ineffective addition of coordination. Additions can be used if the government has previously made additional provision of resources for the organizational units. On the other hand, the addition of coordination may occur due to re-grouping of organizational units in order to be self-contained tasks.

Each runs a series of plans in building the progress of the country, it requires good cooperation to form a good coordination. Good coordination also requires leaders who can lead the way in accordance with what is set. Without a leader in coordination, coordination will not work. Dishonesty will carry out government duties and functions. In the case of carrying out the duties, it requires an active role from the government through the Directorate

General of IPR. The Directorate General of IPR as a leader in a chain of coordination in the field of Copyright.

2. Legal Certainty

Legal certainty requires regulatory efforts in legislation made by the government so that such a rule has a juridical aspect which guarantees legal certainty. The law serves as a rule to be obeyed. Through legislation protecting Copyright in Indonesia is expected to provide legal certainty community progress will be developed through new works from the community.

3. Orderly the State Administration

The orderly principle of State organizers is the principle on which order is based, the harmony and balance in the control of the governing organizers. An order in the administration of government means that all activities carried out are well organized by the government. The steps taken in a governance is done well for the creation of a maximum outcome of the activities undertaken.

The existence of harmony and balance in the state organizers can provide legal certainty in exercising the rights and obligations. Likewise against LMK-LMK in Indonesia, required the orderly implementation in accordance with the duties and authorities under the applicable regulations. Guidance and supervision of the government at LMK-LMK realize the implementation of the state.

4. Openness of State Implementation

The people are the holder of the highest sovereignty in Indonesia. The openness of state administration is needed to increase trust, support, and community participation. Naturally, people know the things that will be for the community. Open society is easy to accept change and enable the progress of civilization.

Governance is manifested democratic with transparency (openness). Indication of а government transparent government (openness) is when in the administration there is freedom of information flow in various institutional processes. Such information should provided be adequately and easily understood so that it can be used as a monitoring and evaluation tool.

Openness leads to a clean government of corruption, collusion, and nepotism It becomes governance. the community's control over the implementation of governance. Openness local governance in encompasses various dimensions including budgetary transparency, transparency of local government work program implementation, and performance transparency accountability.

5. Proposality

The balance between the functions and authorities of government officials should take precedence. The administration of a clean government is created by a government that is proportionally capable of performing its

duties along with government institutions within government. Balancing and alignment of functions and authority requires the role of an organized government. The CBC should collect the economic rights of the creators to avoid abuse of authority of another institution within the government.

Coordination Pattern System Between LMKN and LMK in Indonesia

A system can run well because of the coordination. Leaders who can manage or also directing is required in order to system tersebut.Keluadaan government through the Directorate General of IPR, as government representatives who deal with the field of intellectual property rights, one of Copyright.Pemerintah not able to run a series of tasks without involving others. Therefore, in the presence of LMKN the process of supervising the work of LMK-LMK in Indonesia would be better.

The Directorate General of IPR has a high responsibility to supervise and maintain its coordination chain. LMK in Indonesia is in charge of performing its duties by collecting royalties. The LMK is obliged to report to LMKN in carrying out all its duties. Accompanying LMK-LMK in Indonesia LMKN should have good communication with the LMK in carrying out their respective duties. However, LMKN at this time has not done the task of optrimal mengensimens sosialisasikan to the community for the existence of this

LMKN.LMKN useful to help oversee the collection of royalties many people.

LMK is obliged to report to LMKN besides that LMKN is also obliged to report everything happened by LMK or LMKN itself. But in fact through interview conducted by the author to the Directorate General of HKI, the Directorate General of IPR awaits reporting from LMKN and also gives freedom to LMKN in performing its duties. Dirjen HKI provide facilities only. The Directorate General of Intellectual Property Rights has the power to interfere in the case of direct supervision and also to develop directly in order to anticipate the occurrence of problems.

Good Governance Principles

The term Good Governance comes from the parent of the European language, Latin, which is Gubernare absorbed by the English language into governance, which means steer (steering, controlling), direct (directed), or rule (governing) which means to govern with the local authority. government administration must base its policies with various principles contained in the principles of good governance. The legal certainty becomes an obligation that must be implemented by the local government to ensure the integrity of the rights and obligations of the community in the area. In good governance there are the general principles of good governance pem.mal.Kal this becomes a basis for the implementation of government by the central government or local government.

Good Meaning in Good Governance has an understanding:

- a. The value that high ends the will / desire of the people, and the value that can improve the ability of the people in achieving goals (national), independence and sustainable development, and social justice.
- b. Functional aspects of effective, efficient governance in the performance of tasks to achieve goals. Good governance depends on two things:
- a) Oriental ideal of a country directed at the achievement of the goals of the state; ideal orientation refers to democratization in the life of the state with its constituent / voter components such as: legitimacy, whether the government is elected and gains the trust of the people; accountability (obligation to give accountability / answer and explain the performance and actions of a person / legal entity / head of the organization to the party who has the right / authority to request information / accountability)
- b) The Government functions ideally: effectively, efficiently, making efforts to achieve the goals of the state.

There are three main pillars that support the ability of a nation in implementing good governance, namely:

1) State / government: the conception of governance is essentially a state

activity, but further than that it involves the private sector and civil society institutions.

- 2) The private sector: private sector actors include private companies active in interactions in market systems, such as: trade processing industries, banking and cooperatives, including informal sector activities.
- 3) The civil society of the community in the context of the state is basically between or between the government and the individual, which includes both individuals and societal groups that interact socially, politically and economically.

To realize clean governance in accordance with the Decree of MPR RI No.XI / MPR / 1998 and Law Number 28 Year 1999 has formulated the principle of general principle of state administration, as mentioned in Article 3 of Law Number 28 Year 1999:

- 1. The principle of legal certainty is a principle within a state of law that prioritizes the basis of legislation, decency, and justice in every policy of state administration.
- 2. The orderly principle of state administration is the principle that becomes the basis of order, harmony and balance in the control of the state administration.
- 3. The principle of public interest is the principle that prioritizes the general welfare in an aspirational, accommodative and selective manner.

- 4. The principle of openness is a principle that opens up the right of the people to obtain correct, honest, and non-discriminatory information about the administration of the state with due regard to the protection of personal, state, and state secrets.
- 5. The principle of proportionality is the principle that prioritizes the balance between the rights and obligations of state officials.
- 6. The principle of professionalism is the principle that prioritizes the skills based on the code of conduct and the provisions of applicable legislation.
- 7. Principle of accountability shall be the decisive principle that every activity and outcome of the activities of the state administration must be accountable to the public or the people as the highest sovereign of the state in accordance with the provisions of the prevailing laws and regulations.

Soedirman Kartohadiprodjo states that the thoughts that form the basis of state interference with the tools of equipment (government, statutory, executive, legislative and judicial) to the law. Besides, legal development based on the legal awareness of the community. With the existence of legal awareness then the government is also obliged creating justice and order. To maintain justice and state order needs to create law.

Good governance or good governance according to the United Nations

Development Program (UNDP) has the following characteristics:

- d. Participation, Every citizen has a voice in decision-making, either directly or through the intermediation of the legitimate institution that represents his interests. Such participation is maintained on the basis of freedom of association and speaking and participating in construction;
- e. Rule of Law, The legal framework should be fair indiscriminately, especially the law for Human Rights;
- f. Transparency, Transparency is built on the freedom of information flow. Processes, institutions and information are directly acceptable to those in need. Information must be understandable and monitorable.
- g. Responsiveness, Institutions and processes should try to serve every stakeholder.
- h. Consensus Orientation, Good Governance mediates the different interests to get the best choice for the wider interests both in terms of policies and procedures.
- i. Equity, every citizen has the opportunity to improve or maintain prosperity.
- j. Effectiveness and Efficiency, processes and institutions produce in accordance with what has been outlined by using the best available resources.
- k. Accountability, Decision-makers in government, the private sector and

society are accountable to the public and stakeholder institutions. This accountability depends on the organization and nature of the decision being made, whether the decision is for the internal and external interests of the organization.

I. Stategic Vision Leaders and the public should have a broad and far-reaching perspective of good governance and human development in line with what is needed for development.

The form of Good Governance to organize a solid and responsible state government, as well as efficient and effective, by maintaining a constructive interaction between constructive domains of the country, the private sector and society. On the other hand, through interviews to the Directorate General of Intellectual Property Rights conducted by the author, there are still unfulfilled principles of good governance. In running a series of government activities required a good coordination chain to run the legal system. A good coordination sequence can form good governance principles to achieve common goals.

The Role of Coaching by the Government Against LMK

The Government plays an important role in the progress of the existence of Collective Management Institutions in Indonesia. With the role of government

through coaching is expected to assist the development of the LMK itself. In Article 29 paragraph 1 of Law No. 8 of 1999 on Consumer Protection states that: "The government is responsible for the development of the implementation of consumer protection that ensures the rights of consumers and business actors and the implementation of the obligations of consumers and business actors".

The effort to develop consumer protection which is held by the government guarantee to acquisition of consumer's rights. The consumer's interest in this research is the right for the creators of the work to get their economic right to the achievement of the works they have made. As the government's effort in protecting their rights through LMK guidance needs coordination between the government and related institutions that assist the work of collective management agency collecting in royalties.

The role of government guidance on the existing LMK in Indonesia is an important role to assist the process of running the LMK itself. Through the guidance done by the government itself can help LMK stick to LMK regulatory system in Indonesia. Pembinaan undertaken by the government is not solely to build at the beginning of the formation of LMK only but the government must also continue to build during the LMK runnya. Namun in practice when this coaching is done by

the government is still not enough in guiding LMK run in Indonesia.

The government formed LMKN as a representative of the Directorate General of IPR to assist in the run of LMK itself. The role of LMKN itself is still not maximal enough in socializing the existence of representatives from the government that can help supervise and build LMK existing in Indonesia.Dalam interview conducted by the author to the Directorate General of HKI said that there are still many people who are not enough to know the existence of LMKN itself. The socialization of LMKN in Indonesia will only be done after 2 years Law on LMK is published.

The role of Government as supervisor of LMK

Supervision is a process of observation of an implementation of all activities of the organization to ensure that all work underway can be in accordance with the planned. Supervision consists of the act of researching all things achieved or running in accordance with predetermined plan based on the instructions that have been issued, the principles that have been set. Supervision aims to show or find the weaknesses to be improved and prevent repetitive weaknesses that.

Supervision can assist legal development in terms of supporting sustainable economic growth; to manage the problems related to the economy, especially in the business

world and in the industrial world; as well as create investment certainty, especially enforcement and legal also protection. Development directed to eliminate the possibility of abuse of authority and the occurrence of criminal acts of corruption. Legal development is carried out through the renewal of legal material by keeping in mind the vary prevailing legal order and the influence of globalization in an effort to increase legal certainty and protection of law and human rights, awareness law, and legal services with justice and truth, orderliness and prosperity in the framework of the implementation of an increasingly orderly, orderly, smooth, and globally competitive.

Monitoring process is important in running the organization, therefore every leader must be able to perform the supervisory function as one of the implementation of administrative functions of the leadership of the organization to subordinates, realize the improvement of effectiveness, efficiency, rationality, and order in achieving the objectives and execution of organizational tasks.

The supervisory process runs in an activity with the rules governing in each activity. In this case, especially in the field of Copyright, the government has reformed the legislation. The existence of regulations governing the existence of management institutions in Indonesia at present. the existence of government renewal is necessary to supervise the implementation of the

LMK practice through the establishment of LMKN, which serves as the supervisor of LMK-LMK in Indonesia.

Saiful Anwar mentioned that based on the form of supervision can be distinguished as follows:

- 1. Internal supervision is supervision carried out by a body or organ that is organizational / structural including within the government itself. For example supervision of superior officials against his own subordinates.
- 2. External supervision is carried out by organ or institutions that are organizationally / structurally outside the government in the executive sense. For example, financial supervision conducted by the Supreme Audit Agency (BPK).

The role of government in monitoring the performance of LMK in accordance with regulatory standards that is Regulation of Minister of Justice and Human Rights Number 29 Year 2014 about procedure of application and issuance of operational license and evaluation of collective management agency. The regulation, contains terms and procedures for application of the establishment of LMKs in Indonesia but on the other hand in the regulation also explains that LMK may be revoked if violating existing regulations.

Supervision conducted by LMKN through reported to the government. The Government follows up if there is a mistake by through the evaluation of the problem. This supervisory role shall

not only supervise but authorize sanctions in the event of errors in accordance with Regulation of the Minister of Justice and Human Rights No. 29 of 2014 concerning Procedures for Application and Issuance of Operational Permits and Evaluation of Collective Management Institutions Chapter V Article 11 paragraph (2) revocation of operational permit if:

- a. The form of its legal entity transforms into a profit-seeking legal entity;
- Not distributing royalties to the creator and / or owner of the related rights;
- c. Not having or less than 200 (two hundred) authorizing persons for LMK in the field of songs and / or music representing the interests of the author and less than 50 (fifty) authorizing persons for LMK representing the relevant owners and / or other related rights objects;
- d. No coordination in determining the amount of royalties;
- e. Does not perform performance audits and financial audits conducted by public accountants;
- f. Not publicly announcing the results of performance audits and financial audits through national print media and electronic media; and
- g. Use operational funds of more than 20% (twenty percent) after the first 5 years and / or use operational funds of more than 30% (thirty percent) for the

first 5 years of the total amount of royalties collected annually.

The role of government as supervisor of LMK-LMK in Indonesia so far has not been optimal. This is in line with the statement from the Directorate General of HKI in the interview result that so far the Directorate General of HKI is still waiting for report from LMKN. Based on the Regulation of the Minister of Law and Human Rights Number 29 of 2014 concerning Procedures for Application and Issuance of Operational Licenses and the Evaluation of Collective Management Institutions, it is possible to revoke operational licenses to LMKs in case of violations in accordance with applicable regulations.

Conclusion

- 1. Status and position of LMKN under New UUHC is LMKN must be a kind of "federation" from LMKN. LMKN institutionally can not be said as a state institution. LMKN can not be regarded as a state institution because it does not meet the institutional requirement that is structural aspect.
- 2. The role of the government in terms of supervision and supervision of LMKN in Indonesia as supervisor should have good coordination between the Directorate General of IPR and LMKN as an extension of the Directorate General of Intellectual Property Rights which helps build and supervise LMK-LMK.

Suggestion

Based on the results of the descriptions described in the previous chapters, the authors have some suggestions that would be useful for the progress of the Copyright Act, as for the following suggestions:

- 1. For the government to improve Law Number 28 Year 2014 on Copyright, to be more clarified about the status and position of the law.
- 2. For the government (Directorate General of Intellectual Property Rights) Need to improve the coordination chain between the government and LMKN.

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The Government Accounting Standard Implementation Effectiveness and the Quality of Local Government Financial Statement

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Abstract. Government Accounting Standards are accounting principles in preparing and presenting financial statements, including Local Government Financial Statement. It is a tool to assess the responsibility of local government in managing the budget that has been mandated to the region. This study aims to examine the relationship between the Government Accounting Standard Implementation Effectiveness and the quality of local government financial statement of Manokwari Regency. 29 accounting department employees at the Regional Device Work Unit of Manokwari Regency were determined as a sample of this study using saturation sampling. Research data was collected using questionnaires and was analysed using Rank Spearmen correlation. The result of the study shows that there is a significant correlation between the Government Accounting Standard Implementation Effectiveness and the quality of local government financial statement of Manokwari Regency.

Keywords: Effectiveness, Government Accounting Standards Implementation, Quality of Local Government Financial Statement

I. INTRODUCTION

Preparation of government financial statements is a manifestation of transparency and accountability of state financial management. Various regulations and legislation on financial management have been developed to serve as a solid foundation for state financial managers in order to make good governance and clean government (Nurlaela and Rahmawati, 2010). One of the regulations issued by the government is Government Regulation No. 71 of 2010 on Government Accounting Standards (GAS). This GAS is determined in accordance with the mandate of Law no. 17 Year 2003, where GAS is the accounting principles in preparing and presenting the financial statements. With the existence of GAS, it is expected that the resulting financial report is an open, honest, and comprehensive financial report to stakeholders. The same thing is also expected for the Local Government Financial Statement (LGFS), which is a tool to assess how much local government responsibility to the budget that has been mandated to the region.

In fact, the official website of the Audit Board of Indonesia (www.bpk.go.id) indicates that there are still LGFS that received adverse opinion, disclaimer and qualified opinion from the Audit Board of Indonesia. One LGFR that received a qualified opinion is LGFS of Manokwari regency for fiscal year of 2015 (papuabaratprov.go.id). Nevertheless, this opinion is better than the opinion received in the previous period, which was disclaimer (papuabaratprov.go.id). Thus, indicates that there is an improvement in presenting the financial statements. However, there are still recommendations given by the Audit Board of Indonesia that have not been fully implemented by

the Manokwari Regency government. Therefore, the LGFS still received a qualified opinion.

The importance of GAS implementation in presenting the financial statements including the audit opinions received by LGFS of Manokwari is the main motivation of this study. This study aims to examine the relationship between the Government Accounting Standards implementation effectiveness and the quality of Local Government Financial Report of Manokwari Regency.

Based on the description of the background, a hypothesis of this study is formulated as follows:

H1: There is a significant correlation between Government Accounting Standards Implementation effectiveness and the quality of Local Government Financial Report

II. METHODS

The respondents of this research are all finance or accounting staff of every local government agencies of Manokwari regency. Research data was collected by giving closed questionnaire adopted from Nurlaila (2014) to 50 accounting staff of local government agencies of Manokwari regency.

Variables and Definitions of Operational Variables

Independent Variables: Government Accounting Standards Effectiveness

Government Accounting Standards (GAS) are the accounting principles in preparing and presenting government financial statements. The indicators used in the research are guided by eight accounting principles and financial reporting proposed in Government Regulation no.

71 Year 2010, namely: accounting basis, historical value, realization, substance of form, period, consistency, full disclosure, and fair presentation. The eight indicators are each guided into the question items in the questionnaire. Respondents were asked to select one of five scales on each question as practiced by their agency. Based on the respondent's answer can be determined whether the application of Government Accounting Standards is effective (indicated by the whole scale applied) or low (indicated by the scale not applied).

Dependent Variables: Quality of Local Government Financial Statements

Qualitative financial statements are normative measures that need to be manifested in accounting information to meet its objectives. In this study, quality reports using indicators include: relevant, reliable, comparable, and understandable (PP No. 71 of 2010). The four indicators are each used as a guide into the question items in the questionnaire. Respondents were asked to select one of five scales on each question according to the facts they have seen so far in government settings. The quality of local government financial statements can be determined based on the response of respondent's.

Data Analysis Technique

Validity test

The questionnaire used in this study needs to be tested its validity to identify how well the questionnaire measures the concept to be measured. Legitimate measuring instruments will have high validity, and vice versa. In this research, validity test is done by using Product Moment correlation technique, where the validity of prepared statements can be measured by correlating the score of each question with the total total score. The minimum requirement to meet validity is when r=0.3.

Test Reliability

Questionnaires used in this study also need to be tested its reliability. According to Sekaran (2006), reliability is an index that indicates the extent to which measurements are used without bias (error free) to ensure consistent measurements across time and across diverse items. In this research, reliability test is done by using Alpha Cronbach coefficient. A variable is reliable if the resulting alpha value is greater than 0.60.

Hypothesis testing

The hypothesis of this study is tested using Rank Spearman correlation coefficient analysis to determine whether there is a significant correlation between the independent variables of this study and the dependent variable. Both variables are measured by ordinal scale. The guidelines to provide Interpretation of Correlation Coefficient according to Sugiyono (2011) can be seen in Table I. When the result of Rank Spearman coefficient calculation (ρ) has positive value, then it means that the variables studied have positive relationship. In other words H0 rejected, which means reject the allegation that there is no significant correlation between the Government Accounting Standards implementation

effectiveness and the Quality of Local Government Financial Statements.

TABLE I
INTERPRETATION OF COEFFICIENT CORRELATION

Coefficient Interval	Relationship Level
0,00 - 0,199	Very Low
0,20 – 0.399	Low
0.40 – 0,599	Medium
0,60 – 0,799	Strong
0,80 – 1,000	Very Strong

Determination Coefficient Test

Test coefficient of determination (R2) aims to measure the magnitude of influence effectiveness of GAS implementation on the quality of local government financial statements. The value of the coefficient of determination is between 0 and 1. Small value of coefficient determination indicates the ability of independent variables in explaining the variation of the dependent variable is very limited. If the coefficient value is close to 1, then the independent variables is able to predict the dependent variables.

III. RESULT AND DISCUSSION

Characteristics of Respondents

This research data is obtained by distributing questionnaires to 50 accounting or financial officers in each local government agencies in Manokwari regency. From 50 questionnaires distributed there are 40 questionnaires (80%) returned. Descriptive of respondents can be seen in Figure 1.

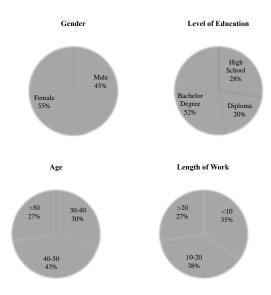


Fig. 1 Respondent's Descriptive

Validity and Realibility Test Results

The results of validity test in this study can be seen in Table II, where the results indicate that the statement on each research variable is valid or can be said to be valid. This is because the critical r-number obtained is 0.3. As for the reliability test results can be seen in Table III, where the

results indicate that the two variables used in this study stated reliable. This is because the value of alpha Cronbach obtained is greater than 0.60.

TABLE II. RESULT OF VALIDITY TEST GOVERNMENT ACCOUNTING STANDARD EFFECTIVENESS

Item	Korelasi	r-kritis	Hasil
1	0,803	0,3	Valid
2	0,872	0,3	Valid
3	0,880	0,3	Valid
4	0,591	0,3	Valid
5	0,787	0,3	Valid
6	0,795	0,3	Valid
7	0,691	0,3	Valid
8	0,825	0,3	Valid
9	0,604	0,3	Valid
10	0,829	0,3	Valid
11	0,563	0,3	Valid
12	0,824	0,3	Valid
13	0,806	0,3	Valid
14	0,838	0,3	Valid
15	0,753	0,3	Valid
Total	1	0,3	Valid

QUALITY OF LOCAL GOVERNMENT FINANCIAL STATEMENT

Item	Korelasi	r-kritis	Hasil
1	0,941	0,3	Valid
2	0,789	0,3	Valid
3	0,859	0,3	Valid
4	0,724	0,3	Valid
5	0,864	0,3	Valid
6	0,642	0,3	Valid
7	0,762	0,3	Valid
8	0,885	0,3	Valid
9	0,746	0,3	Valid
Total	1	0,3	Valid

TABLE III. RESULT OF RELIABILITY TEST

Variabel	Cronbach Alpha	Keterangan	
GASE (X)	0,948	Reliabel	
LGFS (Y)	0,930	Reliabel	

Hypothesis Test Results

In this research, hypothesis tested by using Rank Spearman correlation coefficient analysis. The results of the test can be seen in Table IV.

TABLE IV. RESULT OF RANK SPEARMAN CORRELATION COEFFICIENT ANALYSIS

		Correlations		
			GASE	LGFR
Spearman's rho	ESAO	Correlation Coefficient	1.000	.855**
		Sig. (2-tailed)		.000
		N	40	40
	KLKPD	Correlation Coefficient	.855**	1.000
		Sig. (2-tailed)	.000	
		N	40	40

^{**.} Correlation is significant at the 0.01 level (2-tailed).

Table 4 shows that the significant value obtained is 0.000 which is less that 0.05. This means there is a significant correlation between the Government Accounting Standard Implementation Effectiveness and the Quality of Local Government Financial Statement or H1 is accepted. Further, the relationship level between the two variables obtained is shown with Rank Spearmen correlation coefficient value, which is 0.855. The value obtained is between 0.80 to 1000. This means that there is a positive and a very strong relationship level between the Government Accounting Standard Implementation Effectiveness and the Quality of Local Government Financial Statement.

Coefficient Determination Test Results

The result of determination coefficient test in Table V show that R Square value is equal to 0.814 or 81.40%, which means that the Quality of Local Government Financial Statement can be explained by the Government Accounting Standard Implementation Effectiveness. While 18.6% is explained by other variables outside this study.

TABLE V. RESULT OF RELIABILITY TEST

Model Summary						
	Adjusted R Std. Error of					
Model	R	R Square	Square	the Estimate		
1	.902a	.814	.809	2.0538		

a. Predictors: (Constant), ESAP

Discussion

The results of this study found that the Government Accounting Standard Implementation Effectiveness has a significant correlation with the Quality of Local Government Financial Statement (H1 Accepted) since the significant value is 0.000, which is less than 0.005 and the value of Rank Spearman correlation coefficient is 0.855. Based on Interpretation of Correlation Coefficient, the value is positive and is between the interval of 0.80 to 1.000, which means that there is a very strong relationship between independent and dependent variable.

Thus, it can be concluded that the better the Government Accounting Standard Implementation Effectiveness will result in better the Quality of Local Government Financial Statement as well. The qualified opinion received in 2015 by Manokwari regency on the Local Government Financial Statement (LGFS) shows that there is an improvement in the quality of the LGFS of Manokwari regency.

This research finding is consistent with research finding by Nurlaila (2014) and Ningtyas and Widyawati (2015) that also indicate that the Government Accounting Standard Implementation Effectiveness has a positive influence on the Quality of Local Government Financial Statement.

IV. CONCLUSIONS

Based on the result of this study it is concluded that the Government Accounting Standard Implementation Effectiveness has a significant correlation with the Quality of Local Government Financial Statement of Manokwari Regency. The implementation of Government Accounting Standard of Manokwari Regency has been effective since

there is a positive change in the audit opinion given by the Audit Board of Indonesia, from Disclaimer in 2014 to Qualified Opinion in 2015. However, the local government still should improve its implementation of Government Accounting Standard to be able to increase the quality of Local Government Financial Standard and also in order to receive an unqualified opinion from the Audit Board of Indonesia for future financial statements.

ACKNOWLEDGMENT

We would like to thank all the respondents that were willing to fill out the given questionnaires.

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THE EFFECT OF MADRASAH DEVELOPMENT, WORK CULTURE AND SELF-LEARNING ON PEDAGOGY COMPETENCE OF TEACHERS' PERFORMANCE OF MADRASAH ALIYAH NEGERI (MAN) AT THE NORTHERN COAST OF JAKARTA

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Abstract

The purpose of this study is an attempt to determine the effect of Madrasah development, work culture, and self-learning on pedagogy competence of teachers' performance of Madrasah Aliyah Negeri (Public Islamic senior High School) at The Northern Coast of Jakarta. This research attempted to answer problems about pedagogy competence of teachers' performance to increase learning quality. The samples of 70 teachers had been selected from the target population of 85 teachers by using quantitative approach and path analysis method. For validity test of pedagogy competence variable, this research relied on Biserial Point Correlation and Kuder Richadson 20 (KR-20) for reliability test. Whereas development, work culture and self-learning variables used Pearson's Product Moment for validity test and Alpha Cronbach for reliability test. The research of the hypothesis testing has revealed that: (1) development, work culture and self learning has a direct positive effect on pedagogy competence; (2) development and work culture has a direct positive effect on self-learning. Therefore, to improve the pedagogy competence of teachers' performance of Madrasah Aliyah Negeri needs to increase, development, work culture and self-learning.

Keywords: Development, Work Culture, Self-Learning, and Pedagogy Competence.

I. INTRODUCTION

Madrasah is an Islamic educational institution under the supervision of the Ministry of Religion, which has attempted to develop a planned intervention to make Madrasah as adaptive choice for community's need in the northern coast of Jakarta. There are several reasons why education, as one of social mechanisms, enables to elevate their social and economic level in coastal region, particularly in northern coast of Jakarta. The first reason is people will be led to have new paradigm. Secondly, education is a precious long-term asset. Thirdly, due to their economic

condition, parents cannot afford to send their children to high-priced formal schools. Teachers are required to have competency, knowledge, skills, and attitude to perform their professional duties as a part of their pedagogy competence.

On the basis of researcher's observation, teachers' pedagogy competence of Madrasah Aliyah Negeri 5, 8, 16 and 17 (public Islamic senior high schools) haven't met a good standard yet due to 1) lack of material mastery; (2) inappropriateness of subject matter learned by teachers with reality experienced by teachers in *situ*; (3) inffective teaching; (4) lack of teacher's authority; (5)

lack of teachers' motivation and dedication since being a teacher is not their first option; (6) lack of immature emotion, thinking and determination. They are actually not ready to be teachers instead of being educators so that many of them just perform their duties as teachers. Pedagogically, teachers' competency needs to get serious attention in teaching learning process.

An issue of pedagogy competence can be seen through learning process. A learning process will run well if teachers have capability of designing a good instruction, which is started from making a lesson plan, implementing the plan, till evaluating the learning. However, teachers still find the obstacles in term of lesson plan design and evaluation as a primary duty. The findings of 70 teachers' questionnaires revealed that 34.05% of teachers having difficulties of designing a lesson plan, 40.50% of teachers having difficulties of learning process in class and 25.45% of teachers having difficulties in evaluating the learning. A lesson plan design is an essential aspect since it comprises of important aspects such as standard competence, the ways to achieve it, learning materials, interaction model, evaluation model and etcetera. Whereas, the causes of such problems include (1) time (41.05%) as the biggest problem, where teachers find it difficult to allocate the time in lesson plan and they have no time to make a lesson plan due to their busy activities; (2) difficulty of elaborating the learning materials into lesson plan (14.74%); (3) difficulty of making a lesson plan that fits with the fixed standard format (13.68%); (4) lack of references (13.68%), they find it difficult to decide which one is compulsary book and which one is supporting book; (5) difficulty of teaching method selection (8.42%). Teachers who are able to design a lesson plan are expected to have teaching ability. It means that if they are able to design a lesson plan, they must have understood students' characteristics, learning theory and its philosophy. In addition, they must have capability of designing media, material mastery and other components. Yet, the facts revealed that they have no such a capability. Since learning process is situational and dynamic, unpredictable thing can occur anytime in the real class. Thus, everything must be planned and estimated carefully. Teachers who have experienced problems or obstacles are quite high (40.5%). Researcher took four situational factors from individu who affected pedagogy competence, namely leadership, development, work culture and self-learning. While the desired outcomes are pedagogy competence where teachers are regarded as objects.

Pedagogy Competence

Barley & Diamond (2010), Ryegard, Apelgren & Olson (2010), Apelgren & Giertz (2010), Everard, Morris & Wilson (2004), Irina & Liliana (2011), Jones (2010), Mulyasa (2008), Wahyudi (2012) explained the theory of pedagogy competence. They said that pedagogy competence is teacher's ability to manage learning in transforming knowledge, attitude and skill in teaching learning process to actualize any learners' potentials. The ultimate key competency in organization is to achieve competitive excellence while the main development competent is competitive excellence in order to develop resources in organization environment. The main strength of pedagogy competence is affected by leadership, development and selflearning resulting from existing human resources in Madrasah organization.

Development

Amstrong (2010), Ivancevich & Konopaske (2013), Mullins (2010), Daft (2010), Noe (2010), Noe, Hollenbeck, Gerhart, & Wright, (2008), Luthans & Doh (2009), Anthony, Perewe & Kacmar (2000), said development is an organization effort to develop the ability of employess through learning experience process or self managed with their ability, knowledge, skill and attitude to develop the future of organization.

Work Culture

Lotze (2004) said work culture is the common sense that a worker brings to work. The work culture consists of the shared attitudestoward work, the shared beliefs not about this workplace, but work in general, the

common expectations about behavior, the "rituals" of work, the traditions of work, the "way things have always been done. Thomson dan Strickland (1998) said work culture is the beliefs, vision, objectives, and business approaches and practices underpinning a company's strategy may be compatible with its culture or they may not. Schein (2004), work cultureis a totality of various levels of interaction among organisational factors (boundaries, goals, objectives, technology, managerial practices, material and human resources, and the constraints) and organismic factors (skills, knowledge, needs, expectations) interact among themselves at various levels. Over a period of time they develop roles, norms and values focusing work.

Self-Learning

Zimmerman (2002), Pintrich (2002), Woolfolk (2007), Pinder (2008), Pintrich & Zeidner (2002), Hellriegel & Slocum (2011), Slavin (2008), Schunk (2012). The main fundamental pilar of employees' behavior to achieve organization's goal is self-learning growth. Self-learning is an individual self-learning process performed actively to have continous learning and practice to dig out one's weaknesses through self-motivation and experience to achive the goal.

II. METHODS

Associative quantitative approach was employed to test hypothesis by path analysis in this research. Data collection includes questionnaire and objective test for 70 teachers of Madrasah Aliyah Negeri in the northern coast of Jakarta. Questionnaire data were used to get data of development, work culture and self-learning variables, while objective test was used for pedagogy competence variable. For validity test of pedagogy competence variable, this research relied on Biserial Point Correlation and Kuder Richadson 20 (KR-20) for reliability test. Whereas development, work culture and self-learning variables used Pearson's Product Moment for validity test and Alpha Cronbach for reliability test. The function of path analysis is to find out the effect among variables. Data analysis includes data description, test of requirement analysis, normality test of error estimates, significance test of regression and linearity test of regression. Path analysis includes model analysis, hypothesis testing and the effect of level decision.

III. RESULTS AND DISCUSSION

Descriptions of research variables include development, work culture and selflearning on pedagogy competence, presented descriptive statistic comprising minimum, maximum, range, mean, median, standard deviation and variance. Requirement analysis Testing employed in this study includes normality test, linearity test and regression significance test. Normality Testing uses data error estimates. By using Liliefors test, the data is normal if L value < L table, and the data is not normal if L $_{value} > L_{table}$. The following is a summary of the calculation of normality test for each error estimate.

TABLE 1. SUMMARY OF NORMALITY TEST OF ERROR ESTIMATES BY USING

LILLIEFORS TEST (LO)					
Error	L value	L _{table}		Conclusion	
estimated	(L_o)	α =	α =		
regression		0,05	0,01		
Y on X ₁	0,066	0,106	0,123		
				Normal	
Y on X ₂	0,062	0,106	0,123	Normal	
Y on X ₃	0,102	0,106	0,123	Normal	
X ₃ on X ₁	0,080	0,106	0,123	Normal	
X ₃ on X ₂	0,019	0,106	0,123	Normal	

Note: L table = $\alpha = 0.05 = 0.886 / \sqrt{n}$; $\alpha = 0.01 = 1.031 / \sqrt{n}$

Meanwhile, an analysis of Variance (ANOVA) was used for significance regression test. If $F_{value} > F_{tabel}$ is at the degree of mistake on the value of alpha (α) 0,05, so equation of regression is significant, and at the degree of mistake on the value of alpha (α) 0,01, the equation is significant. The result of test for each variable is summarized in the following table.

TABLE 2. SUMMARY OF THE RESULT OF LINIERITY REGRESSION TEST

LINIERII I REGRESSION IESI						
Variables	Equations			Conclusion		
		Linearity	y Test			
		F value	F _{table}			
			$\alpha = 0.05$	$\alpha = 0.01$		
Y on X ₁	$\hat{Y} = -13,765 +$	57,870	2,51	3,62	Sign	
	0,37 X ₁	1,791	1,99	2,63	Linear	
Y on X ₂	$\hat{Y} = -27,462$	11,879	2,51	3,62	Sign	
	$+0,514 X_2$	1,87	2,10	2,82	Linear	
Y on X ₃	$\hat{Y} = -1,520 +$	19,427	2,51	3,62	Sign	
	0,233 X ₃	1,77	1,83	2,43	Linear	
X ₃ on X ₁	$X_3 = 64,536 +$	18,145	2,51	3,62	Sign	
	0,507 X ₁	1,44	1,99	2,63	Linear	
X ₃ on X ₂	X ₃ = -130,347	18,670	2,51	3,62	Sign	
	+ 0.105 X ₂	1.87	2.10	2.82	Linear	

Hypothesis Testing

To test research hypothesis, structural equation is divided into two structures as follows:

Substructural equation 1: the result of Path coefficient calculation obtained direct influence lines. It was found that there was a direct effect of development, work culture and self-learning on pedagogy competence.

$$Y = P_{y1}X_1 + P_{y2}X_2 + P_{y3}X_3$$

 $Y = 0,480 X_1 + 0,235 X_2 + 0,260 X_3$
ruktural equation 2: It was found the

Substruktural equation 2: It was found that there was a direct effect of development, work culture on self-learning.

$$\begin{split} X_3 &= P_{31} \; X_1 + P_{32} \; X_2 \\ X_3 &= 0.297 \; X_1 + 0.462 \; X_2 \end{split}$$

The path coefficient and the value t can be presented in below diagram:

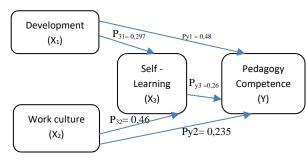


Fig 1. Path coefficient and the value t of development, work culture and self-learning on pedagogy competence

The first hypothesis testing proves that development has a direct positive effect on

pedagogy competence. This finding shows that the level of pedagogy competence is highly determined by organizational's development, which fits with organization's goal. The result of findings was explained by Hameed & Waheed (2011:282) that development has a direct effect on pedagogy competence comprising of: knowledge enrichment, ability, and self-learning. It is inferred that development has a positive effect on pedagogy competence shown t_{value} = 2,585 dan t table = 1,98 with significant value (p value) = 0,012.

The second hypothesis testing proves that self-learning has a direct positive effect on pedagogy competence. It shows that the level of pedagogy competence is highly determined by the growing of individual's self-learning. This finding was explained by Elliot & Dweck (2005) stating that self-learning has a direct effect on pedagogy competence. It is affected through the intrinsic process of emotion or through self development as an external factor. Thus, it is concluded that self-learning has a direct positive effect on pedagogy competence shown $t_{value} = 2,694$ dan $t_{table} = 1,98$ with significant value (p_{value}) = 0,009.

The three hypothesis testing proves that development and work culture has a direct positive effect on self-learning. It shows that the level of self-learning is highly determined by strong development. According to Toha (2003), development has a direct effect on self-learning because development aims to improve behavior through learning process. Thus, development has some aims: (1) improve behavior and ability. To do such a thing, main source is needed to identify problems personality or needs; (2) development. One's creativity will develop if he/she has a chance to grow. Each individual will help one another to develop their potentials. So, it can be inferred that development has a positive effect on selflearning presented with $t_{value} = 4,018$ and $t_{table} =$ 1,98 with significant value (p value) = 0,000.

The main aim of this research is to figure out and find out clear description of: a direct positive effect of development, work culture and self-learning on pedagogy competence; and (2) a direct positive effect of

development and work culture on self-learning.

Pedagogy competence

The word 'Pedagogy' is familiar in education particularly for teachers as frontliner, but do all teachers understand the meaning of pedagogy competence even they have already implemented it? Pedagogy competence is one of compulsory competences that teachers must have. It is a distinctive competence, which differentiates teachers with other professions. The mastery of professional pedagogy competence will determine the level of students' learning and achievement.

Barley and Diamond (2010) stated that pedagogy competence is the practice of teaching framed and informed by a shared and structured body of knowledge. This knowledge comprises experience, evidence, understanding moral purpose and shared transparent values. Ryegard, Apelgren & Olson (2010) said that pedagogical competence is the ability and will to regularly apply the attitude, the knowledge, and the skills that promote the learning of the teacher's students in the best way. Apelgren & Giertz (2010) added that pedagogical competence is the ability and will to regularly apply the attitude, the knowledge, and the skills that promote the learning of the teacher's students in the best way. This shall be in agreement with the goals that apply, and within the framework available and presupposes continuous development of the teacher's own competence and instructional design.

Development

Basically, development will run well if its impact can grow innovation and creativity in managing education comprehensively. These two things will strengthen the ability of teachers' professionalism in Indonesia.

Amstrong (2010) defined development as concerned with ensuring that a person's ability and potential grows through the provision of learning experiences or through self directed (self managed) learning. It is an unfolding process, which enables people to progress from a present state of understanding and capability to a future state, in which

higher-level skills, knowledge and competencies are required. Ivancevich and Konopaske (2013) defined development as processes that attempt to provide an employee with information, skill and an understanding of the organization and its goals. Development prepares individuals for the future. It focuses on learning and personal development. Mullins (2010) defined development as wider than both training and learning and is a longer-term, structured learning process involving a number of activities, including training. Daft (2010) defined development as a planned, systematic process of change that uses behavior science knowledge and techniques to improve an organization's health and effectiveness through its abilty to adapt to the environment, improve internal relationships, and increase learning and problem solving capabilities. Development focuses on the human and social aspects of the organization and works to change attitudes and relationships among employee, helping to strengthen organization's capability for adaptation and renewal.

Work Culture

Work culture is the common sense that a worker brings to work. The work culture consists of the shared attitudestoward work, the shared beliefs not about this workplace, but work in general, the common expectations about behavior, the "rituals" of work, the traditions of work, the "way things have always been done. Work culture is the beliefs, vision, objectives, and business approaches and practices underpinning a company's strategy may be compatible with its culture or they may not. Robbins and Judge (2013), work culture is the social glue that helps hold the organization together by providing standards for what employees should say and do. Finally, it is a sense-making and control mechanism that guides and shapes employees attitude and behavior.

Self-Learning

Self-learning consists of two words, learning and self. No success without learning. No learning without achieved goal. Human being is a true learner who has learned from baby until the end of his/her life (long life

learner). Not only have they learned something formally, but also they have learned it informally. Learning is not only a need but necessity to make individual develop and understand life. Furthermore, they have to learn to accept changes, challenges and They have to learn to be opportunities. curious to enrich their knowledge so they can benefit their experiences through their senses to learn and develop. The main fundamental aspect of employees' behaviors in achieving organization's goal is the growth of individual self-learning. Zimmerman (2002) said that self-learning is not a mental ability or an academic performance skill; rather it is the self-directive process by which learners transform their mental abilities into academic skills. Learning is viewed as an activity that students do for them- selves in a proactive way rather than as a covert event that happens to them in reaction to teaching. Self-learning refers to self-generated thoughts, feelings, and behaviors that are oriented to attain- ing goals. Self-regulated as the process we use to activate and sustain our thought, behaviorsm and emotions in order to reach our goals

Pintrich (2002) also added that self learning as a constructive process when teachers set learning goals at once trying to monitor, regulate, and control observations' motivation, and behavior are restricted by the learning objectives and environmental conditions. Woolfolk (2007) mentioned that environmental events, personal factors, and behaviors are seen as interacting in the process factor (beliefs, Personal learning. expections, attitudes, and knowledge), the physical and social environment (resources, consequences of actions, choices, and verbal statements) all influences and are influenced by each other. In addition, Pinder (2008) stated that self-learning is that the individual sets his own goal (unlike much of the work done in the goal-setting tradition in which people have their goals set or them or in which they determine their goals jointly with others). So, an individual adopts some goal for him self to accomplish over a set period of time. These goals may be performance goal (such as accomplishing so much work in a given

periode of time) or they may be learning and mastery goals.

IV. CONCLUSION

The researcher concluded the findings as follows: (1) development has a direct positive effect on pedagogy competence. It means strong development improves pedagogy competence; (2) work culture has a direct positive effect to pedagogy competence. It shows that strong individual work culture improves pedagogy competence; (3) selflearning has a direct positive effect to pedagogy competence. It shows that strong individual self-learning improves pedagogy competence; (4) development has a direct positive effect on self-learning. It indicates that strong development improves selflearning; (5) work culture has a direct positive effect on self-learning. It indicates that high work culture improves self-learning.

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LEARNING OUTCOMES OF CHILDREN AGE 0-6 YEARS AND NUTRITIONS OF PARENTS IN PAUD KASIH IBU IN LAMPER

(Case Study of Independence of children of PAUD)
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ABSTRACT

Artikle a pattern Foster parents toward self-learning children aged 0-6 years, the likelihood of children applying simple learning of independence. This pattern has been developed on the basis of relevant theories, and initial implementation in early childhood education, Reef Environmental. This pattern is developed based on the four steps in the cycle of child's independence: heredity, upbringing, physical condition, the order of birth. This preliminary study is intended to determine the feasibility, practicality and ability independence from parenting to be applied in early childhood education settings. Based on preliminary findings, early childhood parenting will be established based on the condition of the parents was at home. This pattern will provide a valuable contribution to the education of people host in their homes to maintain and improve parenting in improving the quality of education of parents, and therefore can provide quality service to children at home and at school.

Key Words: Parenting, Early Childhood, Parents

A. INTRODUCTION

For the current mothers easy nutrient intake in children aged 0-6 years in the Dusun Lamper Lombok Barat is still a lot who have not fully get a good and true nutrition from their parents. As the son of the successor of this nation must get special attention. This period is a crucial period of growth and development. So make sure that the child gets enough sleep, plenty of exercise, and a healthy diet. If, like other early childhood, stubborn and often reckless children, attempts to meet these basic needs can sometimes be a challenge in itself. The period of development of this stage is a very important period for the development of human life, this period is often called the golden age or "The Golden Age" because there is a very rapid development.

PAUD institutions such as play groups or kindergartens, children will learn a lot to socialize, recognize colors, recognize the form, and others. The development of this phase is not always smooth, often found many problems faced by children and parents one of them is the problems that arise when the child begins to enter early childhood, generally when the early child into the institution early childhood do not want to be left by their mother they want to be accompanied from early in the class to go home but gradually as interaction with peers added closer to the help of teachers then gradually the child no longer ask to be accompanied, then how when the other child is not accompanied by his mother class while there is a child who is almost one year in early childhood still do not

want to be left by his mother. This is one of the problems in early childhood development.

Children who can complete the task of development in this period will be easy in completing the task of further development as well as independence as one of the tasks of child development if not handled from an early age it will affect the future development, especially on the aspect of independence. Children who still behave dependent in the future will have a tendency not independent even to the psychological disturbance "Dependency" therefore it takes effort to handle it. Independence is a person's ability in physical ability, confident, responsible, disciplined, sociable, willing to share and control emotions.

According Mayke Sugianto (2010) states that there are several factors that affect the independence of children: (1) Factors innate; There are children who are independent, there are those who like and enjoy if assisted by others, (2) through the pattern of care; can be independent children become independent because of the attitude of parents who always help and serve. (3) The physical condition of the child; Children who are less intelligent or have a congenital disease, may be treated more "special" than the other brothers so that even make the child is not independent. (4) Birth order; The eldest child tends to be more cared for, protected, assisted, especially parents are not experienced enough. The youngest child tends to be pampered, especially when his age difference is quite far from his brother.

According Rifameutia (2013), states that excessive help can mensugesti children that he was not able to do something on their own. There are two reasons why parents tend to provide excessive help and protection. The first for worry. In fact, parents who are too worried will restrict the child to try his abilities. If excessive protection continues as the child ages, then the child will always expect the help of others whenever he or she faces a problem. The second reason, because parents are impatient. Rather than waiting for the child to try to wear his own shoes, parents tend to quickly help to finish quickly. As a result, the child does not get a chance to try. Self-study requires parental assistance and guidance. The results will appear when parents are diligent and consistent provide stimulus. Independence can only be achieved through a stage appropriate to the development of the child's age. For example, children aged 0-6 years can not just eat and drink themselves if never given the opportunity to hold a plate, spoon since the age of 18 months. Therefore, the exercise of independence must begin early on according to his age. Parents can not rely solely on schools to forge children to be independent, as children spend more time at home than at school. Children can be independent at an early age may not be everything, there is something more important than the ability of independence of children's learning that is often overlooked is how to make the children happy to do independent activities. An independent person is a major survival skill and one of the needs of every human being at the beginning of his age (Sholihatul, 2011). With self-reliance one can determine what is considered best for his / her own progress without having any pressure by others (Content, 2010).

Rahmawati (2005) states independence as one of human psychological needs. In the order of hierarchy of needs Maslow expressed independence as one way to

obtain self-esteem, independence will make a person appreciate himself. Having an independent, tough and brave child is every parent's dream. All that can be obtained if from the age of the child is taught to face the problem both heavy and light. Spoiled habits are attitudes that should be discarded so that they can solve their own problems without the help of others. One way to develop self-reliance in children is to introduce activities of value independent (Zaenab, 2016).

Based on the above problems researchers interested in conducting research on "child self-reliance and parent nutritional intake of children aged 0-6 years in the Dusun Lamper Lombok Barat".

B.METHOD

In accordance with the complexity of educational research problems in early childhood, phenomenology approach. With the phenomenology approach, the researcher attempts to express the symptoms thoroughly and holistically through the natural setting by utilizing the researcher himself as a key instrument (Zaenab, 2015). Complexity and problems of self-learning and nutrition use in early childhood that require in-depth data, ie data that contains meaning (Sugiono, 2007: 3). In a qualitative approach the parent's role in early childhood in this nutritional intake is very important, because parents are the main ingredient in self-learning vocal learning in early childhood.

Qualitative approach is one approach oriented to the symptoms of a natural and natural. Because of this orientation, the nature of this research is naturalistic and fundamental or natural and can not be done in the laboratory but directly in the field (Arikunto, 1998).

Data collection techniques used are (1) interview (2) observation (3) documentation. Data validity checking consists of 4 aspects, namely credibility, dependability, confirmability, transfermability The validity of data is done by triangulation of interconnected data through various data collection techniques. Reference sufficiency is used to compare the data that has been obtained with the writings of experts, so that the data obtained research. In addition, a review with colleagues, among researchers with colleagues who have expertise related to this research (Sugiono, 2007).

C. DISCUSSION AND RESEARCH RESULTS

The result of the research is the relationship of children's independence with the intake of nutrition by parents to children aged 0-6 years, and also supported by birth order influenced by gender factor, parent's nutritional intake and sequence of children position, which will form the characteristics of children both from growth and development of independence. From the results of this study, want to do research in terms of child self-reliance and parent nutritional intake of children aged 6 years in the Dusun Lamper West Lombok.

1. Independence Learning Children

a. Understanding Independence

Independence is something a person's ability to perform activities or daily tasks in accordance with the stages of development and capacity. Independence is an individual attitude that is gained cumulatively during development, where individuals will continue to learn to be independent in facing various situations in the environment, so that individuals are able to think and act alone. With independence one can choose his way of life to develop more stable (Mu'tadin, 2002).

Independence as well as other psychologists, can develop well if given the opportunity to develop through practice that is done continuously and done early on, the exercise is in the form of tasks without help. Independence will have a positive impact on the development of the child, then it should be independently taught to the child as early as possible according to the ability of the child. As has been acknowledged everything that can be cultivated early will be appreciated and progresses to perfection (Mu'tadin, 2002).

The independence of a child is strengthened through the process of socialization that occurs between children with peers. (Hurlock 1991) says that through relationships with peers, children learn to think independently, make their own decisions. In achieving the desire for independence it is often the children experience the barriers that are caused by the need to remain dependent on others.

b. Factors that influence early childhood independence

Factors that can affect the independence of young children are divided into two factors, namely:

- 1. Internal factors are factors that exist within the child itself that includes emotion and intellectual.
 - a) Emotional factors are indicated by the ability to control emotions and not disturbed the emotional needs of children.
 - b) The intellectual factor shown by the ability to overcome the problems faced by the child.
- 2. External factors are factors that come or exist from outside the child itself that includes the environment, social characteristics, stimulation, nutritional intake influenced by communication built in the family, the quality of information children and parents who influenced parents education and employment status
 - a) Environment is the determining factor to achieve or not independence of children of childhood age. At this age children need the freedom to move around and study the environment.
 - b) Social characteristics can affect the independence of children, for example the level of independence of children from poor families is different from the children of wealthy families.
 - c) Stimulus. Children who get a stimulus that is directed and organized faster faster independent of children who are less stimulated.
 - d) Nutrition intake, children can be independent with the opportunity, support and role of parents as caregivers.
 - e) Love and affection for children should be given naturally because if given excessively, the child becomes less independent. This can be overcome if the two way interaction between parent and child runs smoothly and well.

- 3) The quality of information on children and parents affected by parental education, with good education, information can be given to children because parents can receive information from outside, especially ways to improve children's independence.
- 4) Mother employment status, if the mother works outside the home to earn a living then the mother can not monitor the independence of children according to the development of his age.

2. Parenting Patterns and Parents' Nutrition

Parenting Patterns and Parents' Nutrition by Parents is a pattern of parental behavior applied to children that is relative and consistent over time. This pattern of behavior can be felt by children in terms of negative and positive (Drey, 2006). Essentially nutritional intake can be interpreted throughout the way the parental treatment is applied to the child. Many experts say childcare is an essential and fundamental part, preparing children to be a good society. It appears that child care refers to applied general education. Child care is a process of interaction between parents and children. Such interactions include such treatments as feeding, promoting success and protecting, as well as socializing, that is, teaching the general behavior accepted by society. Parental accompaniment is manifested through the education of parenting ways to educate their children. The way parents educate their children is called a parenting pattern. In interaction with the parents of children tend to use certain ways that are considered the best for the child. Herein lies some of the differences in nutrient intake. On the one hand, parents should be able to determine what nutritional intake is appropriate in considering the needs and situations of children, on the other hand as a parent also has the desire and hope to form a child into someone who is aspired of better than his parents (Jas & Rahmadiana, 2004).

Every effort made in educating the child, is absolutely preceded by the appearance of parental attitudes in parenting include: (a) Exemplary behavior. This means that every behavior is not just a mechanical behavior, but must be based on the realization that his behavior will be used as an impersonation and identification ground for his children. (b) Self-awareness. It should also be transmitted to children by encouraging them to adhere to their daily behavior of moral values. Therefore, parents always help them to be able to conduct self-observation through dialogical communication, both verbally and non-verbally about behavior. (c) Communications. The dialogical communication that occurs between parents and their children, especially those relating to the effort to help them solve the problem.

3. Foster Patterns

According to Drey (2006), there are 4 kinds of parenting Parenting: (1) Authoritarian Parenting. Parents tend to set an absolute standard to follow, usually in conjunction with threats. For example if you do not want to eat, then will not be invited to talk. Parents tend to force, rule, punish. If the child does not do what the parents say, then the parent will not punish the child. Parents of this type also do not know the compromise in communication is usually one way and parents do

not need feedback from their children to understand about their children. Authoritarian parenting will produce the characteristics of children who are timid, quiet, closed, not taking the initiative, likes to oppose, violate the norm, weak personality and withdraw. (2). Democratic parenting. The nutritional intake that interests children, but does not hesitate to control them. Parents with this nutritional intake are rational, always underlying their actions on the rationale or thought of thinking and parents being realistic about their abilities, giving children the freedom to choose and take an action and approach to warm children. Democratic parenting will produce the characteristics of an independent child, able to control himself, have a good relationship with his friends and have interest in new things. (3) Permissive care pattern. Parents provide very loose supervision, allowing their child to do something without enough supervision from him or her. Parents tend not to rebuke or warn children when children are in danger, and very little guidance is given by parents. However, this type of parents are usually warm so often favored by children. Permissive parenting patterns will produce the characteristics of children who are impulsive, aggressive, disobedient, spoiled, inferior, selfish, lack of self-confidence, and socially inadequate. (4) mixed parenting patterns. Mixed nutritional intake is an inconsistent parent in parenting. Parents are tossed between democratic, authoritarian or permissive types. Parents may face the nature of the child from time to time in different ways, for example, a parent may hit his or her child when the child refuses the parent's instruction, on another occasion the parent neglects the child if the child violates the parent's orders.

4. Factors Affecting parenting and nutritional intake

Factors affecting nutritional intake and parenting are: (a) Education Level. The level of education and knowledge of parents and experience is very influential in parenting. (b) Environment. Environment affects the development of many children, it is not impossible if the environment also participate coloring parenting patterns given to their children. (c) Culture. Often parents follow the ways in which the community cares for children, the habits of the surrounding community in parenting. Because these patterns are considered successful in educating children towards maturity. Parents expect their children to be well accepted in the community, therefore, the culture or customs of the people in caring for children also affects every parent in giving the pattern of care and nutritional intake to their children (Anwar, 2000).

5. How to measure Patterns of Nursing and Nutrition

Patterns of foster care and nutrition are differentiated on authoritarian, democratic and permissive forms so to measure the way of nutrient intake is based on the results of a questionnaire that contains about the application of the parent's nutritional intake can be known after seeing that the classification is based on the tendency of the results of answers that lead to the form of parenting and authoritarian, democratic or permissive nutrient intake. This is all we can see from the development of children below:

1. Early Childhood Development

a. Children ages 0-6

Early children are those aged 0-6 years. They usually follow the PAUD program and kinderganten. While in West Lombok they participate in the 0-5 year childcare program and play group or play group (age 3 years), whereas in children aged 4-6 years they usually follow a kindergarten program (Biechler and Snowman from Patmonodewo, 2003).

b. Child Growth and Developmental Sensitivity

Children are unique individuals, due to different innate and environmental factors, growth and achievement of developmental abilities are also different. Growth is related to the problem of changes in the size, size, size or dimensions of cells, organs and individuals, which can be measured by weight (grams, kilograms), length (centimeters, meters), and bone size (Soetijiningsih, 1995).

Development is the increasing ability (skill) in the structure and function more complex in a regular pattern and can be predicted, as a result of the maturation process that involves the process of differentiation of the body cells, tissues, organs and organ systems that develop in such a way, so that each can fulfill its function. Including emotional development, intellectual and behavior as a result of interaction with the environment.

c. Characteristics of Early Childhood

According to Zaenab (2016) suggests the characteristics of children early childhood education includes physical, social, emotional and cognitive aspects of children. (a) Physical Characteristics. The appearance or gestures of early childhood are easily distinguished from children in the previous stages. (b) Early childhood is generally very active. They already have control over their bodies and are very fond of self made activities. Allow children to run, climb and jump. Keep these activities as much as possible in accordance with the needs of the child and always under supervision. (c) Although boys are larger, girls are more skilled in practical tasks, especially in fine motor tasks, but should not criticize a boy if he is unskilled. Keep away from the attitudes of comparing female men, also in the competence of skills. (d). Social traits, early childhood is usually easy to socialize with people around.

Generally children at this stage have one or two friends who quickly change. They generally can quickly adjust socially, they want to play with friends. The commonly chosen friend is usually the same sex, but later develops into a companion consisting of a different

gender. (e) Emotional traits, early childhood tend to express their emotions freely and openly, anger, jealousy in early childhood often, they often compete for attention of teachers or people around. (f). Cognitive Characteristics Early childhood is generally well spoken, most of them happy to talk, especially to the group. Instead the child is given the opportunity to be a good listener.

2. Characteristics of Early Childhood Growth

According to Zaenab, (2016) that the development of children aged 4-6 years was arranged in order of development and arranged in four major groups called developmental sector which include: (1) Social Behavior, Aspects related to the ability of independence, socialize and interact with the environment for example, helping at home, taking meals, dressing unaided, feeding the dolls, brushing your teeth unaided, can eat on your own. (2) Fine Motoric Movement. Aspects related to the child's ability to observe things, performing movements involving specific body parts performed by small muscles, but require careful coordination such as drawing lines, circles and drawing humans. (3) Language. Capabilities that respond to sound, following commands, such as talking all understood, recognizing and mentioning colors, using adjectives (large). (4) Rough Motor Movement. Aspects relating to movement and posture, such as standing on one foot, walking up stairs and kicking the ball forward.

3. Factors that affect early childhood development

a. Heredity

The inherited characteristics have a major influence on the development of the sex of the child, determined by random selection at the time of conception, directing the pattern of growth and behavior of others towards the child. The sexes and decerminations of other offspring strongly influence the outcome of growth and the rate of progression to obtain the outcome. There is a great relationship between parent and child in terms of properties such as height, weight and growth rate. Most physical characteristics, including pattern and image form, body build and physical oddity are lowered and can affect the way in which children grow and integrate with the environment.

b. Factor Neuroendoktrin

Research shows the possibility of a growth center in the hypothalamic region responsible for maintaining genetically determined growth patterns. Some functional relationships are believed to be between the hypothalamus and the endocrine system that affect growth.

c. Nutrition

Nutrition may be the single most important influence on growth. The dietary factor regulates growth at all stages of development and its effects are demonstrated in diverse and complex ways, during infancy and childhood. The need for relatively large calories is evidenced by the increase in height and weight.

d. Interpersonal relationships

Relationships with the closest people play an important role in development especially in emotional, intellectual and personality development, especially in the development of emotions, intellectual and personality not only the quality and quantity of contact with others that influence the developing child but the breadth of the contact range is important for learning and the development of a healthy personality.

e. Socioeconomic Level

According to Dita (2016) that the family's socioeconomic level has a significant impact on growth and development. At all ages children of the upper and middle classes have more height than family children with low economic strata. Families from low socioeconomics lack the knowledge or resources needed to provide a safe, stimulating and nutrient-rich environment that fosters the optimal development of children.

f. Disease

Growth and developmental changes are one clinical manifestation in a number of hereditary disorders. Growth disorders are particularly evident in skeletal disorders, such as various forms of duarfism and at least one chromosomal anomaly (turner syndrome) many metabolic disorders such as vitamin-vitamin riketsiare, doses of mucopolas, and other disorders, the tendency is towards the percentile of height. Any disorder characterized by an inability to digest and absorb the body's nutrients will have a detrimental effect on growth and development

g. Environmental Hazards

Environmental hazards are a source of concern for healthcare providers and others who pay attention to the health and safety of physical injuries most often resulting from environmental hazards, and are associated with age-specific hazards and physical disabilities. Children are at high risk of injury due to chemical risks and this is associated with cardiogenic potential, enzymatic effects. The most dangerous agents most often associated with health risks are chemicals and radiation.

h. Stress in childhood

According to Dani (2016) although all children experience stress some young people seem more vulnerable than other children. The age of one child with another has the temperament of life situation and health status affect the vulnerability of the reaction and their ability to cope with each other's stress. Parents can try to recognize stress signs to help children deal with stress before it becomes severe.

i. The influence of mass media

According to Susan (2016) states that the media can have a major impact on children's development, the media give children a way to expand their knowledge of the world they live in and contribute to narrowing the differences between classes. The child can identify

closely the person or character depicted in reading material, movies, videos and television programs as well as advertisements.

4. Child Age 3-6 Years

a. Basic Needs In Early Childhood (6 Years Old)

This period is a crucial period of growth and development. So make sure your child gets enough sleep, plenty of exercise, and a healthy diet. If, like other early childhood children, your child is stubborn and often reckless, attempts to meet these basic needs can sometimes be a challenge in itself.

b. Importance of Sleep

Although his energy level is high and he looks very tired after a busy day, your child who is still of early childhood may refuse to sleep. This is his way of showing independence, also because he does not want to miss a chance to play. Children aged 6 years need to sleep at least 10-12 hours each day. Part of the bedtime can be allocated for siesta, the best way to ensure a healthy sleep pattern is to apply a bedtime routine. Your child's biological clock will adjust. He will also learn that after cleaning up and reading the story book is the time to sleep.

c. Why Sleep is Important:

- Sleep deprivation lowers body immunity: loss of a few hours of sleep a night can routinely decrease cell counts against bacteria and viruses.
- A survey in the United States found that children with sleep deprivation showed weakness in skills related to memory, learning, logical thinking, and counting. They also find the child's relationship with the people in his house and the more difficult the theme.
- The hormones of the body are released during sleep. Research shows that children who experience chronic sleep deprivation, such as children with severe asthma, may be hampered by growth.

d. Healthy Diet

All children need a lot of vitamins and minerals intake to grow and keep kesuhatanya. Nutrients that are often lacking in a child's diet are calcium, iron, vitamin C, vitamin A, folic acid, and vitamin B6. Thus, it is important to include dairy products, lean meats, dried and fresh fruits, vegetables (especially green leafy and light colored vegetables), whole wheat (wholegrain), and fish in your child's diet. A balanced diet almost always meets the recommended daily vitamin and mineral levels for your child. However, you may also need to consider giving your child a dietary supplement, especially if it is difficult to eat. The kecik should eat about 5-8 servings of fruits and vegetables every day. It sounds heavy, but a glass of fruit juice, a smoothie, a vegetable or served as a dip, and even salad lettuce all count in the recommended portion. Many children are not appetizing

with vegetables, but you should still be diligent in pursuing them. Some researchers have shown that food is "common" and "worthy" to be tried or eaten by children after the tenth or even twelfth experiments.

e. Drink water

White water is an important element in your child's diet. Water is important for children's digestive processes, healthy exhaust systems, new tissue formation, and energy levels. Try to drink 500 ml-1 liter of water per day. Fruit juice and fresh fruits and vegetables can meet some of these needs, but try to choose water from other beverages. Children are very easy to add drinks like cola, squash, and other sweet drinks to relieve thirst. We recommend that these drinks be kept for special times or as bonuses; especially soft drinks because it could have an adverse effect on your child's health. Children often regard thirst as hunger. A little fluid intake can eliminate the "hunger" that arises as it approaches mealtimes. Do not let children be filled with liquids that harm the health of children. The baby's stomach is still small, a few tens of milliliters of juice or water can make him not touch his dinner.

f. Healthy Snack

Elderly children need a snack to maintain energy levels and concentration. But, think of this as part of the overall diet of the child rather than "fast filler". Give small snacks to keep him hungry at mealtimes.

D. Conclusions

From some child's learning independence and nutritional intake this is toward a point of child's courage to learn. This flow holds that the development of individual self-reliance is both based on (talent, descent) and the environment, both of which play an important role. The talent of possibility or disposition has existed in each individual, which is then due to the influence of the environment in accordance with the need for its development, then the possibility then becomes a reality. In this study both theories serve as the foundation because this study leads to the independence of learning children in parenting parterns.

Child learning independence and proper nutrition in caring and educating early childhood must be known by the parents because the development of early childhood 0-6 years is The Golden Age which will affect the level of independence of early childhood in the environment of parents.

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DAYAK GROUP PROGRAM IN THE CENTRAL KALIMANTAN PROVINCE

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Abstract.

Ancestor of Dayak tribe, has inhabited and reside in this Borneo-Borneo land, long before the birth of NKRI. That is why the Dayak tribe is called the native island of Borneo. It was recorded in the local history that Damang Batu with Dutch Colonial support held the Peace Meeting of Tumbang Anoi (now included in Gunung Mas District), which was supposedly attended by representatives of Dayak tribes from various parts of Borneo / Kalimantan island in 1894.

In the era of NKRI, Dayak tribe descent fully joined the Republic of Indonesia with full of joy and hope to reach a better life, as the ideals of the founders of our country "The ideal of living in the State" is contained and implicitly or explicitly implied in in 4 (four) Pillars of social life, nation and state, namely; Pancasila, Preamble and Body of the 1945 Constitution, Bhineka Tunggal Ika and NKRI.

Some grounding; basic, constitutional and legal norms that become "Spirit-Optimism" struggle and program of Dayak Misik Farmers Group, that is al.: (1) Pancasila, (2) NKRI, (3) Bhineka Tunggal Ika, (4) Preamble to the 1945 Constitution, (5) Psl 18B UUD 1945, (6) Psl 28 UUD 1945, (7) Psl 33 UUD 1945, 8) Law no. 5 of 1960 on BAL, (9) of the law No. 67 of Law. 41 of 1999 on Forestry, (10) Decision of the Constitutional Court. 35 of 2012, that the customary land outside the state forest, (11) Local Regulation no. 16/2008 concerning Dayak Indigenous Institution in Central Kalimantan and (12) Pergub. 13 Year 2009 on Customary Land in Central Kalimantan

In the beginning, the Dayak Indigenous Peoples of Central Kalimantan fully believed and waited and accepted all development programs designed only from the "Top". But after living, felt, understood and witnessed reality in Dayak life especially farmers of field living in rural and inland, apparently there are neglected prinsif part, that is related to land rights, forest and land. Today there are 258 villages of 1,568 villages / kelurahan in Central Kalimantan who live only village. While 80 - 90% of the village area has been controlled for investment, transmigration and other development interests. It is continuous and highly dynamic. In the areas of these villages there is no more hunting places, where gathering, where to pick up forest products, places of farming, cultivation places, even places of religious objects magical heritage (Sandung, Sapundu, Keramat, Sepan, Patahu, Tajahan Antang, Pahewan, Indigenous forest, etc.) have largely disappeared without a trace.

Keywords: The Dayak Misik Program

I. INTRODUCTION

The abundant natural resources (SDA) in Central Kalimantan has been heavily exploited since the 70s until now 2017, proved not to be directly proportional to the welfare of Dayak indigenous peoples as the natives of Central Kalimantan. The Dayak Indigenous Peoples have not received a fair, fair and fair share of forsi...

There are at least 5 (5) modes experienced by Dayak Indigenous Peoples in rural and inland areas related to land acquisition, forests and land, ie to provide; convention, rope, compensation, buying and selling and taken away. The conclusion; the land, the forest and the land shifted from the control of the Dayak tribe, along with the loss of symbols of local wisdom and traditional rights on the land, such as; the right to hunt, the right of gathering, the right to collect the forest products, the right to plant or cultivate, even including the disappearance of religious symbols of the ancestral heritage, such as; Sandung, sapundu, grave, pahewan, keramat, patahu, sepan, tajahan antang and so on.

In view of the facts mentioned above and after attending the Declaration of 1 September 2014 at the Vice Presidential Palace of the Republic of Indonesia on the Recognition and Protection of Indigenous and Tribal Peoples, the awareness of the Indigenous Dayak People of Central Kalimantan was realized "Misik" through the Dayak Customary Council (DAD) by "Applying" a bottom up program from the community to the Government, ie Program; The Dayak Misik Farmer Group, which focuses on 3 (three) basic things, namely;

- (1) to request the Government and Local Government to give recognition, protection and legality of land, forest or land of 5 ha / kK in their respective village, in the form of free certificate or in other legal form such as HGU, HTI, HTR or name others.
- (2) appeal to the government and local governments to provide recognition, protection and legality of at least 10 ha of customary forest each Dayik Misik village, in their respective villages, or join in one village in the same region of peace.
- (3) The land of 5 ha / KK after being recognized, protected and given legality, is requested to the Government and Regional Government, to be facilitated to be cooperated with the investor in the form of partnership, so that it

becomes productive and becomes the source of family income. While customary forests, to be facilitated to remain as sustainable indigenous forest as it should ...

II. PAGE LAYOUT

The big dream of the success of the Dayak Misik Farmer's Day Farming program will come true after the "Country Really Comes" after 5 ha / KK land is recognized, protected and given legality in the form of certificate or other name, then facilitated to be productive as a result of partnership with investor . Furthermore, the entire head of the family has obtained a definite income

III. PAGE STYLE

All administrators and members of the Dayak Misik Farmer Group of Central Kalimantan are optimistic that the program will be responded positively and wisely by the Government and Regional Government including the Investors. This optimism is well-founded. Why Natural Resources in Dayak land of Central Kalimantan (land / land, forest, mine, etc.) have been almost given to the owners of capital to be drained, including for transmigration and other programs If for investors who in fact some are foreigners may, when the Dayak Indigenous Peoples ask for their share, it is also possible because they are the original Indonesian Citizens, they must also have the right to experience a better life, they also long for the same ministry of the Government as given to transmigration, let alone they are as residents original. In essence, the Dayak Indigenous Peoples are entitled and obliged to get their share, and have become bored with mere spectators.

The administrators and members of the Dayak Misik Farmer Group have made various efforts, both internally and externally. Internally, efforts have been made to form Poktan Dayak Misik officials in each village up to the hinterland, (currently almost 800 villages), holding meetings, socialization and location setting (mapping, pegging, SKTA / SKTH, coordinate points, etc.) . Externally, have conducted socialization, consultation, coordination, meetings, applying to BPN, MoU with potential investors, facing government officials, even facing the related ministers to the President of RI -Joko Widodo. Shoots dicita ulam arrived; President Joko Widodo, is committed to encouraging local people to advance and prosper, through the Nawa Cita Program,

especially Agrarian reform. There were two important sentences the President made when he received the Dayak Misik Team at that time (on 6 November 2015 in Palangka Raya); (1) Prove that the Dayak Misik Farmer Group Program is indeed a Dayak Indigenous Peoples request, (2) If indeed the people who ask and the rules do not yet exist, then the rules will be made. If this Agrarian reform does not touch up to the Dayak Indigenous Peoples in the rural and inland areas, whereas the site land has been proposed through the Dayak Misik Farmer Group, it will certainly lead to severe and overwhelming disappointment. Then the abundant resources in Central Kalimantan is for whom, then the program Nawa Cita, especially Agrarian reform and the promise of life in the NKRI contained in the Four Pillars, among others a just and prosperous Society

Some of these questions have programmatically answered, with the state being present through the Nawa Cita Program, especially political commitment through the Agrarian Reform; that the government will provide recognition and protection in the form of legality of 21.7 million hectares of land, forest or land for the community, especially for 31,000 indigenous villages which are legally declared to live in forest areas. The direction of this land legality distribution covers 9 million ha through BPN certification and 12.7 million ha through KLH (interview on Metro TV, 21 March 2017).

It should be understood that the Dayak Misak Poktan Program is a program to "liberate" the Dayak Indigenous Peoples from poverty, ignorance and mental resignation, including to avoid being marginalized, excluded moreover evicted from his hometown on Dayak land of this ancestral heritage. In accordance with the mandate of a great figure of Central Kalimantan fighters Bpk Tjilik Riwut: "Ela tempo plot but manana sare, ela tempun kajang but can be loaded, ela tempun uyah but batawah belai".

The realization of the objectives of this Dayak Misik Farmer Group Program is believed to depend on the political commitment, good faith and goodwill of Central Government Leaders and Local Government Leaders. If the President, Governor, Regent / Mayor as the Government Leaders are willing to make a "Breakthrough" as well as a good example done for Transmigration residents, the Poké Dayak Misik Program is sure to succeed in

overcoming poverty. There is a message Bung Karno First RI President related to this leader; If you are looking for leaders, look for those who are hated, feared and abused by foreigners, for that is true. Because such a leader will defend you above that foreign interest. Do not choose a foreign-praised leader, because he will deceive you, (Ir Soekarno).

Thus, the Dayak Misik Poktan Program is one of the Dayak Farmers Rescue Program from poverty, ignorance, mental resignation. backwardness, oppression, marginalization and expulsion from the land of her ancestral heritage. The Dayak tribe as a native must stop positioning themselves only as coolies, spectators and surrender, obliged to change to become active, parallel to the tribe of other Indonesian children as players in developing this country. When the other party on behalf of the development, be excited and partying to enrich themselves and their groups by exploiting and depleting the abundant Natural Resources in Central Kalimantan (even unclear whether legal or illegal), the Dayak tribe must be pro - actively ask for its share for the sake of justice, prosperity, future pride and future of children.

Since it was declared in Tumbang Anoi on 3rd October 2014 at Pumpung Hai with Central Kalimantan Governor, Dr. Agustin Teras Narang, SH to this day, the Dayak Misik Farmers' Day Program has received remarkable acclaim from all the Indigenous Dayak people of Central Kalimantan who have been "Misik" or are aware of themselves as indigenous people, but do not get the proper part of the Natural Resources which is in their respective village.

Official appeal from FKKTDM KT; that while continuously striving to obtain recognition and protection in the form of granting legality of certificates or other names of land, forest and land 5 ha / KK and customary forest of at least 10 ha / village, including continuing to build partnership with Investors, the location of Dayak Misik Group, whether customary land or customary forest must be maintained, guarded and maintained from any party interference efforts. Since the struggle of the Dayak Misik Group is legally and constitutionally and without time constraints, in order to support the effort to maintain the location and existence of the Dayak Misik Farmer Group, FKKTDM-KT has and will form the Advocacy Team / Advocacy in the Province and in each Regency / City -Central Kalimantan. So that if forced to have a legal dispute with the investors or any party, then the Dayak Pokik Dayak Misik also ready to take legal path to seek justice, both customary law and positive law. The main step to be taken if forced to dispute legally between Poktan Dayak Misik and the Investor is to conduct an investigative audit of the activity on the disputed land, involving all concerned parties, all elements of Law Enforcement, including the Corruption Eradication Commission (KPK) KPK). But the real hopes and requests from all administrators and members of Dayak Misik Poktans in Central Kalimantan, in order not to need "cross-dispute" with anyone, including with the investors. All matters should be resolved by consensus, kinship and brotherhood. So as to realize coexistence safely, peace, harmony, mutual respect, mutual interdependence, as the prin- ciple and values of life at Betang home; honesty, equality, togetherness and obedience to the law, both customary law and state law. If such a thing really happens, then; berkaknalah culture, awake dignity dignity, awakened personality and the Indonesiaan, sturdy and victorious NKRI, as well as sturdy and Central Kalimantan.

Indonesia's face reflected from the village. The face of a just, prosperous, prestigious and dignified Indonesia will be seen from the village. That's why we strongly support the Nawa Cita Program; who decided to build from the village, confirming that the country is present when there is a problem in the village. Similarly, the hope of Dayak Indigenous Peoples of Central Kalimantan on Agrarian Reform as an impolementation of Nawa Cita. Let's start from the countryside and the hinterland, not from the city and Transmigration, as has been practiced all along in Central Kalimantan. This is the sound of screams, moans as well as the petition of the Dayak Misik Farmers Group of Central Kalimantan.

IV. CONCLUSIONS

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Central Kalimantan on Agrarian Reform as an impolementation of Nawa Cita. Let's start from the countryside and the hinterland, not from the city and Transmigration, as has been practiced all along in Central Kalimantan. This is the sound of screams, moans as well as the petition of the Dayak Misik Farmers Group of Central Kalimantan. Hopefully heard and granted

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The Social Construction of Learning Participating In The Class

(Study of "STUDI MASYARAKAT INDONESIA" Lecture at Civic Departement of FKIP UPRI Makassar)

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Abstract

This paper describes the social construction of participatory learning in the course of Indonesian Society Studies. To understand this, a qualitative-quantitative approach is used with data collection tools in the form of questionnaires and interviews. Research respondents were set by quota sampling as many as 30 people to the students of the class of 2016 PPKn study program that program Indonesian Society Studies. The result of the research shows that the social construction process occurs through (1) the lecturer gives opportunity to the student to ask questions, (2) the lecturer holds the question and answer with the student, (3) the lecturer holds the discussion among the students, and (4) the lecturer form the discussion group, (5) lecturers give information to students, (6) lecturers to propose themes and students develop them, (7) teaching lecturers varied, (8) lecturers evaluate student ideas, and (9) lecturers lecture students. Social construction understands that the situations that occur within the classroom are the result of social construction, which is the result of an agreement of interpretation with lecturers and students, including participatory learning.

Keywords: social construction, participatory, sociology of education, agreement.

1. Introduction

The government through the Ministry of National Education is always trying to make various efforts to improve the quality of education. One of the efforts is to implement a competency-based 2006 curriculum at every level of education. According Sudjatmiko and Nurlaili cited by Sudjana that the competency-based 2006 curriculum is developed and emphasized on the improvement and development of knowledge (intellectual), skills (vocational), attitudes and values (social and personal skills) embodied in the habit of thinking and acting so that learners are able to survive, adapt, and succeed in the future. The 2004 curriculum is developed and emphasized on the improvement and development of life skills that are realized through the achievement of the competence of learners to live. [1]

Anwar Arifin argued that high school graduates and noble character can only be produced by the process of quality school education which in principle, in addition, to educate also able to change the attitude and behavior of students. [2]

The development of the educational model with an adequate standard aims to accommodate the various needs of the community and the needs of both continuing and non-continuing education to a higher level. This means that the graduates produced will have academic and special skills that refer to local, national and international (global) standards covering basic sciences, environmental skills, informatics technology, arts, sports achievements and personality based on manners and religious teachings that students believe the development of educational model with an adequate standard, aims

to accommodate the various needs of the community and the needs of both continuing and non-continuing education to a higher level. This means that the graduates produced will have academic and special skills that refer to local, national and international (global) standards covering basic sciences, environmental skills, informatics technology, arts, sports achievements and personality based on manners and religious teachings that students believe. [3]

In organizing the learning process that takes place in the classroom, the authority is fundamentally available to the lecturer. In the process, the classroom atmosphere is socially accepted as a result of social construction between lecturers and students. The social construction theory according to Berger and Luckmann that social reality has two dimensions, subjective and objective, which in the social process both dimensions are always dialectics in three simultaneous moments, namely externalization (the process of adjustment), objectivation (institutional process), and internalization (process identification with the community). Social reality has meaning when individuals gain knowledge (awareness) through their interpretation of the subjective and objective world [4]. In short, society according to Geger Riyanto is a human and human creation is a product of society. That is what is called social construction, which goes on continuously in the dialectics and impact on social change [5].

Teaching skills as one of the learning tactics is an indicator of the construction process as well as a major variant of the success of students and lecturers in the learning process. Varied teaching skills - lectures, simulations, discussions, modules, and so on - taking into account the type of material delivered, the classroom situation, and the condition of the student will have an effect on the student acceptance of the smallest matter as the subject. Therefore it is necessary understanding of the meaning of learning that focuses the process on student involvement objectively.

Based on the reality of the education, the meaning that emerges is that the students are the subject of learning so they are the ones who must be actively involved in all the learning process in the classroom. Students have a liveliness level of about 80% while lecturers only 20% so that the function of lecturers is no longer as the main source of learning but only as a medium alone. Therefore, it is known that the current term is called participatory learning which is the entity or the refinement of the teaching method that has been done.

The study of Indonesian society as a social science course requires many perspectives, social insights, and experiences of understanding social reality. Therefore, students' understanding should be expressed through learning strategies. One of them is participative learning that focuses on student activeness. An example of the strategy is to give the theme then the students express their opinions. In addition, more learning activities explore the experiences and ideas of students about the theme being studied. Through this way, students will be able to develop their social experience. By itself, this way is considered capable of generating passion learners and this approach is also considered attractive in the achievement of learning objectives.

Based on the empirical settings mentioned above, the authors are interested to see the construction process structurally in the course of Indonesian Society Studies on PPKn FKIP UPRI Makassar.

2. Research Method

This study used a combination of quantitative and qualitative methods with a dominant-less dominant strategy [6] [7]. In quantitative methods, data were collected using questionnaires [8], whereas in qualitative methods the data were collected by conducting interviews [9]. This study selected the sample of 30 students as respondents with quota sampling technique [10] [11] [12]. A total of 5 respondents were interviewed to obtain qualitative data. In the data analysis technique, the questionnaire data were analyzed using frequency tabulation, while the interview data was analyzed categorically to support the questionnaire data.

3. Results and Analysis

Variable in this research is social construction of participative learning in class. The focus contained in it is the full participation of learners/students in the ongoing learning process as a result of the role of curriculum, lecturer (school social structure) that deliberately apply it in the form of rules. To clarify this, made the indicators in the form of question items that will reinforce the meaning of these variables.

The indicators in the form of question items are: (1) the lecturer gives the opportunity to the students to ask questions, (2) the lecturer gives question and answer with the students, (3) the lecturers held discussion among students, and (4) the lecturers formed the discussion group, 5) lecturers to give information to the students, (6) lecturers to propose themes and students to develop them, (7) teaching lecturers varied, (8) lecturers evaluate student ideas, (9) lecturers let students think, and (10) college student. Regarding this matter, described in detail in the following table.

Tabel 1. The social construction of learning participation

Item	Descriptions		Fre	quency	(f)		Jm
No.			4	3	2	1	I
1.	The lecturer gives the student a chance to ask questions	20	6	4	0	0	30
2.	Lecturers hold question and answer between students	0	0	26	2	2	30
3.	Lecturers hold discussion among students	0	0	28	2	0	30
4.	Lecturers form discussion groups	0	0	27	3	0	30
5.	Lecturers provide information to students	0	0	13	3	14	30
6.	The lecturer presents the theme, the student develops	0	0	0	24	6	30
7.	Lecturers teach varied	0	4	21	5	0	30
8.	The lecturer evaluates the student's duties		0	2	15	13	30
9.	Lecturers let students think	18	12	0	0	0	30
	Total	20	32	121	54	45	30
	Means	2,2	3,6	13,4	6	5	

Data source: questionnaire results, 2016.

3.1. The lecturer gives the student a chance to ask questions

The description of item 1 in Table 1 above illustrates that more than half (66.67%) of students stated that lecturers always gave them the opportunity to ask, there were 20% who stated frequently and 13.33% stated that sometimes lecturers do it. Thus it can be concluded that the lecturers apply participatory learning in the classroom by giving flexibility of students to be involved in the learning process through the submission of questions.

In this regard, the lecturer of Indonesian Society Studies course Dr. Abdul Wahab, M.Si. revealed as follows:

"... .The current target of learning is focused on the involvement of the students. Therefore, we always involve them in every learning to participate in various forms such as answering or asking ".

Thus it can be concluded that the lecturer of the Indonesian Society Studies course applies one participative-based approach to the student through giving the opportunity to the students to ask questions when the lecturer teaches.

If in the above item No. 3 more describes the monologue dimension (one-way) an application of the method, then a higher level of it is the occurrence of a (two-way) dialogue between the questioner and the answering. In this context, dialogue shows the balance of mind in generating ideas on a single theme of conversation. Thus, it can be said that between lecturers and students there is effort created to eliminate the status barriers.

3.2. Lecturers hold question and answer between students

From the table data above, item 1 shows that there are no students who stated always or often from lecturers who hold question and answer between the students, but more than some students (86.66%) stated that sometimes the lecturer held it, respectively 06.67% stated rarely and never.

In practice, the learning activities of the Indonesian Society Studies course through participative learning strategy is almost approaching the existing theory. This evidenced by the preparation of lecturers in the learning process that has been through the stages as in the implementation of group discussion methods before the lecturer starts learning to determine the theme of the discussion. The teacher then divided the class into the discussion group heterogeneously consisting of 4-5 students, provide stimulus to students to participate actively in the group discussions or between groups in the presentation of discussion result. As Dr. Sudirman state that one of the forms of student involvement is to participate actively in every discussion we held in the classroom, so we as lecturers form learning groups for each lesson randomly, the goal is that in one group it does not gather students who are capable, smart or a gang. "."

The interview illustrates how important a participatory approach is as an early approach to engaging students in the learning process.

3.3. Lecturers hold discussion among students

The next step in the participatory approach that the impact is the creation of a dialogical atmosphere in the form of discussion. Under these conditions, the ability of lecturers to maintain the condition can be realized through discussions of the nature of the introduction of the discussion.

The above table (item 3) illustrates that the lecturers hold the discussion in the classroom, most of the students (93.33%) who stated sometimes.

Explaining the data table above shows that lecturers only occasionally held discussions in the classroom. Reflecting on that, the lecturer of Indonesian Society of Studies has it that it is not that it holds the discussions in the classroom as well as forming a discussion group and providing a specific theme. But discussions are often held in the form of questions and answers with lecturers or with students themselves".

3.4. Lecturers form discussion groups

In item 4 illustrated that prior to the discussion, the lecturer formed a discussion group. It appears that none of the students stated always, often or never, that 90% said sometimes and about 10% said rarely.

Describing item 4, it appears that the formation of discussion groups is a strategic step in creating a participative atmosphere. The established group by itself will keep the conditioned students engaged in a discussion. Especially when each member of the discussion group is given roles in groups such as group leader, secretary, and so forth.

Further analyzing the data, the lecturer has the ability to bring students to analyze the various meaningful goals in the activities of developing learning objectives to be achieved in every learning process that takes place. This implies that the lecturer should be able to open the mind and insight of students to be able to analyze their needs, so as to be able to set goals that suit the needs of the students themselves. Furthermore, the lecturer should open the students' minds and insights to understand appropriate teaching methods to achieve the learning objectives. In addition, the most urgent thing is that lecturers should be able to create a conducive learning climate, a sense of community togetherness and shared responsibility (Within working) to conduct various learning activities. Thus, lecturers are required to have various competencies, both personal competence, professional competence, and social competence, as well as high competency fighting power. With these competencies, the lecturer will be able to manage the learning in a participatory way to achieve the learning objectives effectively.

3.5. Lecturers provide information to students

In presenting the subject matter, lecturers as educators always open the insights of students by providing additional new sciences or new information so that students not only focus on the material presented in the book.

In item no. 5 above illustrates that around 43.33% of students said sometimes their lecturers provide information or additional science, while 46.67% states never and only about 10% of which states rarely.

The above data can be explained that the lecturers at the study sites have attempted to apply participatory methods formally in the learning process. Although the data still show the maximum condition of implementation, The number of 43.33% proves the existence of such efforts. Moreover, various other factors are also very influential in applying this participatory learning method. These factors are explained by one of the lecturers PPKn namely Dr. Sudirman, S.Pd., M.Si., that should be thankful for the lecturers committed to making changes in learning methods. Although gradual most important is the will. There are also challenges that we must pass, especially the student's own mental which must be addressed....".

In order to provide assistance to students in their entirety in the sense of assisting students in the effort to develop their potential, ie physical, emotional, social, attitude, moral, knowledge and skills, so that later in life to grow into mature human beings physically and mentally, helps students to cultivate their sense of responsibility morally in all behaviors.

One form of lecturer's effort is to bring up new themes to students, and the student's duty to develop the theme.

3.6. The lecturer presents the theme, the student develops

In item no. 6 illustrated that about ¾% of students stated rarely they were given the theme by lecturers for them to develop and only about 6% stated never. This shows that in addition to the subject matter presented to the students, the lecturers also occasionally provide new themes to the students to be developed in accordance with the students' reasoning abilities and discussed together in the classroom and the new themes are still related to the social environment individual students.

The lecturer is one factor that plays an important role among the factors that exist. The consideration of all these factors will depend on the creativity of the lecturer. Dedication and ability of lecturer that ultimately affect the implementation of teaching and learning activities.

Concerning the development of discussion themes, the lecturers of the Indonesian Society Studies have tried interesting things as revealed by Drs. Ridwan Malik, M.Si., that the theme raised in a question and answer is expressed in a flexible manner, for example, direct lecturers ask the students what is around their house or what is most often done when they come home from school. The answer is certainly related to their daily life. Starting from the student's answer held the next question development".

3.7. Lecturers teach varied

Teaching and learning activities is a regular task of a lecturer in developing talents and abilities. For that, a lecturer is required to always develop the skills and skills, so that in the learning process is not monotonous. Similarly, in the study sites, the results of the questionnaire showed that in the lecturers' learning process sometimes used a variety of methods and this was reinforced by the statement from 70% of students, 13.33% stated frequently and 16.67%.

Look at item no. 7 above, it can be analyzed that the lecturers use a variety of teaching methods is not every time. Class contexts and conditions are more often considered by teachers before applying them. This was confirmed by Dr. Abdul Wahab, M.Si., that the implementation of participatory methods by itself held a variety of teaching methods because in the classroom only 2 components of learning are active students and

passive lecturers or active lecturers and passive students of course with different proportions".

3.8. The lecturer evaluates the student's duties

At the end of each lesson, there is often an evaluation to measure the learning outcomes presented at the time. One way to measure it is to give students the final task to do at home.

In item no. 8 above illustrated item "Lecturer assigning PR assignment" is not always done. There are 16.67% of students stated frequently and 83.33% stated sometimes. This shows that ordinary lecturers give ordinary homework assignments as well.

Explaining the data above shows that the assignment of public relations by lecturers basically to strengthen and deepen the material that has been accepted by students. Although not every time was given, it also has a big enough impact on the motivation of the students themselves because by not always giving homework assignment then the student will not feel bored or bored so that students tend to enjoy the public relations assignment given to him.

3.9. Lecturers let students think

In participatory learning the basic concept is that all individual students have the same status in the classroom, no one is smarter on the other and so on. It shows the same treatment to the students in learning, no one is blamed even all given praise.

In addition, the commitment that lecturers have to engage students in the learning process through participatory approaches is also demonstrated through appreciation of the students' own ideas. The lecturers do not blame the idea of the students because they know the action can actually make students less enthusiastic and will not bring up his opinion.

Thus, the actions of the lecturer should instead allow the student himself to be creative about his ideas through the tasks assigned to him.

In item no 9 above shows the lecturer's attitude in dealing with student opinions during discussion or question and answer session. It can be said that the lecturer lets (100%) students express their own opinions. This, as stated earlier, is part of the lecturers' commitment to implement a step by step participatory approach. Analyzing the description, it appears that the lecturers let the students create their own is a form of appreciation for individual students. This is a basic principle of the participatory approach. Through appreciation or praise of the opinion of students, it will cause self-confidence motivation in individual students and the impact will make students more active learn and express opinions at the time of discussion or question and answer.

Looking at the data in table 1 above, it appears that the largest number is Scale 3 with a frequency number of 121 or an average of 13.4 following Scale 2 with a frequency of 54 or an average of 6. This indicates that the highest range value of this variable lies on Scale 3 (Normal), then Scale 2 and Scale 1 of 45 or averaged 5 and last Scale 4 and Scale 5.

Explaining the above data can be said that the application of participatory methods in the research location is still categorized as "normal", in the sense intertwined understanding of mechanisms of participatory learning. All students accept the strategy applied by the lecturer, no one feels compelled. Lecturers choose the strategy based on considerations of the class situation, so choose the appropriate method.

In the perspective of social construction theory, the internalization dimension experienced by students manifests in its acceptance of lecturer strategy. Students consider lecturers to know many things so that their actions can be ensured for the benefit of all of them.

The objectivation dimension takes place in the 'Presupposition' and 'Recognition' of the actions of the lecturer establishing 'Participatory Learning' in the class. Legally Acknowledging 'Participatory Learning as a result of consideration of the class situation.

Student involvement and taking part in Participatory Learning is a form of externalization. All the questionnaire items about lecturer actions supported by students are a form of social construction. Thus, the components of 'Acceptance', 'Determination', and 'Support' have met the requirements for the realization of such social construction.

4. Conclusion

Studies Society of Indonesia in principle aims to improve understanding, and appreciation of socio-cultural values of Indonesian society. Then expected to have a high moral awareness in personal life and society, and in the life of the state.

Participatory learning emerges from the agreement (social construction) of the lecturer with the student as the dimension of objectivation. In the agreement, there is the action done by the lecturer then the students receive it as something that is considered correct and beneficial to them. In this context, the process of internalization and externalization occurs dialectically.

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ABSTRACT BEHAVIOR OF COLLAPSE OF NORMAL QUALITY CONCRETE BEAM

WITH CONFINEMENT ON PRESSURE AREA

ΓΑΗΑΝ

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Concrete is a widely used construction material now compared to other materials such as wood and steel. This is because the constituent material is easy to obtain, has enough strength, good durability, the making process is easy and in terms of economic price is affordable. Concrete is generally classified into two classes, namely normal quality and high quality. Both of them are now widely used in construction activities. Normal quality concrete has a quality of 20 Mpa up to 58 Mpa, while high quality concrete ranges above 58 Mpa. One of the applications in the structure is collapse behavior concrete beam on the normal quality of norms with the confinement on the pressure area.

To analyze the effect of collapse behavior of normal quality concrete beam and varied with Finite Element Analysis (FEA) by using ANSYS Ed.9.0 with stirrup variation space in the respective spans (40,80,120,150) mm and stirrup variation distance in the respective field, (40,80,120,125,150,100,75,50) mm with 15/20 beam size. The steel material used has stress power of 400 each Mpa, stirrup stress 200 Mpa, normal quality stress 25 Mpa.

Based on manual analysis and FEA the magnitude of ultimate capacity that occurs in the model of the beam with the dense stirrup on the stress area the ultimate moment value will rise both in the moment span area and in the field. The deformation is decreasing and the crack behavior on the pressure area can be minimized.

Keywords: Normal quality concrete, maximum load, Deformation, Distance variation stirrup.

PRELIMINARY

Concrete is a widely used construction material to date compared to other materials such as wood and steel. This is because the constituent material is easy to obtain, has enough strength, good durability; the making process is easy and in terms of economic the price is affordable.

Concrete is generally classified into two classes, namely normal quality and high quality. Normal quality concrete has a quality of 20 Mpa up to 58 Mpa and made from natural aggregates that are broken down or unbroken. While high quality concrete is a concrete that has a quality above 58 Mpa and is made from natural aggregate that is split or artificial aggregate with a mixture.

of additive materials and an implementation method tailored to the need of its compressive strength (SNI/Indonesian National Standart-03-2847-2002)

In this study, the formulation problem analysis on the effect of the variation of the stirrup distance variation on the pressure area, to determine the collapse behavior of the structure of the beam. The analysis was performed by modeling the beams based on the results of the prior experimental test using finite element analysis with ANSYS Ed.9.0 computing program.

The objectives of the research were to determine the strength and ductility of curvature due to restraint of the pressure area on the normal quality beam model, so that it can be determined the ultimate triangular capacity and usable use value, the cracking and deformation behavior.

RESEARCH METHOD

This research was conducted by modeling the variation of the stirrup distance arrangement in the pressure area by using the three dimensional element finite element analysis with ANSYS Ed.9.0 computation aid. The results of the analysis will be obtained in the form of deformation images and beam crack patterns with the model variations listed in the Table. 1

Table 1	Number of models to	he analyzed by	v usino ANSYS	computing program	Ed90
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No	Model Number	b	Н	Фlentu r	Фѕ	f c	fу	fys	S_{T}	$S_{\rm L}$
	rumoer	(mm)	(mm)	(mm)	(mm)	(Mpa)	(Mpa)	(Mpa)	(mm)	(mm)
1	TT40.40.01	150	200	7,44	4	20,38	252	240	40	40
2	TT80.80.02	150	200	7,44	4	20,38	252	240	80	80
3	TT120.120.03	150	200	7,44	4	20,38	252	240	120	120
4	TT150.150.04	150	200	16	8	25	400	240	150	150
5	TT150.125.05	150	200	16	8	25	400	240	150	125
6	TT150.100.06	150	200	16	8	25	400	240	150	100
7	TT150.75.07	150	200	16	8	25	400	240	150	75
8	TT150.50.08	150	200	16	8	25	400	240	150	50

Explanation of TTX.Y.Z:

TT = The square block model uses the author's name

X = Distance variation of stirrup in pedestal area (mm)
 Y = Variation of stirrup distance in the field

Z = Model serial number

RESULT AND DISCUSSION

Result validation of variation of stirrup distance arrangement using ANSYS Ed.9.0 with previous experimental results. The initial analysis of this modeling is a square block modeling consistent with the test

of previous experimental with the beam model for the stirrup reinforcement spacing 40 mm and the reinforcement stirrup field 40 mm distance which taken from one example of TT 40.40.01 model that can seen on Figure. 1.

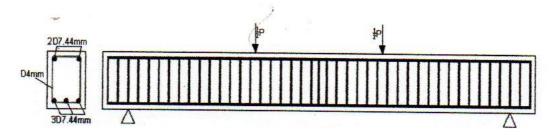


Figure. 1 Cross-section and longwise beam type variation TT40.40.01 (mm) for experimental validation by Basuki (Basuki, N.H, 2006).

The result of model by using ANSYS Ed.9.0 computation program will be compared with the experimental result to obtain

an ultimate moment near the experimental test result taken from one sample model TT40.40.01 which can be seen in Figure. 2

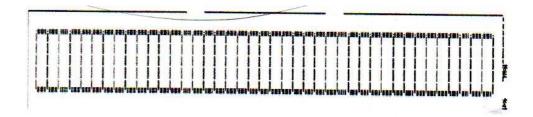


Figure. 2 Longwise pieces of TT40.40.01 beam model with meshing volumes in ANSYS Ed.9.0 computer program.

From figure. 3 and 4, voltage contour is indicated by the color indicator. The blue color indicates the minimum voltage and red indicates the maximum voltage that occurs. Based on the stress concentration analysis on each model, for the TT40.40.01 and TT150.50.08 validation models with tight space of stirrup in the span pressure area, the tension occurred tend to decreased.

This indicated that the area of the span stress is still strong with the load that occurred with a load value pressure ratio of 2.00 or 18 kN. Behavior of the beam model becomes stronger as well for the load value pressure ratio of 4.00 or 36.00 kN. Voltage that occurred also tends to fall so that from the second picture indicated the behavior of the beam model becomes stronger.

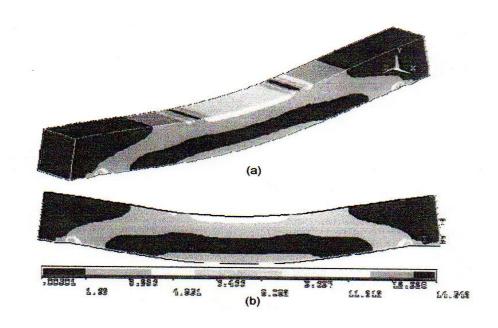


Figure. 3 Stress Concentration Beam Model TT40.40.01 with *Load Value* =2,0 (a) Perspective Piece (b) Elongated piece.

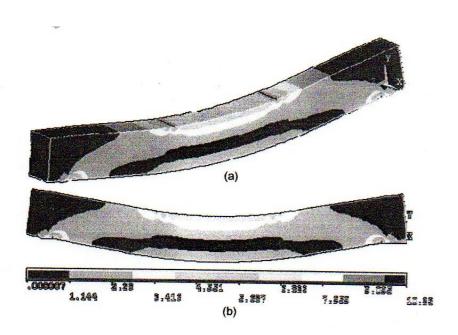


Figure. 4 Stress Concentration Beam Model TT150.50.08 with *Load Value* = 4,0 (a) Perspective Piece (b) Elongated piece.

From Figure. 5 and Figure. 6 cracks occurred on validation model TT40.40.01 and TT150.50.08 with the dense stirrup on the middle area of span, cracks occurred can be minimized. This indicates that the middle area of the span still strong to hold the load using *load value pressure rasio* with the force

2,00 or as big as 18 kN. The behavior of beam model become stronger along with the *load value pressure rasio* with the force 4,00 or as big as sebesar 36,00 kN. The stress takes place also decreasing which from the two figures indicating behavior from the beam model become stronger and the moment can be endured is higher and the middle area of beam span can be minimized.

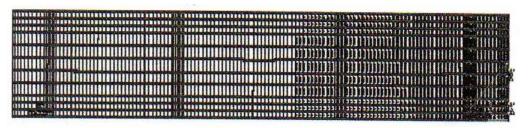


Figure. 5 Elongated Piece of Crack Pattern on Beam Model TT40.40.01 with Load Value = 2,0

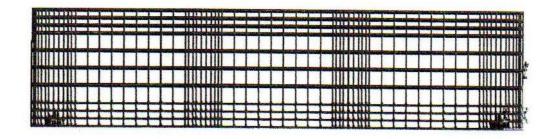


Figure. 6 Elongated Piece of Crack Pattern on Beam TT150.50.08 dengan *Load*Value = 4.0

Table. 2	Value Conversion	of Load on Beam Model	Based Result Analysis Using	ANSYS Ed.9.0
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No	Model Number	Load Value Pressure	load value rasio (Load Value x 1,0 N/mm²)	Load Area	Load P		Type of Load
			(N/mm ²)	(mm^2)	(N)	(kN)	
1	TT40.40.01	2,00	2,00	9000,00	18000,00	18,00	Pressure
2	TT80.80.02	2,00	2,00	9000,00	18000,00	18,00	Pressure
3	TT120.120.03	2,00	2,00	9000,00	18000,00	18,00	Pressure
4	TT150.150.04	4,00	4,00	9000,00	36000,00	36,00	Pressure
5	TT150.125.05	4,00	4,00	9000,00	36000,00	36,00	Pressure
6	TT150.100.06	4,00	4,00	9000,00	36000,00	36,00	Pressure
7	TT150.75.07	4,00	4,00	9000,00	36000,00	36,00	Pressure
8	TT150.50.08	4,00	4,00	9000,00	36000,00	36,00	Pressure

CONCLUSION

To analyze the influence of behavior collapse of normal quality of concrete beam and varied with Finite Elemen Analysis FEA) using ANSYS Ed.9.0 by distance stirrup on pressure area respectively (40,80,120,150) mm and stirrup distance on the field respectively (40,80,120,125,150,100,75,50) using beam size 15/20. Steel material used has the main stress each is 400Mpa, stirrup plank 200 Mpa, normal quality stress 25 Mpa. Based on manual analysis and FEA the magnitude of ultimate capacity that occurs in the model of the beam with the dense stirrup on the stress area the ultimate moment value will rise both in the moment span area and in the field. The deformation is decreasing and the crack behavior on the pressure area can be minimized.

akan naik baik didaerah momentumpuan dan lapangan. Deformasi yang terjadi menurun dan perilaku retak didaerah tekan dapat diminimalkan.

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CONCEPT OF ENVIRONMENTALLY FRIENDLY RESIDENTIAL BUILDINGS BY CONSIDERING ROOM LIGHTING SYSTEM

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ABSTRACT

Environmentally friendly building is a building which should have considered to implemented in the construction industry. Implementation of environmentally friendly building can give a benefit for the community because if it is implemented can reduce the cost to be incurred for daily life such as for pay electrician, or reduce environmental damage which is caused by the development of facilities and infrastructures of the construction. Review about concept of this environmentally friendly residents building considering two aspects that are design of building and lighting system in the building rooms.

KEYWORDS: Building, Environment, Lighting

INTRODUCTION

An increase in the number of people in a region caused needs of residential building increase too. More and more residential buildings like apartment, housing, hotel and others can affect the occurrence of environmental changes around the development of residential buildings, such as the narrowness of agricultural land, the emergence of environmental waste, complaints of lighting facilities which is increasingly and many more.

According to Otto Soemarwoto, 2015, development will always bring change hence to achieve sustainable development so then development must be environmentally sound. The role of construction industry practitioners to anticipate the more severe the environmental damage is needed. Every party should be role according to the field of knowledge to create a building which is keep pay attention of the environment where the building held. Departure between parties is needed. So there is an agreement in doing building construction design. Samsudin Amin, Nurul Jmala and Jacklyn Luizjaya, 2016 state that in doing a design process a building thorough consideration absolutely must be done to produce a building which in addition to environmentally friendly is also convenient to used and have an identity and strong character.

In designing building, besides strength structure which must be calculated, utility system of a building should to be considered too. As for the utility of the building such as concerned to building equipment which is related with healthy, comfort, safety or circulation and communication. One of the thing that must pay attention to support comfort, safety of the activity in the building is lighting system. Generally, in a building in Indonesia to second higher energy consumption after air conditioner system is lighting system (guidance of the use of the green building in Jakarta, 2012). Lighting in a building can obtained such as by using natural lighting which is utilize can reduce or negate artificial lighting so it can decrease electricity use.

There has done a lot of research to knowing lighting level on a building. Some of the research is a research which is done by Samsudin Amin, Nur Jamala and Jacklyn Luizjaya (2016) produce that course's room has illumination level which has not met the recommendation illumination standard which recommended by SNI 03-6575-2001 that is 250lux, however the

user of the room still can do activity well. Next illumination level affects to building orientation and area in building sheath. While the research which is done by Evi Puspita Dewi (2011), produce a conclusion that by doing rearrange interior element and apply controlling system which made adjustment to the time and teaching media in the course's room, so the lighting system will more effective and efficient by saving energy of 36,4%.

Based on the research then it can be seen that in designing a building that lighting system which is needed for rooms in a building become a must considered factor in designing a building in order to provide comfort for its users. On the basis of it, then in this review will discuss about design a residential building which environmental friendly by calculate lighting in every room so it can have obtained a residential building design which is environmental friendly and fulfill condition about lighting.

LITERATUR REVIEW

1. Green Building

In Indonesia Green Building or environmental friendly building regulated in the Regulation of State Minister of Environment No. 08 Year of 2010 about Criteria and Certification the Environmental Friendly Building. In the article 1pragraph 1 explained that environmental friendly building or green building is a building which is apply environmental principal in the design, development, operational, and the management and important aspect handling climate change impacts.

A building can be categorized as an environmental friendly building if it is fulfilling the criteria such as:

- 1. Use the building material which is environmental friendly.
- 2. There are facilities, infrastructures for conservation of water resources inside the building.
- 3. There are facilities, infrastructure of conversation and diversification energy including using lighting system and artificial saving energy air conditioning.
- 4. There is facility of waste sorting.
- 5. Pay attention to aspect of healthy for the residence of the building such as maximize the utilization of sun light.
- 6. There are facilities, infrastructures of sustainable site management.
- 7. There are facilities, infrastructure to anticipate disaster.

According to Ahadi (2014), condition of environmentally friendly homes is not damaging the nature when planning and building, material which is used not damaging the environment, there is area as where plants grow, utilized energy of the nature, good air circulation, not covering page with concrete, there is a biopore hole in the yard of the house and there is a plant in the home page. Whereas according to Riri Nouriansyah in the Jujuk Ernawati and Rintan Puspitasari (2016), condition of environmental friendly house is having nature lighting, have a garden in the roof, planter and hollow bricks. The nature lighting which is meant that all of the house could have access to get a light from outside, the garden in the roof function to cooling the room below, planter will make the wall green colored so it can give cool and mild effect, whereas the hollow bricks can make the air circulation in the house flow well so it is no conditioner room needed.

Green building is a practical of making structure and using process which responsible to the environment and resources as efficient as possible in the whole of a building life cycle, start from design activity, doing construction, building maintenance, and building renovation. The concepts of the Green Building emphasize on efficiency in using energy, water or building material. Green Design building will pay attention in the numbers of open spaces to maximize air circulation and natural lighting so the use of lamp lighting and air conditioner in the afternoon as little as possible. (regarzcantona, 2010).

2. Building Lighting System

Lighting of a building basically can be fulfilled by using natural lighting if the building is designed accurately. However, if the natural lighting doesn't exist or room doesn't get natural lighting, so the artificial lighting by using electricity can't be voided.

Nurhenu Karuniastuti (2013), in doing interior design, is done n interior using which is environmental friendly and do a reduce of excessive electricity use, for example to illuminate a room should to used a save energy lamp such as using LED lamp that low in electricity consumption.

According to Endy Marlina, 2007, lighting system besides functionalized is lighting facilities also can be used as a forming atmosphere in the building and form the image of building view. In making lighting system as a part from the building, need to considered several things as follows:

- 1. Level of lighting adjusted with the need of strong light as desired according to the activities performed.
- 2. Lighting technique which is designed can be used at once to get the building image.
- 3. Electrical network distribution which support lighting system can putted above room ceiling, under the floor in the floor structure which is rise (rising floor), or planted in the wall.

Those three matters above should to pay attention because it will affect to the building design overall and the cost that must be paid.

In the guidance use of green building Jakarta, 2012 stated that a careful lighting system design, efficient equipment and good control has a potential to reduce total consumption of energy in the building in Jakarta until 10%. Reducing this energy consumption probably to be done if refer to chart of energy consumption details to several kinds of building as below:



Figure 1 Details of Energy Consumption for several kinds of building

In designing a residential building so based on SNI 03-6197-2011, planning of artificial lighting system should not exceeding the maximum installed power of lighting like the table below:

Table 1 Maximum Power Density

ROOM FUNCTION	LIGHTING POWER MAXIMUM (W/M2) including Ballast Loss
Terrace	3
Guest Room	7
Dining Room	7
Office Room	7
Bed Room	7
Bath Room	7
Kitchen	7
Garage	3

The things to watch out for is that the lighting power (watt) for the whole of the building should not exceeding lighting power which is allowed counted by using the table 1 above. Trade-off between the rooms allowed as long as total watt not exceeding the condition that is determined.

As for the minimum lighting level which is recommended in the SNI 03-6575-2001 about Artificial Lighting System Design Procedures in the Building is as below:

Table 2 Minimum Lighting Levels and Color Rendering

ROOM	LIGHHTING	COLOR	
FUNCTION	LEVELS	RENDERATION	INFORMATION
Terrettor	(LUX	GROUP	
Terrace	60	1 or 2	
Guest Room	120 ~ 250	1 or 2	
Dining Room	120 ~ 250	1 or 2	
Office Room	120 ~ 250	1	
Bed Room	120 ~ 250	1 or 2	
Bath Room	250	1 or 2	
Kitchen	250	1 or 2	
Garage	60	3 or 4	

In the SNI 03-2396-2001 about Procedure of Natural Lighting System Design in the Building describing that natural lighting in the afternoon can be said good if in the afternoon between 08.00 am until 16.00 pm local time there is quite a lot of light coming into the room and light distribution in the room quite evenly and or does not create a disturbing contrast.

DISCUSSION

In making concept of this environmental friendly residential building, refer to 2 things that is concerning the design of the building and lighting system in the rooms of building.

1) Building Design

In this building design based on:

- a. Location of the building which will build

 The locations where the building will build affect the concept of the building that will

 make for example the location is in the mountain or in the town will affect the concept

 of the building.
- b. Needs for the owner of the building
 This needs concerned the use of each room that needed by the owner of the project
- c. Available Land Area
 Available land area affects the concept of the building which is planned. It is related
 with calculation supply of those building utility.
- d. Situation and Condition Around Environment
 This is related with existence of the building which will build, whether there are has already other building around or still in the form of a garbage stretch.

On the basis of it then could make a concept of a building which is will planned. This following is the series of building design that try to make with attention to the concept of green building:

1. Building View

Building view show plan of building view both from the front, back, left side either right side. Building view becomes identity of the building so it is distinguishing with the other building.

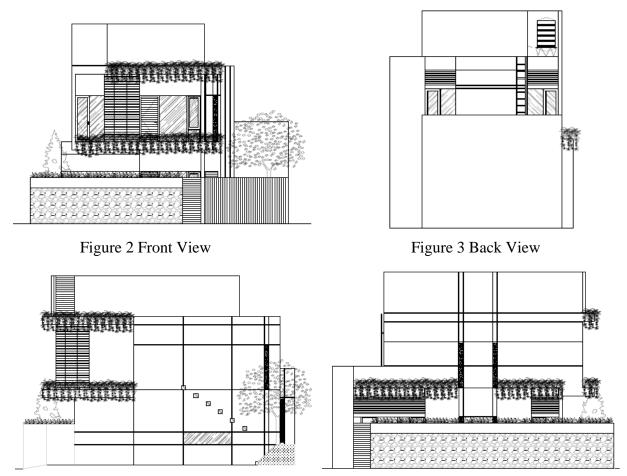


Figure 4 Right Side View

Figure 5 Left Side View

To give more figuring about this building which is planned ten the following is displayed building view in the front view which use coloring so it reflects the condition which will obtained went that building is build.



Figure 6 Building View with Coloring

In this concept of the building trying to create green building with giving plants around the building to give a cool impression on the building overall and can give O2 supply addition to the residence of the house. To give enough lighting especially in the first floor, so it made a room between with the building which is exist at the side so it is made open carport area thus air circulation and natural lighting can be into the building.

2. Detail of the Building

Detail of the building which shown is to show layout of each floor space and layout of door and window position for each room. This building detail can be the basis for knowing lighting and air circulation which will obtained by each rooms. As for the building detail is as follow:

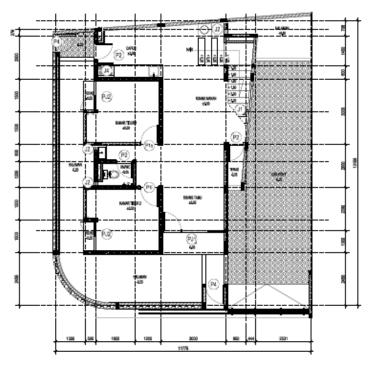


Figure 7 Planning of Doors and Windows Layout on First Floor

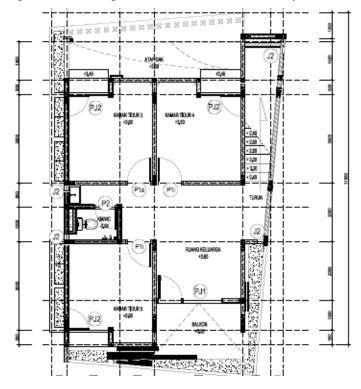


Figure 8 Planning Doors and Windows Layout on Second Floor

Those doors and windows can work for natural lighting so the rooms which have doors and windows to get light so it can give illuminate to those rooms. The laying of doors and windows adjusted with position and function of each room in the building.

2) Artificial Lighting System for Each Room

After it made room layout which places doors and windows by considering outside lighting, so it made an artificial lighting system to give illumination in the rooms which is still lack natural lighting in the afternoon or to provide lighting for whole the room in the dark condition or in the night. In making this lighting system things that should to pay attention is layout of lamp spots which will placed and the amount of wattage lamp installed in those lamp spots.

This following is the floor plan indicates the artificial lighting system in the rooms of building that planned:

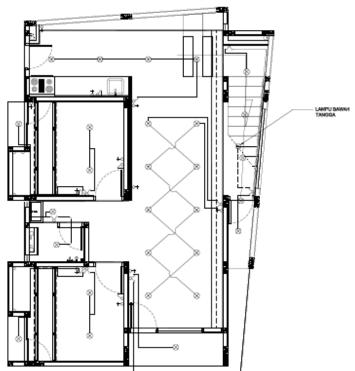


Figure 9 Plan of lamp layout for first floor

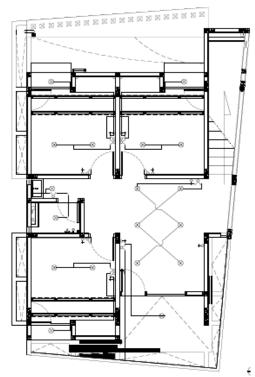


Figure 10 Layout of Lamp Spots for Second floor

In the figure 9 and figure 10 seen that each floor are already placed the lamp spots function to provide lighting for those rooms. The lighting which will provided by installed the lamp is done by considering the conditions that list in table 1 and 2 thus by referring to those tables so will provide comfort for the user and expected it can save the cost that must be paid.

CONCLUSION

Based on the discussion above, so it can be conclude as bellows:

- 1. Concept of environmental friendly resident can be applied as long there is an awareness from all the parties to be together to create a result of environmental friendly construction.
- 2. In making environmental friendly residential keep pay attention needs factor of room that desired by the owner of the residential. Mechanism determination of space layout adjusted with environment around the residential will built because it is related with the lighting which will obtained by each rooms especially natural lighting.
- 3. Determination of artificial lighting referring to conditions which applied so in designing artificial lighting according to the request of the project owner and the regulation that exist.

ENRICHMENT

Concept of environmental friendly building can reduce the occurrence of global warming thus need to be done by construction industry players both for the owner of the project, consultant or the contractor.

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POTENTIAL ACCEPTANCE TAX RECEIVING IN THE CITY OF PALANGKA RAYA PROVINSI KALIMANTAN CENTRAL

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ABSTRACT

This research is about the potential of Tax of Entertainment which is one of the source of Original Regional Income. The result of an optimal collection is expected to be a source of Regional Income in the Regional Budget (APBD) to finance the activities of regional government in development. The Municipal Government of Palangka Raya stipulates the Local Regulation of Palangkaraya City Number 12 of 2010 concerning Entertainment Tax as the Legal Basis in Tax Collection Process.

This research is using the qualitative descriptive method. Data collection technique is done by collecting primary and secondary data through interviews and observations with resource persons, for secondary data obtained from official documents, in the form of activity reports and the prevailing laws and regulations in Palangka Raya city.

The research results show that the potential of Entertainment Tax in Palangka Raya City has increased when viewed from the Tax object. The growth of entertainment venues increased over the last five years from 2012 to Year 2016, but the increase in the number of entertainment venues is insignificant with the increase in the Local Revenue from Entertainment Tax. Tax receipts for the last five years have fluctuated from the target set when compared to the realization of Receipts.

The findings of this study are the weakness of the apparatus ability in determining the planning, data and information related to internal and external factors concerning the development of the organization including the collection process is very weak, so that the result of the Entertainment Tax levy always fluctuate and tend not to match the set targets.

Keywords: Potential of Entertainment Tax, PAD

I. INTRODUCTION

Implementation of Regional Autonomy as mandated in the Law on Regional Government No. 23 of 2014, in Chapter I on general provision in paragraph 32, stated that the Regional Budget (APBD) is an annual financial plan stipulated by Regional Regulation (Perda) In the APBD there is a plan of regional revenue derived from the Local Revenue (PAD). One of the components of Original Regional Income is Local Tax.

Regional Tax as stipulated in Law Number 28 Year 2009, in Chapter II Article 2 No. 2 on the type of Municipal Tax on point c on Entertainment Tax. In Article 42 stated that the object of entertainment tax is the service of the

entertainment organizers with a fee. In this study the subject of research is the entertainment organizer in Palangkaraya City, Central Kalimantan Province. The Entertainment Tax in Palangkaraya city is governed by Regional Regulation No.6 of 2014 on Entertainment Tax.

II. Methodology

This research seeks to solve the problems that occur in connection with the policy that has been made by the Government of Palangka Raya City about the Collection of Entertainment Tax. The research is done by observation, in-depth interview, interaction, and trying to understand, to the subject and object of research so that it can be understood the

implementation of government policy to the regional regulation. Informants in the research are policy makers, namely Head of BPPRD, Head of Register and Data Collection, Section Head of Stipulation and Head of Billing Section and executing staff involved in tax collection, and entertainment place owner in Palangka Raya City.

III. Research result.

The purpose of tax collection is as an effort to increase revenue to finance government operations, to regulate the economy and the achievement of other social goals in achieving prosperity for the community. To be able to achieve prosperity for the community, the government must be able to run the wheels of government, especially the implementation of development. Development carried out requires considerable cost, one of the sectors that can be relied upon to finance development activities is the local tax. The development that is being and will be implemented in order to achieve the desired goals must be supported by management in the tax sector. Communities must support with high awareness to pay taxes, because the tax collection is intended for the benefit of the community.

Awareness of the public to pay taxes, including local taxes, is determined by the government's firmness by making regulations, which refer to applicable law. As stipulated in Law Number 34 Year 2000, Local Tax is a mandatory contribution exercised by a person or agency to a region without a balanced direct reward, which can be enforced under the applicable legislation, which is used to finance the implementation of local government and regional development.

The Municipal Government of Palangka Raya has set one source of regional income from the Regional Tax is the Entertainment Tax established by Regional Regulation No.6 of 2014. The phenomenon of entertainment business development in the city of Palangka Raya is currently one of the potential Revenue of local governments. These developments by characterized an increasing number of venues. organizer entertainment The of entertainment venue in the provisions of the Regional Regulation shall be a Taxpayer. Mandatory data The entertainment tax can be seen in the following table which shows the compulsory Taxation of the existing entertainment in Palangka Raya City.

Tabel 3.1
Place of Entertainment in Palangka Raya
City as source of Revenue from Entertainment Tax

City	city as source of Revenue from Emertaliment Ta					
No	Taxpayers Amount	Amount	Persentage			
	Percentage					
1.	Cinema Owner	1	1,96%			
2.	Discotheques	1	1,96%			
3.	Night Club	1	1,96%			
4.	Karaoke	11	21,56%			
5.	Stunt Game	8	15,86%			
6.	Bilyard	8	15,86%			
7.	Spa/Replection	13	25,49%			
8.	Futsal	8	15,68%			
		51	100%			

Sources: BPPRD Palangka Raya city

The data in the table above shows the development of the number of entertainment taxpayers who become the potential revenue of the tax sector. From the research result, the development of increasing the amount of tax payers is not significant with the increase of tax collection result, even the data shows that the increase of the number between the target and the realization only in certain year, meaning there is fluctuation between the target and the realization. To know the target data and the realization of the results of entertainment tax collection during the last five years in Palangka Raya City can be seen in the following table.

Pada Tabel 3.2

Target and Realiisasi result of entertainment tax collection in Palangka Raya City as source of Local Revenue

No	Tahun	Target	Realization	Persente(%)
1	2011	800.000.000	563.374.056	70,42
2	2012	1.000.000.000	1.290.639.659	129,06%
3	2013	1.595.000.000	2.093.081.063	131,23%
4	2014	3.130.000.000	2.087.900.385	66,71%
5	2015	2.200.000.000	2.146.063.005	97,64%
6	2016	2.500.000.000	4.232.917.065	169,032

resource: BPPRD Palangka Raya city

The data in the table above shows that the target planning set by the government of Palangka Raya City is less precise, it is possible the determination of the target size does not use the

appropriate method of calculation. One method can be used to set target size using forecasting methods or square linear trend method. Formula for Linear Square Trend

$$Y = a + bx$$

No	Tahun	Realisasi Pajak
		Hiburan
1	2011	563.374.056
2	2012	1.290.639.659
3	2013	2.093.081.063
4	2014	2.087.900.385

FUNGSI DASAR METODA LEAST SQUARE

$$\mathbf{\hat{Y}} = \mathbf{a} + \mathbf{b}\mathbf{X}$$

$$\begin{aligned} & \text{dimana} \\ & a = \frac{\sum Y}{n} \\ & b = \frac{\sum X Y}{\sum Y^2} \end{aligned}$$

www.hendrabudget.web.ic

Tax Reception Realization Data for the last four years can be used to set next year's target with the following calculation:

Tahun	Realisasi	X	XY	X
	Pajak Hiburan			
2011	563.374.056	-3	-	9
			1.690.122.168	
2012	1.290.639.659	-1	-	1
			1.290.639.659	
2013	2.093.081.063	1	2.093.081.063	1
2014	2.087.900.385	3	6.263.701.155	9
	6.034.995.163		5.376.020.391	20

$$a = 6.034.995.163 = 1.508.748.790,75$$

= 2.852.754.888.50

4
b =
$$\underline{5.376.020.391}$$
 = 268.801.019,55
20
Y = 1.508.748.790,75 + 268.801.019,55 X
Th 2015 = 1.508.748.790,75 + 268.801.019,55 (5)

Table 3.3

The calculation results using the Formula of Linear Trend Square Target of Entertainment

Tax Year 2015 s / d 2017

No	Tahun	Target soul	Target plenned
1	2015	2.852.754.888.50	2.200.000.000
2	2016	3.131.554.904,75	2.500.000.000

Sumber data di olah

If seen the data in the table above shows that there is a large difference from the calculation where for 2015 the difference is 652.754888,50 whereas for the year 2016 the difference 631.554.904.75 when viewed from the realization of the collection there is still a difference between the target and the realization of this is due to the addition where entertainment is the object of taxes.

Increased tax collection, should be done with careful planning on targeting, carried out with accurate calculations, taking into account the actual tax potential other than that required intensifity by tax collection officers. Theoretically the success in mengimplenentasikan policy According to Van Meter and Van Horn influenced by several variables namely

1. standards and objectives, issued by the Ministry of Finance of the Republic of Indonesia in the form of standard (Superior operating procedures Operating Procedure) superior service field of taxation include: 1) Service completion of registration registration taxpayer principal number, as identity to implement the rights and obligations taxation, 2) service settlement of taxpayer's inauguration application, 3) settlement service for refund of overpayment of tax, 4) service of issuance of warrant to pay excess tax, 5) service of settlement of appeal object of taxation, 6) settlement service of free of charge of collection, 7) application settlement service reduction, 8) service of registration of new tax object by research office, 9)

- service of completion of mutation of all object and subject of tax, 10) service of settlement of appeal of tax object, 11) service of settlement of request for reduction elimination of or administrative sanction. n settlement of a request for abolition or cancellation of an incorrect assessment.
- 2. Resources, has been regulated by the Municipal Government of Palangka Raya and stipulated in the Regional Regulations. Provision of incentives is given to executing staffs who collect the Local Taxes. This incentive is aimed at improving the welfare and motivating the employees in the work unit that implements the local tax collection in order to support the regional income. Remuneration is any form of remuneration received by employees for contributions made to the organization directly or indirectly, in the form of cash or in-kind given regularly or at certain times.
- 3. Characteristics of implementing agents, for a public policy set by government is always associated with bureaucratic structure. Some of the elements that influence in implementing policy the competence and staff size, hierarchy supervisory level to sub-unit and process implementing agency, organizational politic resources, organizational vitality and network horizontally and vertically, formal and informal link of body with decision maker. The link between the Vision and Mission in the work plan document in this case BPPRD Kota Palangka Raya
- 4. Communication between the Related Organizations and Implementing Activities, The form of information carried out is coaching conducted in the form of socialization on the

- Regional Regulation, especially about the obligations that must be fulfilled by the taxpayer such as fill in the data in the Local Tax Notification (SPTPD), which is used to report calculations and local payments of taxes. Communication between organizations is done internally in the case of collection of Entertainment Communication made by the Head of Revenue in accordance with the main tasks and functions of internal communication with Section Registration and Data Collection, Section Determination, and billing Section. External communication is done by each section with the subject of Entertainment Tax.
- 5. Attitude Executives ie officers and sections in BPPRD Kota Palangka Raya Implementation of the policy of collection of Entertainment Tax is all staff who are under the Head of Revenue. In carrying out their duties each gets a letter of duty as the implementer of tax collection. Operationally responsible directly in the field is the Head of Billing Section.
- 6. The condition of the economic, social and political environment may affect the implementation of the established policy implementation to succeed as expected or otherwise become an obstacle in the implementation of policy implementation. One indicator of regional progress can be seen from the economy. The growth of a good economic sector is influenced by sectoral policies that encourage a sound business climate which in turn will improve the economic activities of the Community

IV. Conclusion

Based on the formulation of the problem, and the results of research and discussion about the potential of Entertainment Tax as the source of Original Income from the Regional Tax Sector in the City of Palangka Raya, it can be concluded things as follows:

- 1. The result of Entertainment Tax collection realized exceeds the targeted amount, for that exact calculation is required by using statistical calculation method, such as forecasting method with square linear trend formula.
- 2. Implementation of the policy on the Entertainment Tax in Kota Palangka Raya that has been implemented well but must pay attention to the applicable laws and regulations and apply the theory of policy in its implementation.

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The Growth and Yield of Shallots (*Allium ascalonicum* L.) Grown on Soils Previously Treated with Flooding and Ameliorants at Brebes Regency

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Abstract. Shallot is one of economically potential agricultural commodities in the Brebes Regency. Farmers commonly apply excessive inorganic fertilizers and pesticides on shallot plants. These practices reduce soil health and soil fertility. In addition, residual pesticides are detected in soils and bulbs of shallots. Flooding the fields and applying soil ameliorants before planting the shallots is one of alternative innovation technologies which can reduce the residual pesticides in soils and bulbs. This study aimed to know the effect of flooding duration and types of soil ameliorants on the soil before planting on the growth and yield of shallots. The study was conducted at Wanasari village, Wanasari District, Brebes Regency fromAgust toOctober 2017. Split plot with block designs was used for arranging the units of experimental. The main plots were flooding duration i.e. without flooding, 12 hours of flooding, 24 hours of flooding, or 36 hours of flooding. The subplots were types of soil ameliorants i.e. without soil ameliorant, chicken litters, or zeolite. Measured variables were plant high, number of leaves, number of tiller, number of bulbs, fresh weight of bulbs, and weight of bulbs after 3 days of sun drying. Results showed that the growth and yield characters of shallots on soils previously treated with flooding and soil ameliorants were similar except that flooding of soil before planting reduced the weight of bulb after 3 days of sun drying.

Keywords: flooding; ameliorant; shallot

I. INTRODUCTION

Shallot is one of economical and prospected horticulture commodities [1]. The shallot is one of exported commodies of Indonesia. The ministry of Agriculture sated that in 2017 Indonesia has exported 5,600 tons to Malaysia, Vietnam, dan Thailand. It values US\$ 8,5 millions [2].

The shallot production in The Regency of Brebes in 2016 reached 3,387 thousand tons with a total harvest area of 32.434 thousand hectares and the productivity in 2016 reached 10.44 tons per hectare [3]. The productivity of shallot in this area in 2016 was lower than the productivity in 2013 which was 12.23 tons per hectare [4], and in 1970s which was 16 tons per hectare [5]. Actually, the potential productivity of shallot could reach 20 tons per hectare [6]. This may resulted from that farmers applied excessive herbicides for controlling weeds before planting and after plants emerging, pesticides for controlling plant pests and diseases, and unbalance inorganic fertilizers[7].

The excessive use of herbicides, pesticides, and unbalance fertilizers continuously for a long period of times increased heavy metal content, environmental pollution, deterioration and decline in soil fertility [8]. In addition, farmers always apply synthetic pesticides unwisely. They applied a mixture of four to eight pesticides every two to three days [9].

Innovation of technologies must be introduced to the farmers for increasing the productivity, soil health, and soil fertilities. In addition, the introduced technologies should be cheap, applicable and could reduce residual pesticide in soil

and product. Flooding of soil and applying soil ameliorants are two of such technologies. Flooding hopefully can leach residual pesticides and can reduce salinity resulted from excessive fertilizers [10]. Soil ameliorants hopefully can increase organic content and can improve physical, chemical, and biological soil characters. Then it results in improving soil health and plant productivity [11]. Some soil ameliorants are compost, animal fertilizers, zeolite, and silt [12]

This study aimed to know the effect of flooding and soil ameliorants before planting on the growth and productivity of shallots in Brebes Regency.

II. METHODS

The study was conducted at Wanasari village, Wanasari District, Brebes Regency fromAgust toOctober 2017. Split plot with block designs was used for arranging the units of experimental. The main plots were flooding duration i.e. without flooding, 12 hours of flooding, 24 hours of flooding, or 36 hours of flooding. The subplots were types of soil ameliorants i.e. without soil ameliorant, chicken litters, or zeolite. There were 4 blocks, five samples on each unit experiment.

Soil ameliorants were applied five days after flooding of soils. Bulbs of shallots were planted five days after application of soil ameliorants. 150 kg ha⁻¹ of urea, 400 kg ha⁻¹ of ZA, 200 kg ha⁻¹ of SP36, and 200 kg ha⁻¹ of KCl were applied. Organic pesticides were applied every week.

Watering was done when needed. The plants were harvested 60 days after planting.

Measured variables were plant high, number of leaves, number of tiller, number of bulbs, fresh weight of bulbs, and weight of bulbs after 3 days of sun drying.

III. RESULT AND DISCUSSION

Based on Anova, there is no interaction effect of flooding and soil ameliorants on all measured variables. Then, only individual effect of flooding and soil ameliorants on measured variables were presented in this article.

Table 1. shows average values of measured variables of shallots grown on soil after treated by flooding. Based on F tests, growth and yield characters of the shallots grown on soil previously flooded for 0, 12, 24, or 36 hours were similar, except for the weight of bulbs after sun dried for 3 days. Flooding of soils 12, 24, or 36 hours before planting reduced the weight of sun dried bulbs.

Flooding of soil ten days before planting did not have beneficial or harmful effect on all measured variables of shallots except for dry weight. This indicated that leaching of harmful substances [10] did not instantly remove all the substances. In contrast, leaching removed most of residual fertilizers especially Nitrogen [12].

Table 2. shows average values of measured variables of shallots grown on soil after treated by soil ameliorants. Based on F test, growth and yield characters of the shallots grown on soil previously modified by adding chicken litters or zeolite were similar to that of shallots were grown on unmodified soil. This indicated that beneficial effect of soil ameliorant zeolite or chicken litters on the growth and yield of shallot can not been seen at only one growing season. In addition, some nutrients content of the soil in Brebes such as P, K, Ca, and Mg are high [13].

IV. CONCLUSIONS

The growth and yield characters of shallots grown on soils previously treated with flooding and soil ameliorants were similar except that flooding of soil before planting reduced the weight of bulb after 3 days of sun drying

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Table 1. The effect of flooding before planting on growth and yield of shallots

Flooding		Variables					
before	Number	Bulb	bulb dry weight	Number of	Number of tillers	Fresh weight	Plant
planting	of bulbs	diameter	per cluster	leaves	per cluster	of plant	height
(hours)	(units)	(cm)	(g)	(units)	(units)	(g)	(cm)
0	3.9a	0.78a	6.87b	15.50a	4.88a	14.87a	22.16a
12	4.1a	0.79a	4.23a	16.42a	6.00a	12.09a	22.65a
24	3.6a	0.70a	3.13a	17.26a	5.59a	11.75a	21.60a
36	2.7a	0.52a	2.92a	14.54a	5.93a	9.41a	21.60a

Remark: a value followed by a same letter means no different

Table 2. The effect of soil ameliorant application before planting on growth and yield of shallots

Table 2. The effect of son amenorant apprearion before planting on growth and field of sharrows							
Type of		Variables					
ameliorants	Number	Bulb	bulb dry weight	Number	Number of tillers	Fresh weight	Plant
applied	of bulbs	diameter	per cluster	of leaves	per cluster	of plant	height
	(units)	(cm)	(g)	(units)	(units)	(g)	(cm)
without	3.45a	0.68a	4.44a	15.58a	5.71a	11.75a	21.51a
Chicken	3.63a	0.71a	4.24a	16.25a	5.56a	12.39a	17.18a
litters							
zeolite	3.6a	0.71a	4.18a	15.96a	5.54a	11.94a	21.29a

Remark: a value followed by a same letter means no different

REVITALIZATION OF UNITY IN DIVERSITY VALUES AND LOCAL WISDOM BASED ON LEARNING SOCIETY POST SOCIAL CONFLICT IN TERNATE

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Abstract

This research is motivated by the weakening of the values of local wisdom that are still coherent with the values of Unity in Diversity. Revitalization efforts are needed on these values for social harmony after the social conflict in Ternate. So the purpose of this study was: 1) identify and analyze in depth the values of local wisdom through public education (learning society) after the social conflict in Ternate, and 2) efforts to revitalize these values to be upgraded from local knowledge into global wisdom. The method used is qualitative with phenomenology postpositivisme approach Interpretif.Tempat research focused on four districts in the city of Ternate. The Results of this research are: 1) Development of the value of unity in diversity and local wisdom are revitalized, through: (a) consensus; (b) reinternalization with informal channels, learning society, and formal channels, and (c) the value of local wisdom consists of philosophy, educational, social, religious rituals, and nationality. 2) Ternate icon of pluralism as a form of public awareness for social harmony, namely: (a) when the conflict and the end of the conflict decreased public confidence, (b) there is a subculture of Chinese ethnic enclaves within Ternate society, but in harmony because there is the role of mutualism, (c) a community effort facilitated by the government collects in the community and the various ethnic intermingling of the National Forum (FPK) as part of efforts to facilitate coordination, and for being a role model in internal Harmony Forum (FKUB). 3) The importance of postconflict revitalization of social values can be seen from several factors, namely: (a) the level of trust between religious communities are low, (b) high primordial and ethnic fanaticism, and (c) the stage of revitalization includes cultural transformation, communication, adaptation, and organization.

Key words: revitalization, local wisdom, learning society, social conflicts.

Background

Historically the individu conflict in Indonesia has been started since the establishment of Hindu Buddhist kingdoms to the Islamic empire, the expansion of territorial experienced expansion. Then development during colonialism or occupation. The emergence of social conflicts by force more rapidly in Indonesia, especially in the regions at the end of the new order, as a result of the start weakening of state control over society. The meaning of control in this case can include a variety of fields such as economics, namely welfare and equit, as well as social, cultural, and freedom in a democracy.

One analysis that development at the end of the New Order era many are not targeted and save a lot of problems in each region. Some areas in Indonesia, which previously had social and cultural stability, with a life of harmony began to experience tension and anxiety that cause social conflict there. As with any social conflicts in the Poso region of Central Sulawesi, Maluku in Ambon and Nort Maluku (Rozi, 2006: p. 2).

Conflict as a social phenomenon is almost always attached to each community. As a source of conflict is the trigger of the various problems in society such as social inequality, conflict or competition between different groups in society. Ternate society as a community of people who have different cultures, and diverse ethnic and religion and part of Indonesia who have experienced social conflict. Conflict nuanced religion or in the name of religion, arises because of the phenomenon of religious life in almost every area is very troubling.

The emergence of opposition as expressed on a understanding such diversity, with violence in the name of religion to other religions. Even the flow of a particular religion which would threaten the social order and joints life of the nation. Yet as citizens with a diversity of ethnic background, religion and social customs and culture, equally is the country boy who is in the mosaic of the Republic of Indonesia (NKRI).

On the other hand social conflicts occur due to other triggers such as economic interests. The existence of competition for land or place of business of the citizens settlers with the natives, or jealousy over the success of the immigrant population, which is very survive in

developing the business and committed, while the natives are not very successful in his efforts. This is what causes jealousy against migrants. Such as the social conflict in Ambon and Poso conflicts (Suaedy & Rumadi, 2007: p. 22) . At the level of the condition of the conflict of interest or vested interest element becomes a major factor.

Based on the research that the causes of social conflict in Poso by Suaedy & Rumadi (2007: P. 23) because of the interests (vested interested) seizure of positions sterategis field of personnel, previously controlled by Christian residents. Then the position was gradually occupied by Islam because of election results, thus causing competition. In this case the source trigger social conflict is political vying for power are wrapped in religion. Because religion as a very sensitive sphere used as a source of conflict.

Though religion that should be used as a force or power in solving various social issues, including social conflict. Because no other religion that asked people to kill each other in the name of religion. Especially those living in the jurisdiction of the pluralism in Indonesia. It is strongly associated with the level of each individual religious faiths. Meaning that if the rate is high and wide diversity of individuals and their implementation is correct, then it will certainly enlighten the thinking. Similarly, in attitudes and behavior, always respect both for others and with others.

As Tomagola (2006: p. 85) states that social conflicts can not be separated from the long experience of the past history of the divided along religious lines between the Christian and Muslim relations. Developed by the Dutch as occupiers leaving negative perception on both sides, both Islam and for Christians and make segregation settlement. Causing people's lives with each group making the difference that can be seen from eksklusiv attitude shown by both.

Social change as a result of social conflict caused the noble values of local wisdom becomes cracked and began to erode. Such as the value of unity, tolerance, mutual respect, sincerity receive, mutual trust, and the spirit of togetherness that had been laid out the basics by the ancestors as a guide in life and life and becomes a frame unity. Then raises the attitudes and behavior of mutual suspicion, feels more right, increasing the emotional, as

well as the declining sense of trust among fellow citizens and inter-religious in Ternate.

Empirically the impact of post social conflicts that occurred in Indonesia in general is not too much different from other countries, which have experienced. In America as suggested by Mosselson (2011: p. 2) that the existing structure of society plagued by violence or as a result of the war that changed the social order in society become refugees moved to other areas. As if the loss of the feeling of safety and security are compounded by the loss of routine daily activities. Reduced future orientation of education for the community. In the community it is expected to have an important role in the dissemination of the importance of security and life harmony. Ideally, the community plays a key role in creating a sense of the importance of cultural identity.

Based on the results of the German study by Paulson (2011: p.1), that post-conflict situations, especially in the post World War II. When the state has offered a positive example of educational conflict and violence that can contribute to reconciliation. Meanwhile Germany is still followed and only pro- Nazi crimes openly and finally in the history of the community proved to regret the attitude and behavior, of reconciliation that the state.

Other studies on the impact of postsocial, namely education conflict democracy by Davies (2011: p. 2) in the " Conflict, Education and Democracy: Learning the Power of Dissent " (conflicts, education and democracy: learning from the power of dissent). That social conflict, education, and democracy is a triangle. Education has a very important role to provide opportunities of democracy, where the key terms of democracy is freedom speech and expression, all require educational role. Then the post-conflict about democracy education particularly important for a learning process for the community.

According Muhadjir (2006: p. 96) Indonesia as a big country, built in the tradition of diversity, mutual symbiotic tradition that recognizes ethnic diversity, and there is no tradition of going to negate each other or dominate other ethnic traditions and not conflict. Politics reign united in a single "ika" that departs from justice in the region, and be united in justice-justice symbiotic nationwide. But actually to prevent conflicts, then Trijono

(2009: p. 52), states need to be supported by the widespread consensus value (broad based concencus) involving various parties that have strong legitimacy to the efforts of the peace agreement. It is strongly felt that there were eroded or weakening of the nation in the form of consensus of values to-bhinneka-being and single-ikaan, as well as the noble values of local wisdom that has spirit and resources plurality but in unity unambiguous.

Revitalization according by Wallace (1958: p. 265) is defined as: " ... As a deliberate, organized, conscious effort by members of a society to construct a more satisfying culture". Revitalization as a systematic and organized effort, carried out by the whole society to reconstitute a new cultural form and better.

Ternate as part of Indonesia, people still strongly holds the noble values of social and cultural lives. Proved empirically with the philosophy of cultural values as in the: "adat matoto agama" (customs and manners of life essence on religion). Embodied in the rules of procedure and conduct of life and life as a collection of ideas, ideas, norms, and philosophy or even the values that have been ingrained to be found in the life social interaction.

Revitalization of the noble values of local wisdom developed by looking at some empirical conditions, namely: first; that revitalization is done for the spirit or the spirit of the values of unity, as also seen since the first historically this spirit on 'Marimoi Ngone Futuru, Masidika Ngone Foruru' has been eroded and began to shift so need back in order to remain a social capital for interaction social life the harmony of the people of Ternate; Secondly, the spirit of these values can be used as a means of inheritance and development in terms of further strengthening the values of unity, especially in the social environment; Third, as an adhesive culture with ethnic diversity resources, owned religious need to be maintained and developed; fourth, hilanganya spirit of the values in the plurality of public resources and growing tradition of violence, as well as the efforts of community recovery from trauma and stereotypes; fifth, sociologicallyhistorical people of Ternate had levels high enough resources including a plurality of linkage in the family system, thus potentially leading exclusive primordial attitude; sixth, with the revitalization is expected to grow and

develop an attitude of awareness culture for the harmony of community life.

Based on the empirical conditions of the process of revitalization of these values, through six stages, namely; stages of preparation or formulation of value systems, communicating values, structuring the value, value adjustment, transformation of values, and routinization in this case has become a habitus value on each individual (Wallace, 1958: pp. 270-275).

To observe and analyze, as well as trying to develop the meaning of the noble values of local wisdom after the social conflicts of the study subjects, this research is more focused on the role of role models through learning society in a community environment in Ternate. Results of preliminary observations indicate that prior to social conflicts, social interaction or human interaction pluralistic society running normally and always put forward the principle of togetherness without sorting various plurality either ethnic or any religion by always promoting the values of togetherness, mutual works, religious tolerance citizens of harmony.

Research methods.

Types of research.

This study is a qualitative research, with the approach used is postpositivisme interpretive phenomenology.

Time and Place Research.

The timing of the study from the month September 2014 to August Implemented in four districts in the city of Ternate, the southern Ternate, Ternate central, northern Ternate, and the island of Ternate. Reason determination of the location of this research are: 1). there was an outbreak in the population of the town of Ternate more dominant segregated along ethnic and religious in Ternate south, while the north of Ternate segregation based on religion with each cluster of society; 2). that, this district Ternate. Ternate south and the north, and the island is a district parent who has been there before. Compared to other districts. While the central districts of Ternate is a district formed of several villages south and Ternate Ternate north as the area was divided after the social conflict in Ternate administratively administration was effective; 3). District of Ternate southern and northern districts are the two districts that empirically direct contact as conflict areas in Ternate.

Research subject

Making the subject of research based on the choice purposively by dividing a role model in clusters. That is clusters of teachers, media workers, community leaders, religious leaders, traditional leaders and clusters that are in each area

(a). Determine the location; determining the location of the study, which is based on the characteristics of each district of the southern districts and Ternate Ternate northern, central and sub districts Ternate island. (b). gets access and relationships; to access or approach to the research subject. Personage relationship role in districts with demonstrated community clusters chosen by the researchers; (c).the choice and retrieval of research subjects; perform an advanced approach to the subject of research. ie for each cluster of media workers; clusters of teachers; clusters of community leaders, traditional leaders clusters, and clusters of religious leaders with techniques that have been set. (d). Data collection was; At this stage of research data began to be collected by the researcher, to be clarified and is broken up according to the theme that has been established researchers, as well as research purposes. (e). Information record; recording activity information to the subject of the research, conducted in conjunction with step before now. (f).finally field problems such negative cases were found in the field. Performed the role of collaboration in the form of a discussion with peers, member check, richeck, and cross-check the data triangulation is the method and timing as well as theory. (g). the saveing of data; as the final activity of this cycle is the storage form of research data obtained from the study site. Because the data at any time would be required in processing. Either in the form of data collected through observation, interviews, and documentation of each cluster. (Creswell, 2007: p. 118).

Data analysis technique.

The data collection technique is by way of interviews, participant observation were conducted to test the extent of the validity of the results of interviews which have been conveyed by the study subjects. then with the data documentation. In order to data analysis using inductive techniques phenomenologi by Moustakas (1994: p. 21) by following the steps as follows: (a). recording and initial grouping; (b). reduction and the elimination of the data to match the theme; (c). kluster elements of

different themes; (d). identification end of elements and different themes; (e). textural description, of what is experienced by individuals; (f). structural description, of how individuals experience, and (g). The combined textural and structural description to capture its essence.

Results and Discussion .

Post- Conflict Life social conditions.

The atmosphere is very much different life when social or post- conflict social conflict ended in Ternate. At the first stage it was felt there was a relationship or fractured social relations. As if there is a crucial thing or complex to be built. Namely to build trust between the members of religious communities in the city of Ternate.

Not only in each religious community, the leaders of other religion there is still mutual suspicion between them. For that reason, then activities in post-conflict social very intensive and proactive thing to do. Continuously by various parties and groups, in addition to building trust also seeks to build the perception of citizens about the security to live in the city of Ternate.

As also explained clearly by ARM (chairman of the Islamic religious leaders among Harmony Forum (FKUB)Ternate city and academics). This forum was instrumental in its presence felt in assisting the recovery efforts. As well as re-establish communication and social relations between religious communities in Ternate.

Internally religious leaders detect the various issues that arise. The first is the level of trust, inter-religious to be something very weak or thin. So that the figures it used to be to convince fellow leaders foster a sense of trust. People of that religion should unite to fight against people who are not religious. So religious communities must be united. Because there are religious principles it towards God. The issue of God is perceived in different life principle, but the destination is also God. Then there is the perception that one is not until then that the problems of humanity. God can not be perceived, but we believe that God is Almighty, and big master. Secondly, there is the principle of fairness, we urge the government to provide equal. opportunities to all groups in accordance with the capabilities, achievements and should not only take certain groups. So there is a principle of fairness, social and cultural; Thirdly, it is necessary to build a sense of

security. That is not feeling any in danger, so this perception should be built, that you live here (Ternate) it is secure. The Mayor and talking through media that you live in Ternate was now safe. (W/18/10/14/ ARM).

Still coherent with the statement, HIM (Islamic religious leaders, former head of Ternate city -MUI), giving new meaning on the recognition of the existence of a religious group or people. That in Islam, there is a sentence: 'Lakkum diinukum walyadiin': for you your religion, to me mine, according to the substance is subject to admit the existence of other religions. If it recognizes the existence of other religions, this means that there are adherents. Let 's see the earth even this is not just any one people, but there are other religions and it is still given space to develop. So with the people of other religions and it thus necessary to social relations, and if there is a relation it is necessary for communication between citizens and followers of each religion. (W/07/01/15/HIM).

Based on the view or perception of social conflicts that have been put forward by the informant, that social conflict can not be separated from the influence of great importance, as well as the impact of the previous social conflict in Ambon. That's because geographically Ternate and North Moluccas in general as an integral part. Besides national conditions provide room for local with autonomy. Further management strengthens the interests of individual factors and then trying to find the position and sympathizers to citizens.

Under these conditions, if viewed from a theoretical framework conceptually in particular the theory of conflict developed by Dahrendorf (1958: p.171), categorizing that the conflict consisted of three categories: Individuals conflict, the constitutional conflict between communities and systemic conflict. To explain the social conflicts ever occurs both nationally and locally, including in Ternate, then there is a red thread or a very strong relationship that indicate this. That the social conflicts that have occurred much earlier, in the past to the present more specifically the conflict in Indonesia, starting from individual conflicts with a number of interests, and not because religion. Because conflicts that occur are often used religion as a trigger social conflict including the conflict in Ternate.

However, lately a very feared by all members of the community component is

internal conflict. A conflict that occurs in each religion. As well as internal conflicts that often occur in Ternate that fighting between villages (tarkam). The conflict triggered by a trivial issue between two individuals which eventually involve the community among fellow citizens who are Muslim. Indicated also by the level of primordial or taste very high homogeneity and villages excessive fanaticism. Causing conflicts that permeate the social conflicts by involving citizens between villages or districts.

This condition is very different from the internal conflicts that have occurred between fellow citizens but different Protestant sects. Protestant religious sects and sect Moluccas Protestant Church Evangelical Church of Halmahera. The conflict triggered by the seizure of the ecclesiastical region both in the city of Ternate is in the district of *Batang Dua* Islands. Indeed, if observed historically-administrative, North Moluccas, including Ternate been in the province of Moluccas based in Ambon.

For internal religious conflict by lifting two empirical examples, either in the body of Moslem and Protestant, it requires the participation of religious leaders, respectively, as well as traditional leaders and other informal leaders in conducting enlightenment, to citizens. More importance was the need for the mediating role of government ranging from village government, then districts to local governments. So far as possible be resolved seed sources of ignition internal conflict that would undermine harmony Ternate social citizens in diversity.

The condition of harmony, it can provide an opportunity or an opportunity as much as possible for all citizens to live a better life in the future. Without seeing the various backgrounds that are owned, either religion, race or ethnicity, as well as customs and a number of other differences. Certainly not forgotten or ignored also by socio-cultural conditions of each region and ethnic groups who have chosen Ternate as a place of domicile.

Characteristics of social conflict that stems from individual conflicts as developed by Dahrendorf above. If related to the research data, as described in the previous section on culture in a pluralistic socio description livelihood by tribe or ethnicity. Then the plurality of society, as in the concept of Unity in Diversity, that cultural pluralism is the preference of the majority culture or mother

culture and the minority culture has always followed. But what happened in Ternate, namely the presence of ethnic Chinese who subculture culture from the beginning, recognized in enclaves and going on social harmony. Because of Chinese citizens since awala has had a very important role as developers of economic and trade authorities and the social sphere.

Identification of the values of local wisdom and values Unity in Ternate .

Stages netting (collection) on the values of local wisdom.

Local wisdom that is interpreted by the public as a knowledge, values are selected in a society and which still stand. In the context of Ternate society such values can be implemented to establish the heterogeneity of social order and harmony to have a strong soul, respect respect for others and trust each other to progress together. Then based on the observation that local knowledge society also Ternate very much.

Stages screening (selection) values of local wisdom.

Stages screening or selection of each of the values of local wisdom, intended to see or describe the values of local wisdom that still need to be maintained and that have been eroded by the times. Based on a collection of values of local wisdom, then the next will be described the value of local knowledge whatever is selected or started to weaken after the social conflict in Ternate.

Table 1. Local wisdom values in Ternate

Local wisdom values				
Vertical values	Horizontal values	Selection		
Kololi kie-round	Bobaso se rasai- love	Bobaso se rasai-		
the island Ternate	and affection	love and affection		
Jou se ngofa	Makugawene- love	Makugawene-		
ngare- God and	and affection	love and affection		
servant				
Joko Kaha-	Liliyan-working	Jou se ngofa		
trampled ground	mother.	ngare- God and		
		servant		
Gogoro-	Jojobo- saveing	Jojobo- saveing,		
Invitation		oro gia,babari,		
		mutual		
		cooperation		
Boso ici- prayer	Oro gia,babari-	Jou kasa ngom		
starting	mutual cooperation.	kage- loyality.		
reinforcements	371 1111 1 1	D		
Dolo bololo-	Nita malili- pick	Dolo bololo-		
message religius	down workplace.	religius message,		
and social	D : C1 1	cultural, social		
Tagi mai sabea-	Bari fola- work	Nita malili,-pick		
always remember	together to build a	down workplace.		
the God.	hause.			

Fere bukuascending mount Jou kasa ngom kageeadherence/loyality Dodara ngofa- dear children Legu gam- cultural festival.

The values of local wisdom that has been weakened in implementation very necessary commitment and consensus together from all Especially sultanate agencies and instrumentalities, as well as scholars and ulama or religious leaders. For later discussions, including on the part of local governments who facilitate it. Selecting the values and customs forms that are owned by ancestors during this time by using the appropriate formula, including religious formula. Especially those related to universal values such as respect and fairness, and honesty, and respect for differences. Thus the cultural values developed any origin is still tolerated by religious rules, it will be followed and applied also by all citizens without exception Ternate.

As Kuntowijoyo (1991: pp.385-389) that, in the context of culture, including cultural values, Indonesia has experienced two forms of culture. The two cultures that are identified with the culture palace full of myths and mysticism then there is the influence of Islamic culture after the advent of Islam. The next second is a popular culture that represent the culture or the culture of the community members outside the palace to be very open, to accept Islamic culture. If referring to the two forms of culture in the discussion although more directed to kasuistik in Java. But there is a common thread with the empirical historical conditions, cultural expression in Ternate that has elements of both forms of cultural similarities that.

In general culture in Ternate, can be classified to both this culture is the culture palace and the popular culture of the people outside the royal palace. Both can be classified as traditional culture. Internal culture which meant that dealing with perspective and everyday behavior that apply in the sultanate. This culture form developed by the employees of the imperial palaces, including the poet and architect.

While the position where the king or sultan has the interests of creating such symbols, or signs of a particular culture in order to strengthen the position and status. Symbols such as myths, royal and literary tales, stories of magic, and the magic of the king. This is done to gain popular support and loyalty over the leadership of the king or sultan. For example, in Ternate know the quality of the *supra-Insaniah* king or sultan. Namely the sultan considered to have the ability to position itself as a human being and in certain conditions as *Kolano* when in a certain place. When the position of the *supra-Insaniah* speech equated with God. To decide on a form of matter or case by case in the royal palace.

In addition to the myth, as described, is also known for the creation over the mystical literature. If the myth is intended in order confirming suzerainty including employee loyalty to the king's palace, then another case with mystical as one of the efforts to provide basic insights about cosmology. For example in the mystical treasures in Ternate recognized the concept of, "toma ua hang moju koa idadi (some where that does not exist any more there used to be). Is a concept that teaches about the reality of the cosmos and the position of man in it. Examples of such mystical literature indicates and implicitly provide a message that the court officials and people in general trying to be able to understand themselves and their world in the context of cosmology palace.

In an effort to strengthen the position and power of the king or sultanate. Then create genealogy genealogical descent from the gods or heaven. But it can also be positioned himself a descendant of the Prophet or the Companions of the Prophet. Thus it can be said that in this context turned out to not be separated from the influences of Hindu social philosophy even pre-Hindu. Then, after the arrival of Islamic culture such as Islamic mistesisme berpengauh also in internal understandings palace. That is the Islamic culture for subsequent use to legitimize or reinforce understanding and view of the internal environment of the palace.

An attitude that should be given attention and fully appreciated that after the advent of Islam in institutions and culture. It was from the developer's internal culture palace classified as traditional culture prefers to accept and adapt to the customs and culture of the palace. This attitude while providing an internal cultural characteristics of the palace is more flexible in accepting a form of culture and values that support culture. Including in terms of legitimizing the values of traditional culture which was then known as the noble values of local wisdom. As a set of values that are still believed by the public, can be used as a power

or a driving and supporting the spirit of life and the lives of citizens in order to achieve future success.

The second form of culture that is external culture is a culture or folk culture residents who are outside the royal palace. Not too much different from the internal culture of royal palace, the folk culture is also known as the tales of mythology and the like. For example during the pirates or pirates in North Moluccas and the surrounding area. Recognize the existence of the pirates who can disappear. Or no tutor or caliph who can pray in other places without using an intermediary, then back again to the same place.

Some examples that show empirical evidence of the external culture or the culture of the people and citizens outside the royal palace. But on the other hand in the ritual expressions of folk culture, including music art also shows the influence of Islamic culture is very strong, which is processed in the overall attitudes and behavior of citizens. For example, sociocultural ceremony in "arwahang" (commemorating the birthday of the prophet Muhammad). still alive today to remote villages in the area, as one of the activities to commemorate the birth of the Prophet's Birthday. Similarly, in the arts of music very visible shades of the influence of Islamic culture such as gasidah by using the form at the tambourine, as well psaltery accompanied by verses that contain the values of the advice of life, religion and manners as well as other positive behaviors.

Then, referring also to the study of theory, about the theoretical approach developed cultural pluralism of Unity by Muhadjir (2013: p.13), that in the new meaning Unity is not only seen in the context of different religions, but the majority of respecting and protecting the minority. If there are deviations in practice carried out by the majority, then it is obligatory on the minority to provide input and insight-enlightenment.

Ternate society historically were initially referred to as the initial Ternate, a civilized society in monoculture and homogeneous. Their presence on the slopes of Mount Gamalama, the basic livelihood of farming and gardening. Planting cloves and nutmeg and coconut, sometimes down to the beach to catch the fish that consumed itself. The condition is very experienced very positive change, when it began migrants (Malayu Cim) to Ternate and

start interacting of the two communities. In the end there is a new form of culture, hereinafter referred to multicultural culture. As one form of such interaction results then the recognition of the diversity of cultures and customs, as well as recognize the benefits of cultural values respectively.

Necessary efforts are successful metamotive, which is a sustainable business and always have a positive progress and evolve continuously from a variety of skills such as proficiency owned intellectual, social, emotional, and religious prowess Kuhlen, (in Muhadjir, 2014: P. 64). To make the cultural values and local wisdom Ternate, has more value added to the development of citizens Ternate with cultural pluralism. As well as a reflection or self-reflection to appreciate the value of local knowledge.

The development of the values and diversity Local knowledge through learning society.

Re-Internalization of the values of local wisdom in the life of Ternate.

Based on the socio-cultural factors that influence the internalization of the values of local wisdom. Then internalize these values through the following ways: (1). through informal channels; through the family, as well as religious activities in mosques or churches; (2). through formal channels; is school, and government agencies, and (3). Non-formal pathways; Through community organizations, the Forum harmony and community. The third way or this pathway will contribute to the reinternalization together and dynamic values of local wisdom in Ternate.

The role of role models: the meaning of Learning society.

Role models within the cultural context of the people of Ternate has a great influence and role in the process of personality formation society. Reflected in the attitudes and behavior of individuals or groups. A large influence is meant as a respected, have a position or status, including informal as descendants. While the major role is the ability and intelligence to affect a person or group of persons, possess empathy, integrity and credibility.

Learning in the context of society, role models have a role in enlightening the citizens. They are intended namely religious leaders, community leaders, traditional leaders, parents and including teachers. As well as media workers who can influence public opinion. Especially in covering and reflect and interpret

phenomena or events that occur in a society becomes very important.

It is also necessary to further social control for terimplementasikannya values such wisdom. An important social control approach according Soemarjan (2002: p. 309) are: (1) formal social control by means of the state government in this regard; (2) non-formal social control of the community through a variety of role models that exist in a society, and; (3) social control of the personal self or inner control. Each of these individuals as members of society continue to perform internal self-control that is able to withstand the emotions, selfishness, pre-judice, pressing the attitudes and behavior which is detrimental to the interests of the people, as well as other negative attitudes.

Empirically it is felt that the resolution of conflict or social conflict ended in Ternate, not only the role of control or formal control. Even when social conflicts in Ternate was the role of formal control is needed. But the urge to end social conflict itself is a great initiative or encouragement from citizens each faiths. Is the religious leaders, traditional, community, RT and RW, and each head of the family, referred to as role models. It is also caused because habitus or custom citizens humanely has the soul of freedom of expression with a variety of professions. The existence of social conflicts that conditions had been on the point that causes people not treshol expression. So the model or form of social control in non-formal as well as control of the highly determinant in ending social conflict. Meaning citizens as if experiencing pressure and stresser internally within the conflict, so that the strong urge from within to end the social conflict.

Symbolic social control by using symbols. In the form of writings containing moral messages to keep the values of local wisdom in a public place, namely the air service, government offices, schools, old buildings. As an icon of cultural pluralism that has historical values for the benefit of the younger generation for the development of science.

The values of local wisdom that is coherent with the value of Unity in Diversity.

Can be classified in several areas, namely: the field of philosophical, social, as religious rituals, education, and field state or nationality. Ternate as post conflict social pluralism Icon: Pluralisme shape attitudes and behavior of society through social harmony.

Historically Ternate has always had a relationship with other nations. Namely the Chinese nation, followed by the gujarat from Arabic. So that the public relations Ternate start monoculture proceed into a multicultural society. With the social conflict, the level of trust between citizens decreases.

Post conflict community members began to realize that beta importance of living together, which then end the conflict based on noble values of local wisdom, which is facilitated by the government Based on the theory developed cultural pluralism of Unity, that is the preference of minority cultures will follow the majority culture. But what happens in Ternate is still the Chinese community subculture that enclave in Ternate society but harmony because there is a role in the economic and social commerce. Proven ethnic Chinese was awarded a degree by the sultan sultanate of Ternate as *Capita China* (Chinese leader) in Ternate.

To support the pluralism Icon in Ternate, the efforts of people who facilitated local governments. To bring the various ethnic groups in Ternate in the container community, and each community providing representation at national Assimilation Forum (FPK). While role models gathered in the container between the Harmony Forum (FKUB). This is done as a mosaic of regional development based on the values of local wisdom.

Conclusions and Recommendations

Conclusions.

The importance of valuees revitalization through the stages of cultural transformation, communication, adaptation and organization post social conflict.

- (a). Post social conflicts have a mutual level of trust between religious communities, has declined even be able to say no, soul selfishness increased, and pre-judice or prejudiced. To begin to increase the sense of trust it, then start of each religious leaders to give mutual trust among them. After that, the citizens of each religion.
- (b). Spirit primordial and ethnic fanaticism against the still very high today. While the soul and the spirit is very low heterogeneity.

It takes roles in providing role modelsenlightenment of knowledge and experience and social control. Social control that is necessary is either formally through the role of government, as well as non-formal through role models. The next is the existence of social control internally or Inner control. Each individual citizens trying to exercise restraint did not do the attitudes and behaviors that harm the interests of the people. As well as the latter is a symbolic social control, namely through the symbols in the form of writings containing moral messages originating from the values of local wisdom that has laid its foundations by the ancestors of the nation in the area.

Stages revitalization conducted in Ternate, which refers to the theory of revitalization stages are: (1). Cultural transformation; (2). Communication; (3). Adaptation, and (4). Organization. The fourth stage of the revitalization of the run is not circular/linear, but run in cycles.

Ternate as post-conflict social pluralism Icon: shape public awareness through the attitudes and behavior of social harmony.

Historically, that Ternate has always been in a relationship with a nation outside. Before the arrival of European nations is China, followed by the gujarat of Arabic entered into a relationship with the people of Ternate start monoculture, and later became Ternate multicultural because it receives not only from China and Arabic but other residents such as Java and Sulawesi were dominated by trade links and runs today in harmony.

When social conflict level of trust and tolerance of citizens decreased. Psychological causes inconvenience of each party to a conflict, since the breakup of communication and not free in an expedition of merchandise between districts, between islands and even districts. Causing the economy is not running as usual.

After the conflict with the awareness of citizens to defend both sides with joint consensus seeking to end social conflict, facilitated by the government. Based also on the values of local wisdom that has been instilled by the ancestors, regardless of religious background, ethnicity, and culture and customs. The values of cultural pluralism that developed from the slogan Unity in Diversity has inklude.

Based on the theory developed cultural pluralism of values Unity in Diversity, that the cultural preferences of the majority against the minority culture. But what happened in Ternate is still the Chinese community subculture that enclave in society in Ternate. This is because of

the social and economic relationships that occur in mutual trade or mutual benefit of citizens Ternate ethnic Chinese community in general, and to help increase economic growth in Ternate, so keep going on social harmony.

The efforts of community members who facilitated the government to collect the various ethnic communities both local and imigrant communities, who have made Ternate as part of life and living. To the role models gathered in a container called inter Harmony Forum (FKUB). These forums are continuously meet regularly through dialogues as religious and social issues. As for each of the youth and citizens based on ethnicity collected in each container Society organization. And from the community organization representatives gathered again in the intermingling of the National Forum (FPK). This forum was very successful in Ternate, with outreach to residents in Ternate on the importance of establishing and become part of another as a mozaic in Ternate development for all, regardless of various backgrounds respectively Similarly, carry out social activities, namely social work across social, cultural, and religious in Ternate. Suggestion.

The local government city of Ternate, in the preparation of local development planning Ternate city in terms of city planning, in order to always pay attention to the values of local wisdom as the basis of development in the area values-based development or value of local wisdom. Because the value is something abstract or intangible, and it is very binding and private on each individual towards a society educated as a manifestation of a lack of awareness of culture.

Through the Office of the Department of culture and education, to create a symbol or a sign associated with buildings that have historical values and supporting Icon pluralism in Ternate. Then disseminate to members of the community to participate use, care for, protect, as an embodiment of the attitudes and behavior that uphold the cultural awareness of the community.

Indigenous stakeholders sultanate of Ternate, in order to continue to disseminate the values of local wisdom, as well as oversee its manifestations in society. Working closely with the entire device *Mahimo Gam* custom or village chief, and *Gam Mahimo* or traditional leaders in each village or town environment in the city of Ternate.

Citizens Ternate, in order to continue to maintain the values of local wisdom as well as supporting the values of Unity in Diversity, for social hamoni in Ternate. Always with a common interest in the overall attitudes and daily behavior.

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Prediction of Yellowfin Tuna Fishing Ground in Wastern Halmahera Waters Province of North Moluccas

Umar Tangke¹⁾, John W. Karuwal¹⁾, Achmar Mallawa²⁾, Mukti Zainuddin²⁾

Abstract. Madidihang or mostly known as yellowfin tuna is the product fisheries seed tang in Halmahera Western waters, Province of North Moluccas, with total production is still below MSY. This study was conducted for the purpose of predict yellowfin tuna fishing ground in Halmahera Western waters using data the field and satellite images in analysis with put it through statistical analysis and systems information geographical analisys (SIG) in research methodology to map relations yellowfin tuna fish catch and oceanography parameter of them temperature sea surface and concentration klorofil-a that are supposed to be help fishermen in the determination of fishing ground, so that effectiveness and efficiency arrest operation could be achieved to increase production of yellowfin tuna. The results of the study showed that sea surface temperature and klorofil-a consentration Together give real impact to yellowfin tuna fish cath with value a correlation coefficient (r^2) as much as 0,753. While individually fish catch yellowfin tuna influenced by the sea surface temperature of 47.09 % and chlorophyll-a concentration of 45.03 %, with the predicted potential fishing ground of yellofin tuna fish from January to March at coordinates 01°41'29 "N-126°40'53" E to 01°08'13 "N-126°50'00" E, in April and May at coordinates, in May until August 00°20'16 "N-126°22'12" E to 00°34'31"N-126°41'59" E, from September to October 01°38'12 "N-126°44'17" E through 02°14'46 "N-127°09 '40 "E.

Keywords: Yellowfin Tuna, Wastern Halmahera Waters, North Mollucas

I. INTRODUCTION

The western part of Halmahera Sea is part of the waters of the waters of Maluku and North Maluku and is the link between the Indian Ocean in the south and the Pacific Ocean in the north causing the nature of the water mass is a combination of the two waters, where the mass of water from each waters has different oceanographic characteristics so that the mass mixing of water can be a potential area for fishing of certain species such as tuna species. In addition, the waters of North Maluku is also a migration area of various types of tuna fish such as yellowfin tuna.

Figure 1 is a type of madidihang fish known as yellowfin tuna (*Thunnus albacares*), which is a large pelagic fish species which is a major export commodity from marine waters North Maluku especially West Halmahera waters. Until 2015 madidihang fish production in the area is still relatively low or less than MSY. The low level of exploitation is thought to be due to several reasons such as the determination of inappropriate fishing areas by fishermen so that a lot of fishing time is done to look for fishing areas. This

method is certainly less efficient and effective, because it requires quite expensive operating costs and less than optimal production.



Fig 1. Yellowfin Tuna (Thunnus albacares)

The prediction of fishing area can be done through oceanographic factor approach, where the distribution and presence of fish populations in marine waters is strongly influenced by these factors and have the optimum oceanographic condition condition for their life. So by knowing the condition of the optimum oceanographic factor of a fish species, we can expect the existence of fish group so that it can be used for the purpose of catching (exploitation) especially important type of fish such as yellowfin tuna fish.

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This study aims to analyze the relationship between oceanographic parameters and yellowfin tuna catches as well as create thematic maps and predict potential areas of yellowfin tuna in North Maluku Sea waters particularly in West Halamahera waters. The benefits of this research are as a data base and as an information for fishermen, local government and capture fisheries entrepreneurs in improving the efficiency and effectiveness of fishing operations.

II. MATERIAL AND METHOD

This research was conducted in January to October 2016, located in the waters of West Halmahera Province of North Maluku with fishing base to conduct fishing activities at PPN Ternate.

The tools used in the research are Hand Catching Line tool, Global Position System (GPS), Compass, One computer unit, Digital camera and Oceanographic data retrieval equipment. The materials used in this research are Yellowfin tuna fish, Digital Map of North Maluku waters, Satellite Imagery Data of Oceanographic parameters from AQUA / MODIS satellite, ArcView 3.3 software, ENVI 4.3, SPSS 12, MS Office 2003 and 2010.

Reseach procedures

Stages to be implemented in this research activity is as in the following flow diagram:

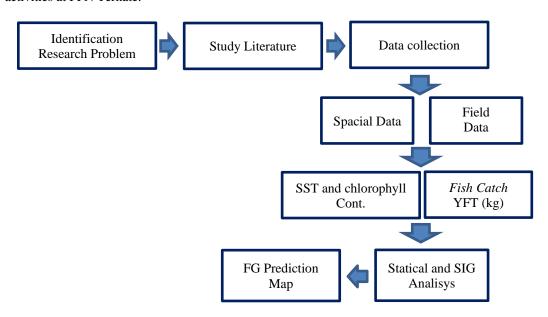


Fig 2. Flow Chart of Work Procedure

Here is an explanation of work flow method diagrams:

Identification and Problem

The initial stage before starting the research is to formulate the problem of determining what problems arise and must be solved through this research, determining the boundaries, determining the purpose of the research and the benefits obtained.

Study Literature

At this stage we will explore and study in depth the meaning and concept of remote sensing especially its application at sea surface temperature and the distribution of chlorophyll-a.

Data collection

a. Spatial data, spatial data is data that has geographical reference (coordinate system) that refer to earth

(georeference). Spatial data collected to support this research is AQUA / MODIS satellite imagery and topographic map of Indonesia scale 1: 1.000.000 Bakosurtanal (digital map) as reference of geometric correction.

b. Field data, field data collected in the form of data on the number of catch / trip.

Data processing

Satellite image conversion from January to October 2016 with ENVI 4.3 softwere to get SPL and chlorophyll-a values.

Analysis

Regeresi analysis to see the relationship between Catch (Bloated fish catch) with SPL and chlorophyll-a, the mathematical formula is: $y = a +b_1x_1 + b_2x_2 + e$

Where:

Y = Catch (kg),

a = Intercept,

b1 = SST regression coefficient,

x1 = SST

b2 = Regression coefficient Chlorophyll-a,

x2 = Chlorophyll-a

Results Stage

The results obtained from this study in the form of a map of the predicted location of potential areas of yellowfin tuna fishing pour in the form of thematic maps.

III. RESULTS AND DISCUSSION

A. Yellowfin Tuna Production During January -October 2016

Production of yellowfin tuna catch from January to October 2016 is very volatile and shows a declining trend, with total production of 17,616.22 kg and average production for 10 months is 2,936.04 kg. The highest production in September was 3,776.80 kg and the lowest production in July with the catch amounted to 1,842.12 kg. Production of yellowfin tuna fish during January - October 2016 can be seen in Figure 3. Based on yellowfin tuna's monthly average catch from January to July 2016 it shows that the peak season is September 2016.

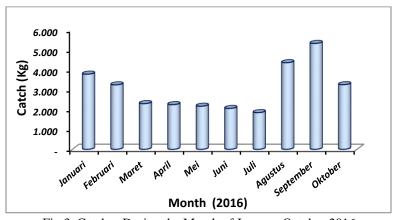


Fig 3. Catches During the Month of January-October 2016

B. Fluctuations of Oceanographic Parameters

Characteristics of oceanographic parameters in marine waters of North Maluku experienced varying fluctuations during the study. This can be seen in the monthly fluctuations of sea surface temperature and chlorophyll-a parameters during the study from January to October 2016.

1. Sea Surface Temperature

Water temperatures have varied effects among different types of fish, even in one type of fish the temperature may have different effects on the standard metabolic rate of the fish. Thus the madidihang will choose the temperature according to its metabolic requirements. Temperatures that are too extreme that can not be adapted by madidihang at a particular stage of life can cause an evasion reaction to the area.

Figure 4, the monthly sea surface temperature distribution in the study area in January and October 2016. The sea surface temperature from January to March was relatively similar in the range of 29 - 29.75 °C, with an average value of 29.26 °C, the low sea surface temperatures in these three months are thought to be influenced by weather conditions, where weather conditions in the wavy west season cause uneven

mixing so that sea-level temperatures are relatively low and similar in surface and mid-water layers. The sea surface temperature then fluctuates from April to June. In April the sea surface temperature at the study sites was quite high, ranging from 29.3 - 31.5 °C and starting to fall in the range of 29.6 - 30.75 °C, with the average temperature distribution being 30.57 °C. The high value of sea surface temperature in April and began to decline in May and June 2016 is allegedly influenced by meteorological conditions and the duration of sunlight exposure where in those days the weather is generally relatively bright and less cloudy (BMKG Prov. North Maluku, 2016).

In July and August sea-level temperatures dropped again to a range of 28.5 - 29.0 °C, with an average of 28.75 °C on both months. The decrease of sea surface temperature in June to August 2016 is also suspected due to upwelling so that sea surface temperature drops and lower than 29 oC. In September to October 2016 sea surface temperatures are again rising and are in the range of 29.4 - 30.2 °C with average temperatures of 29.6 °C, this condition is suspected as the waters return to normal after upwelling in the Maluku Sea.

2. Chlorophyll-a

Phytoplankton concentration (chlorophyll-a) waters is one of the important marine biological components especially for mapping the potential of marine biological resources. This is supported by the condition that the light in the waters of Indonesia is quite a lot throughout the year, so if there is a slight increase or decrease in water chlorophyll content then this is caused by the process of oceanography including a change in the contribution of the amount of food content from the mainland, while the plankton population may change from year to year related to seasonal and annual climate change (Hendiarti, 2008).

Distribution of chlorophyll-a concentration at the study site can be seen in Figure 5, where the value of chlorophyll-a concentration in January was in the range of 0.14-0.4 mg/m³, with an average value of 0.22 mg/m³, month February the concentration of chlorophyll-a is in the range that is almost equal to January that is 0,16 - 0,5 mg/m³, with average value 0,26 mg/m³. In March 2016 the value of chlorophyll-a concentration was in the range 0.14 - 0.7 mg/m³, with an average value of 0.24 mg/m³. In April the conditions of chlorophyll-a concentration at the study sites were in the range 0.12 - 0.23 mg/m³, with an average value of 0.21 mg/m³.

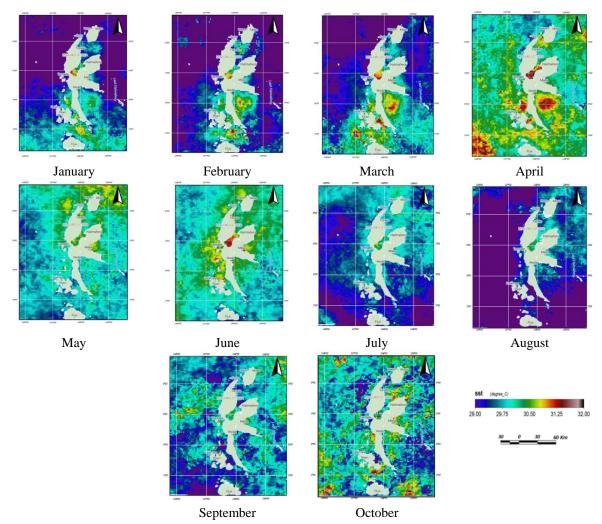


Fig 4. The distribution of SST in January - October 2016.

In May the concentration of chlorophyll-a was in the range 0.12 - 0.23 mg/m³, with an average value of 0.19 mg/m³. In June 2016 the value of chlorophyll-a concentration increased in the range of 0.14 to 0.4 mg/m³, with an average value of 0.27 mg/m³. In July and August 2016 the value of a-chlorophyll

concentration in the range of 0.13 - 0.40 mg/m³, with an average value of 0.22 mg/m³. In September the range of aqueous chlorophyll-a concentration was 0.13-0.94 mg/m³, with an average value of 0.34 mg/m³, the sediment distribution of chlorophyll-a concentrations in October was lower than the previous month where the

concentration value chlorophyll-a is in the range less than 0.19 mg/m³, with an average value of 0.15 mg/m³.

In general, fluctuations in chlorophyll-a concentrations in January to October 2016 ranged from 0.13 - 0.9 mg/m³ with an average distribution of chlorophyll-a content of 0.26 mg/m³. Seen from the average concentration of a-chlorophyll in the Maluku sea waters at a surface layer of 0.26 mg/m³, this value indicates that the waters are suitable for catching areas,

in accordance with the opinion of Zainuddin et al (2007), that a waters has a certain range where fish are congregated to perform physiological adaptations to other factors such as temperature, flow and salinity that are more suited to the fish-cooled, but the presence of a chlorophyll-a concentration above 0.2 mg/m³ indicates the presence of sufficient plankton to maintain the viability of economically important fish.

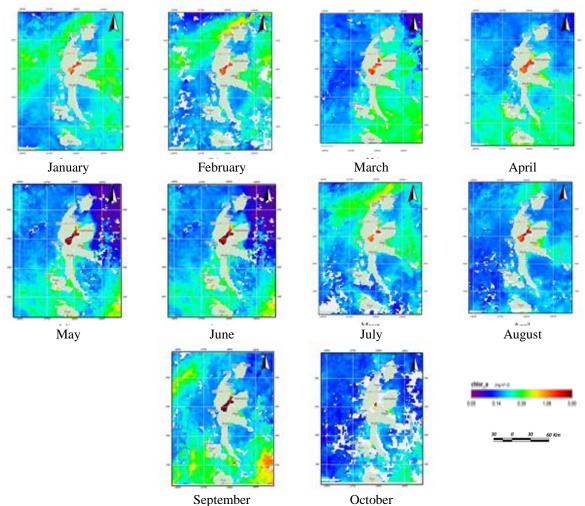


Fig 5. Chlorophyll-a Concentration January-October 2016.

C. Relationship of SPL and Chlorophyll-a with the Catch

To see the relationship between oceanographic factor and Yellowfin tuna fish catch, F_{test} , where F_{test} results can be seen in Table 1. The results of F_{test} in Table 1 show that together oceanographic factors ie sea surface temperature and chlorophyll-a real to Yellowfin Fish catch, with F_{count} 9.320 and

significance value $0.000 < \alpha$ (0,05). The value of correlation coefficient on F_{test} result is 0,569 and r^2 value is 0,753 or about 75,3% of Yellowfin tuna fish catch in marine waters of Maluku influenced by sea surface temperature and chlorophyll-a concentration.

Further test results to see the relation of each oceanographic factor with yellowfin tuna fish catch using non linear regression can be seen that yellowfin tuna catch is influenced by sea surface temperature

equal to 47,09% and can be seen that trend line will decrease along with increase sea surface temperature and best temperature for fishing at sea in Maluku

Province of North Maluku is at 29.1 - 29.9 °C (Figure 6).

Table 1. Test Results F

	df	SS	MS	F	Sig
Regression	2	4214617.62	2107309	9.320	0.000
Residual	39	8817346.98	226085.8		
Total	41	13031964.6			

Figure 8 shows the graph of the relationship between chlorophyll-a concentration and yellowfin tuna fish catch individually using non linear regression analysis. The result of the test shows that the effect of the concentration of corofil-a on the yellowfin tuna fish catch is 45.03% (r2 0.4503), with the trend line increasing along with the increase of chlorophyll-a concentration, it shows that if the chlorophyll-a

concentration rising in one of the waters, it will also increase the number of yellowfin tuna fish catch. Furthermore in Figure 11 it can be seen that the effect given by chlorophyll-a, wherein if the chlorophyll-a concentration decreases from 0.19 mg / m3 then the catch will decrease as well, if the chlorophyll-a concentration rises or greater than 0.20 mg / m3 then the catch will go up as well.

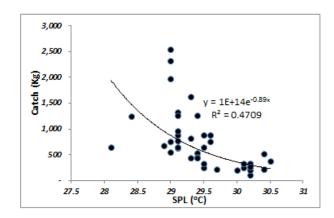


Fig 6. Relationship on SST with Yellowfin Tuna catch

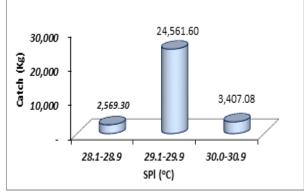


Fig 7. The distribution on SST and Yellowfin Tuna catches

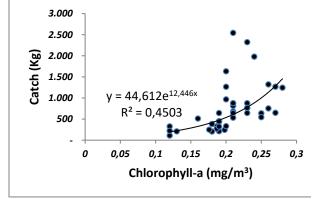


Fig 8. Relation of Chlorophyll-a with Fish Catch

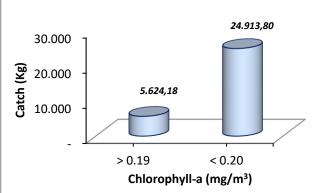


Fig 9. The distribution on Chlorophyll-a and Yellowfin Tuna catches

D. Prediction Potential Yellowfin Tuna Catching Area

Potential Fish Potential Prediction is based on interviews and an analysis of three indicators, namely

the number of yellowfin tuna fish catch, concentration of sea surface temperature distribution and chlorophylla in the fishing area. The prediction of potential fishing areas in January to March 2016 lies to the northwest of the fishing base with a distance of 137.2 km to 185.8 km from fishing base at location 01°41'29 "N-126°40'53" E to 01°08'13 "N-126°50'00" E. In April and May 2016, the potential yellowfin tuna fishing area was approximately 80.3 km and 122.9 km west of the fishing base at the location 00°04'36 "N-126041'59" E to 01°41'31 " N-126°55'49 "E. In May 2016 the yellowfin tuna concentration area is in the westward direction of

the fishing base by distance, whereas in June to August the potential catching area moves towards the Southwest with a distance of 126.7 km to 129.3 km from the fishing base at the location of 00°20'16 "N-126°22'12" E to 00°34'31 "N-126°41'59" E. In September and October 2016 the yellowfin tuna fishing area was northwest of the fishing base with a distance of 123.5 to 131.2 km from the fishing base at 01°38'12 "N-126°44'17" E to 02°14'46 "N-127°09'40" E. Prediction of potential fishing areas in January to October 2016 can be seen in Figure 10.

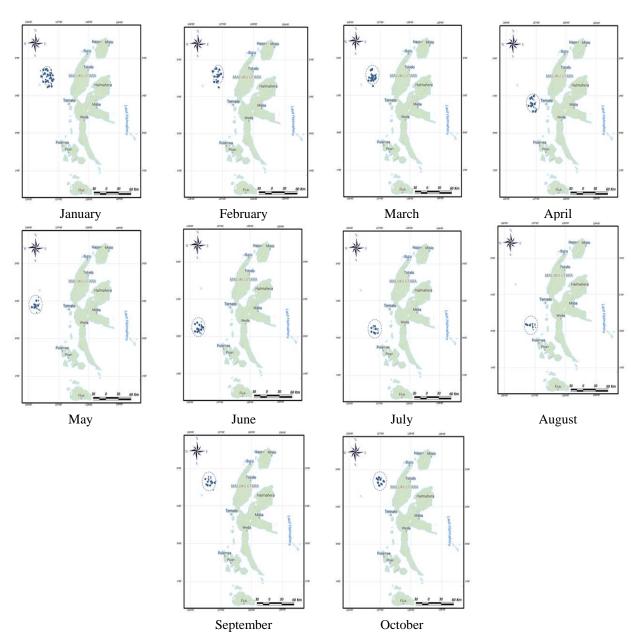


Fig 10. Predicted Yield of Yellowfin Tuna Month from January to October 2016

IV. CONCLUSION

The results showed that sea surface temperature and concentration of chlorophyll a significant effect on yellowfin tuna fish catch with correlation coefficient (r2) value of 0.753. While individually yellowfin tuna fish catch is influenced by sea surface temperature equal to 47.09% and chlorophyll-a concentration of 45.03%, with the predicted potential fishing ground of yellofin tuna fish from January to March at coordinates 01°41'29 "N-126040'53" E to 01008'13 "N-126050'00" E, in April and May at coordinates, in Juny until August 00°20'16 "N-126°22'12" E to 00°34'31 "N-126°41'59" E, from September to October 01°38'12 "N-126°44'17" E through 02°14'46 "N-127°09 '40 "E.

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Inovasi BUMN di era k-economy

(Strategy for Increasing Performance through Organizational Learning and Innovation in State Owned Enterprise (SOE)

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Abstract

The research which is discussed in this paper is to ascertain the relationship between Entrepreneurial Orientation, Organizational Learning, Innovation and Business Performance in State Owned Enterprises (SOE) in Indonesia. Entrepreneurial Orientation and its principles have increasingly been introduced to the industry to improve Business Performance. However, little research summaries the model that exposes the relationships between Entrepreneurial Orientation and mediating role of Organizational Learning and Innovation and demonstrates their importance to Business Performance. A Survey to 45 managers of 118 Indonesia's State Owned Enterprises in Indonesia would be conducted and analysis of data using partial least square modeling would be used to test the hypotheses. The paper shows the strategy in various industry in stated owned enterprise in Indonesia. Specific application of corporate strategy tends to be connected with Entrepreneurial Orientation and Organizational Learning and Innovation. The findings would be expected to suggest that company might increase their performance by creating high level of entrepreneurial orientation to support Organizational Learning and Innovation as their organization strive for specifics competitive goals.

Keyword – Entrepreneurial Orientation, Organizational Learning, Innovation, Business Performance, State Owned Enterprises (SOE)

1. Introduction

The SOE sector in Indonesia is large, with total number of 168 and another dozen companies in which the government has a minority stake. In terms of the total assets held, these SOEs account for Rp 3.5 quadrillion (US\$300 billion). The total revenue approximations of these enterprises stood at Rp 1.5 quadrillion or about a fifth of the Indonesian gross domestic product (GDP) in 2014. (Rahedja, 2014)

Their sector-wide presence is persistent with interests in energy, power, transportation, aviation, agriculture, banking and telecommunications, however only one Indonesia SOE ranked in the Fortune 500 list; Pertamina. One of the method to improve it would be for the government to divest its stakes in the loss-making businesses and reform the profit-making ones. The reform would be for these enterprises to be publicly listed on the Indonesia Stock Exchange (IDX). This would ensure greater transparency of information diffusion regarding their corporate governance structure, subject them to rigorous requirements and expose them to increased public examination and independent audits. Another step toward change would be appealing the best leader to the SOEs and engaging them to senior positions in a transparent an open and manner, for example state enterprises like Garuda Indonesia and Pertamina have grown under the leadership of their independent and capable previous managers. Public enterprise leader will tend to behave as entrepreneurs, strive for efficiency and achieve profitability if the government ministry together with them are responsible for their compatible profit objectives. The acceptance of such objectives by both parties will help to move state enterprises away from political influence, improve performance towards a firmly market, learning orientation and innovation (Mardjana, 2006).

This study has two objectives, the first objective was to examine the relationship between Entrepreneurial Orientation, Organizational Learning, Innovation and its impact to Business Performance of SOE in Indonesia. The second objective was to investigate the mediating role of organizational learning and Innovation in the relationship between Entrepreneurial Orientation and Business Performance.

A conceptual model of the key factors will be developed by taking the first step of review the literature as contextual to the development of the hypotheses. The next step is discussion of the variables, measures and the methodology used in the fieldwork.

2. Literature review, hypothesis and model

2.1 Literature review

Entrepreneurial orientation

Entrepreneurial orientation is connected with methods, practice and decision making styles, that managers use to act entrepreneurially, which leads companies to develop product market orientation, take risks and act proactively (Real, Roldán, & Leal, 2014). In relation to firm's behaviour, Lechner, & Gudmundsson. (2014) also agree that Entrepreneurial orientation is understood as the strategy-making processes, characterized by innovativeness, reactiveness, risk-

taking, competitive, aggressiveness and autonomy, facilitating the search of opportunities. According to (Covin et al., 2006) Entrepreneurial orientation is a firm level outcome, management related preferences, beliefs, and behaviours as expressed among a firm's top-level managers.

Entrepreneurial orientation as originally conceptualised by (Miller, 1983), incorporate a firm's propensity for risk taking, innovation and proactiveness. (Lumpkin & Dess, 1996) further refined the Entrepreneurial orientation construct, and added two components of competitive aggressiveness and autonomy. In explaining the construct, (Covin & Slevin,1988, p 218) describe Entrepreneurial orientation as the extent to which "top managers are motivated to take business related risks, to favour change and innovation in order to obtain a competitive advantage for their firm, and to compete aggressively with other firms.

(Lumpkin & Dess, 2005 p.147) theorised Entrepreneurial orientation as 'a frame of mind and perspective about entrepreneurship that are reflected in a firm's ongoing process and corporate culture'. Further, (Miller, 2001.p 875) clarified that Entrepreneurial orientation encompassed a process or 'a way in which entrepreneurs behave in creating their 'new entry" – be that entry new firm, a new product or technology, or a new market'.

The five dimensions of Entrepreneurial orientation within a firm was described by (Rauch et al. 2009, p. 763) as the following: 1) Risk taking describes the ability of a firm to take bold actions through 'venturing into the unknown, borrowing heavily, and/or committing significant resources to undertaking in uncertain environments'. 2) Innovativeness involves the tendency 'to engage in creativity and and support new ideas, experimentation, novelty and creative processes that may result in new product services as well as technological leadership via R&D in new process'. 3) Proactiveness focuses on the 'opportunity-seeking, forward -looking perspective characterized by the introduction of new products and services in advance of the competition and action in anticipation of future demand (Lumpkin & Dess, 2001). 4) Competitiveness aggressiveness refers to the 'intensity of a firm's effort to outperform competitors in the marketplace (Certo et al., 2009) and is characterized by a strong offensive position to competitive threats. (Lumpkin & Dess, 1996) differentiated between competitive aggressiveness (i.e., behaviour aimed at competitors) and proactiveness (i.e behaviour oriented to taking the initiative toward clients). Finally, 5) Autonomy relates to 'independent action undertaken by entrepreneurial leaders or teams directed at bringing about a new venture and seeing it to fruition' (Rauch et al., 2009, p. 763). Previous research supports this interpretation as autonomy has been found to encourage innovation, increase the competitiveness (Brock, 2003).

According to (Green, Covin & Slevin, 2008) entrepreneurial orientation has been viewed as a strategic approach in decision making process along with means of achieving firm performance. Firms with high strategic proactiveness tend to identify, create and launch new opportunities to sustain competitive advantage. According to (Rauch et al., 2009, p.762) Entrepreneurial orientation has its roots in the strategy-making process literature, and has been describes as the 'strategy making processes that provide organisation with a basis for entrepreneurial decisions and attractions'. Further (Ismail & Rashid, 2012) also posit that

Entrepreneurial orientation generally used to explain the behavioural tendency and it is about the intention and actions of individuals actively involved in dynamics processes.

Thus, Entrepreneurial orientation encompasses those and practices that provide a basis for entrepreneurial decisions and actions, and comprises of strategy-making practices and processes, aimed at developing venture opportunities (Rauch et al.,2009; Wales et al.,2011).

The current study views entrepreneurial orientation as a dynamic capability firm-specific abilities that allows organizations to reconfigure their existing resources and continuously reshape the organization (Teece, Pisano & Shuen, 1977; Zahra, Sapienza, & Davidson, 2006). According to this perspective, wealth creation and economic rents are a result of the interplay between the exploitation of existing capabilities and the development of new capabilities.

Organizational Learning

The organizational learning theory is increasingly becoming a source of interest among researcher and practitioners, and it is also becoming a point of widespread controversy and confusion, because there is no single perspective in current theory is sufficient to capture the multiple connections that learning creates and from it emerges (Antonacopoulou, 2006). Organizational learning is widely discussed in the literature, ranging from information system to student learning in school system (Atwood, Mora, & Kaplan, 2010).

Research has shown that many successful learning models inspire new ways of thinking by individuals inside the organization (Agryris & Schon, 1978). The literature on exploratory learning and exploitative learning focuses primarily on wether existing knowledge (exploitation) or new knowledge (exploration) is enhanced as a direct result of organizational learning. The literature on generative versus adaptive learning (Senge, 1990; Slater & Narver, 1995) takes into account wether organizational learning result in incremental change (adaptive learning) or radical change (generative learning) to the firm's existing knowledge base. The literature on absortive capacity (Cohen & Levinthal, 1990; Zahra & George, 2002) concentrate mainly on whether the organization is able to effectively acquire and assimulate external knowledge (potentital absorptive capacity) or transform and exploit this knowledge internally (realized absorptive capacity).

The ability to enhance its existing skills and competence is directly related to the level of knowledge-based resources owned by an organization (Zahra et al., 2006). Knowledge-based resources can be defined as information-related assets that are applied by organizations to generate economics rents (Miller & shamsie, 1996). The knowledge based resources are accountable for competitive capabilities of organizations (Easterby-Smith & Prieto, 2008; Walter et al.,2006). For this reason, dynamic capabilities explain the role played by the process in the organization leading to the external acquisition and internal generation of knowledge (Zollo & Winter, 2002). Organization can utilize Entrepreneurial orientation to reconfigure their resource base to develop new capabilities, by acquiring and internalizing knowledge (Teece et al., 1997).

(Zahra, Nielsen et al., 1999) suggest a distinction between "acquisative learning" and "experimental learning". Acquisitive learning accurs when a firm acquires previous knowledge

that exist outside its boundaries, while experimental learning occurs internally when new knowledge is created. Acquisative learning results primarily from the acquisition of knowledge-based resources and experimental learning result primarily from the integration and/or exploitation of knowledge-based resources (Yang, Narayanan, & Zahra, 2009; Zahra, Nielsen et al. 1999).

Experimental learning represent a competitively result that can be utilized by organizations to enhance their core capabilities (Yang et al, 2009), whereas the acquisition of knowledge-based resources often precedes the ability of the firm to integrate and/or exploit these resources (Nhapiet & Ghoshal, 1998; Podolny & Page, 1998).

Innovation

Scholars have provided various definitions of innovations in an attempt to explain what they understand by innovativeness. Joseph Schumpeter was the first who discovered the critical role of innovation in economic growth of countries. He discussed that innovation appears like one of these patterns, the introduction of a new goods and the introduction of a new method of production, the opening of a new market, the conquest of a new supply source of raw materials or half-manufactured goods or carrying out of the new organization of any industry (Schumpeter, 1934, p.66).

According to (Van der Ven, 1986), innovation has been defined as the adoption of an idea or behavior that is new to the organization and may pertain to a product, service, method, device, system, policy, or program (Damnpour & Gopalakrishnan, 2001). The introduction of products and processes into organization enables the organization to develop a series of routines that facilitate its adaption to changes in the dynamic environment (Dixon et al., 2014). Innovation can enable organizations to adapt to those changes in their environments that leave them only two alternatives: to innovate or to die. In this disposition, (Alegre and Chiva, 2008). considered that the successful introduction of new products is the lifeblood of most organizations

Innovation has become widely recognized as a key to competitive advantage (Francis and Bessant 2005). Firms can achieve competitive success by creating superior value for customers through innovation (Drucker, 1985; Kanter; 1989; Schumpeter, 1934). Firms would be able to obtain long-term success only if they can continually create new products, systems, and service items to meet the demands of the customer (Chang and Lee, 2008).

The goal of innovation is to create business value by developing valuable ideas to customers. This is problematic for most companies to achieve due to the lack of a method and tools (Lee J and Abu Ali, 2010). The ability to innovate is considered as an important organizational capacity to secure long-term competitive position and is influenced by external and internal factors to the organizations, and (Cravens DW, Piercy NF, Low GS 2002; Hernández-Mogollon, 2010).

Innovation can be viewed as a sequential, three-phase process that involves idea generation, idea development, and the diffusion of developed concepts (Hansen & Birkinshaw,

2007). Along all the phases, managers must complete six critical task – internal sourcing, cross-unit sourcing, selection, development, and company wide spread of the idea.

Innovation also has been classified using binary systems that differentiate between radical and incremental, product and process, continuous and discontinuous, or technical and administrative (Damanpour, 2009)

Furthermore, innovation is understood as a phenomenon with two different phases: initiation and implementation. The initiation phase entails "openness to innovation" (Zaltman et, al., 1973, p.64) and depends on whether the people within the organization accept or resist innovation. Some author refers to this stage as innovativeness or an innovative business culture (Hurley & Hult, 1998; Hult et al.,2002), and it is generally seen as a variable that reflects the culture, values, and principles that guide the innovation-related behavior of the organization's members. Hurley and Hult (2005, p. 281) refer to the second phase using the term "capacity to innovate", which they define as the "degree of innovations actually adopted by the organization". This concept is connected to the ability to successfully implement innovative ideas to the products, services, and processes (Miller et al., 2007).

In this paper, we define "capacity to innovate" as referring to outcomes of technological innovation in products, services, and processes (Miller et al., 2007). We will analyze innovation from the perspective of both dimension-innovativeness and capacity to innovate-in an attempt to generate contributions of greater value to the literature. Some important definitions of this concepts are listed in Table 1. Innovation Definition

Table 1 Innovation Definition

Scholar	Definition
(Crowley & Karim)(2010)	Innovation is not a simple flash of inspiration but an extended and organized process of turning bright ideas into successful realities
(Wang & Ahmed, 2004)	Organizational innovativeness is an organization's overall innovative capability of introducing new products to the market, or opening up new markets, through combining strategic orientation with innovative behavior and process
(Belliveau et al., 2002, p. 446).	"a new idea, method, or device. The act of creating a new product or process. The act includes invention as well as the work required to bring an idea or concept into final form"
Zaltman et al. (1973), Damanpour and Evan	Company innovation is defined as the taking up of an idea or behavior in relation to a product, service, instrument,

(1984) Daft (1992)	system, policy or program that is new to the company
Slaughter (1998)	Innovation is the actual use of a nontrivial change and
	improvement in a process, product, or system that is novel
	to the institution developing the change
(Rogers, 1995, p. 11).	"an idea, product or process, system or device that is
	perceived to be new to an individual, a group of people or
	firms, an industrial sector, or a society as a whole'
OECD, 1991	"an iterative process initiated by the perception of a new
	market and/or service opportunity for a technology-based
	invention which leads to development, production and
	marketing tasks striving for the commercial success of the
	invention"

Business Performance

Organization are under great pressure to deliver value not only to their shareholders but also to other stakeholders, and they believe BPM system can help them in this task (Ittner & Larcker, 2001, 2003). This may explain why many organizations are financing in the development of BPM systems (Neely et al., 2008). The use of Business Performance Management is recommended for facilitating strategy implementation and enhancing organizational performance (e.g., Davis & Albright, 2004). Business Performance Management (BPM) comprise the use of financial as well as non-financial performance measure linked to the organization's business strategy. For instance, balanced scorecards (BSC) (Kaplan & Norton, 2001) and multi criteria key performance indicator (KPI) can be considered BPM systems (Cheng et al., 2007; Hall, 2008).

According to (Saniuk, Cagáňová, & Čambál, 2013) Business Performance Management (BPM) is a concept of management which focuses on providing employees with information for the effective performance of their duties. The main goal of BPM is the integration of all the financial and operational data, ensuring its quality, reliability and availability, and includes the area associated with the planning, measurement and evaluation of the effectiveness of the organization (Saniuk, Cagáňová, & Čambál, 2013).

In order to understand the process of identifying and selecting of BPM systems that will be the focus of their objectives, (Franco-Santos, Kennerley, & Micheli, 2007) propose five different categories of BPM systems roles. These are: (1) 'measure performance', encompass of monitor and measure performance/evaluate performance; (2) "strategy management:, this category comprises the roles of planning, strategy formulation, strategy implementation/execution, and focus attention/provide alignment; (3) "communication", comprises the roles of internal and external communication, and compliance with regulations; (4) influence behaviour", encompasses the roles of rewarding or compensating behaviour, managing

relationship and control; and (4) "learning and improvement" comprises the roles of feedback double-loop learning and performance improvement.

According to (Nudurupati, Bititci, Kumar, & Chan, 2011) in the 1940s and 1950s there was a bi industrial assault by a number of Japanese companies facing a number of quality issues such as lot sizes, defects, inventory wastes, and processing wastes. The Japanese have then translated their solutions into a collection of tools, techniques, procedures, no commonly known as Total Quality Control (TQC), just-in-time (JIT), Kaizen, which gave a competitive edge in global markets.

Prior to the 1970s; industries in the Western World based their management paradigm on its manufacturing and service capacity and sales (Neely & Austin, 2002). Much of them emphasis on financial indicators for controlling the business such as sales, productivity, efficiency, and ROI. Western countries put much of their emphasis in innovation and competed with major advance in Computer Aided Design (CAD), Computer Aided Manufacture (CAM), materials Requirements Planning (MRP) etc. (Abdel-Moty & Khalil, 1986' Daboub, Trevino, Liao & wang, 1989; Imai, 1986). For that reason, (Kaplan, 1983) said that the traditional cost accounting models developed for mass production and few standardised products were up-dated to accommodate the business environment in 1970s

In the 1980s the West recognised that Japanese economic success with limited resources was the result of operational efficient and effectiveness (Hayes & Abernathy, 1980). Japanese techniques and practices started to gain wide acceptance throughout the world. The cost accounting models described the production processes using extremely simplified models such as Economic Order Quantity (EOQ) (Kaplan, 1984). New dimensions of business performance such as quality, time, cost and flexibility came into the picture (Slack, 1983).

Hence a number of academics and practitioners recognised the need to change traditional accounting measurement systems to accommodate the new manufacturing philosophies and dimensions (Dixon, Nanni & Vollmann, 1990). From the quality management and process improvement field we have seen approaches, such as Lean Enterprise and Six Sigma, make extensive use of performance measurement to manage and improve performance of processes and organisations (Banuelasm Tennant, Tuersley, & Tang, 2006).

Towards late 1980s and 90s many academics have criticised the problems with the traditional financial measures based on lagging indicator and backward looking accounting system (Dixon et al., 1990; Goldratt & Cox, 1986; Hayes& Abernathy, 1980; Johnson & Kaplan, 1987; Kaplan & Norton, 1992; Keegan, Eiler & Jones, 1989; Neely, Mils, Gregory, & Platts, 1995; Skinner, 1974).

Since then a number of frameworks as well as tools and technique have been developed for designing performance measurement Neely (1999) reports that from 1994 to 1996, there were more than 3600 articles published on performance measurement, which was described as a revolution. In many companies, non-financial indicators such as quality, customer satisfaction, cycle time, and innovation were recognised. They acted as the leading indicators for the financial performance (Ittner & Larcker, 1998; Suwingnjo, Bititci, & Carrie, 1997).

Some of the models and frameworks, which made significant impact in designing performance measures in practice, are strategic measurement and reporting technique (SMART) (Cross & Lynch, 1988–1989),

The Performance Measurement Matrix (Keegan et al., 1989), Results and Determinants Framework (Fitzgerald, Johnston, Brignall, Silvestro, & Voss, 1991), Balanced Scorecard (BSC) (Bhagwat & Sharma, 2007; Kaplan & Norton, 1992; Kaplan & Norton, 1996 and Kaplan & Norton, 2001), Cambridge Performance Measurement Systems (CPMS) Design Process, (Neely et al., 1996), Integrated Performance Measurement Systems (IPMS), reference model (Bititci & Carrie, 1998), Performance Prism (Filippetti) (Neely & Adams, 2001), FFQM Business Excellence Model (EFQM, 1999), etc.).

According to (Neely et al., 1995), performance measurement is defined as "The set of metrics used to quantify both the effectiveness and efficiency of actions", other scholar Hall (2008) (p. 43). defines BPM a system that "translates business strategies into deliverable results combining financial, strategic and operating business measures to gauge how well a company meets its targets".

Similarly, Larcker & Randal 2003) (p. 715) suggest that BPM "provides the information [financial as well as nonfinancial] that allows the firm to identify the strategies offering the highest potential for achieving the firm's objectives, and aligns management processes, such as target setting, decision-making, and performance evaluation, with the achievement of the chosen strategic objectives"

(Franco-Santos, Lucianetti, & Bourne, 2012) clarified the definition of BPM as "a system exists if financial and non-financial performance measures are used to operationalize strategic objectives. According to the definition proposed, systems such as those based on the BSC (Kaplan and Norton, 1992, 1996, 2001), the performance prism (Neely et al., 2002), or the levers of control framework (Simons, 1995) are considered BPM. Systems adopting various KPI's are also considered CPM systems. However, systems such as traditional budgeting system or activity-based costing systems will not be considered as BPM mainly because they focus on cost drivers that are measured in financial terms only. Thus, they do not meet the requirement of having both financial and non-financial performance measures.

(Franco-Santos et al., 2007) conducted a citation analysis containing each definition and extracted which the most cited definition is Neely, Gregory & Platts 234 citation, whereas Kaplan & Norton 1996 130 citation. The definitions selected from the literature and the results of the citation analysis are presented in Table 2.

Table 2 Selected definition of BPM

Peneliti	Definisi
(Franco-Santos et al., 2012) p.6	"A system exists if financial and nonfinancial performance measures are used to operationalize strategic objectives"
(Hall, 2008) (p. 43).	"A system that "translates business strategies into deliverable results combining financial, strategic and operating business measures to gauge how well a company meets its targets"
(Bourne, Neely, Mills, & Platts, 2003) (p. 4)	"A business performance measurement system refers to the use of a multi-dimensional set of performance measures for the planning and management of a business"
(Ittner, Larcker, & Randall, 2003) (p.715).	"A strategic performance measurement system: (1) provides information that allows the firm to identify the strategies offering the highest potential for achieving the firm's objectives, and (2) aligns management processes, such as target setting, decision-making, and performance evaluation, with the achievement of the chosen strategic objectives"
(Otley, 1999) p. 364)	"System that provides the information that is intended to be useful to managers in performing their jobs and to assist organizations in developing and maintaining viable patterns of behaviour. Any assessment of the role of such information requires consideration of how managers make use of the information being provided to them" (. Main components of a PMS: (1) objectives, (2) strategy, (3) targets, (4) rewards, (5) information flows (feedback and feed-forward)
(Atkinson, 1998) (p.553-555).	"The process of strategic performance measurement begins with the organisation's owners specifying the organisation's primary objectives. Organization planners undertake strategic planning exercises to identify how they will pursue the organisation's primary objectives. The chosen strategic plan results in a set of formal and informal contracts between the organisation and its stakeholders. The give and take between the organisation and its critical stakeholders will define the organisation's secondary objectives. Secondary objectives derive their importance from their presumed effect on the achievement level of primary objectives. Secondary objectives are critical because they are the variables that the organisation's employees use to promote success—defined as desired performance on the organisation's primary objective As employees monitor the level of achieved primary and secondary objectives, they can use the resulting data to revise their beliefs about, or model of, the relationship between the secondary objectives and the organisation's primary objective—a process of organisational learning. The final step in strategic performance measurement is to tie incentive pay to performance measurement results"
(Kaplan & Norton, 1996a) (p.	A balanced scorecard6 is a comprehensive set of performance measures defined from four different measurement perspectives (financial, customer,

55)	internal, and learning and growth) that provides a framework
	fortranslating the business strategy into operational terms.
(Neely, Gregory, &	A performance measurement system (PMS) is "the set of
Platts, 1995), p 81	metrics used to quantify both the efficiency and
	effectiveness of actions"

Sumber: Disertasi 2016

This paper used (Franco-Santos et al., 2012), p6 definition "A system exists if financial and nonfinancial performance measures are used to operationalize strategic objectives" because its consist of financial and non-financial indicator and has strategic objective and Target component in the definition.

To ensure that organization performance will achieve their objectives according to strategic implementation this paper used Balanced Scorecard (BSC) introduced by (Kaplan & Norton, 1996b). The balanced scorecard is used to attain objectives, measurements, initiatives and goals that result from these four primary functions of a business. These four areas, involve learning and growth, business processes, customers, and finance.

2.2 Hypothesis

Entrepreneurial Orientation and Organizational Learning

EO represents a strategic position that embraces entrepreneurial processes and behavior (Covin & Slevin, 1989; Lumpkin & Dess, 1996). While EO has been consistently linked to increased level of firm performance (Rauch, Wiklund, Lumpkin, & Frese, 2009), there has been less research examining how EO contributes to competitive success (Anderson et al.,2009). For example, EO may be a primary determinant of the level of organizational learning that occurs within a firm (Wang, 2008). (Hughes, and Morgan, 2007) suggest that the two most important challenges facing entrepreneurial firms are how to expand their knowledge base and how to maximize benefit derived from their EO.

In order to further clarify the nature of the relationship between EO and organizational learning, (Kreisser, 2011) developed theory to explain the specific mechanism in which EO that promote organizational learning. (Kreisser, 2011) suggest that three dimensions of EO contribute to acquisitive and experimental construct. It has been argued that pro-activeness offers the greatest relative contribution to acquisitive learning and innovativeness offers the greatest relative contribution to experimental learning. Meanwhile, risk taking characterizes an important component in generating both types of learning. Consistent with the arguments of (Wang, 2008), firm can utilize all three dimension of EO to generate the maximum levels of knowledge acquisition and experimental learning (integration and exploitation). Based on that explanation, we posit:

H1: Entrepreneurial Orientation is significantly related to Organizational learning

Entrepreneurial Orientation and Innovation

Schumpeter (1934), one of the pioneers of the classical entrepreneurship thought, argue that innovation is the central characteristic of entrepreneurial behavior. He suggests that an entrepreneur displays a five-fold innovative activity: (1) introduction of new goods, (2) introduction of new methods of production (3) opening new markets (4) opening new sources of supply and (5) industrial reorganization. (Ireland & Webb, 2007) confirmed that Entrepreneurial orientation is manifest in product and process innovations.

Entrepreneurial orientation can be considered as the processes, practices, philosophy, and decision-making activities that lead organizations to innovation (Lumpkin and Dess, 2001b; Wiklund & Shepherd, 2005; Li et al., 2009).

The importance of entrepreneurial orientation to the survival and performance of firms has been acknowledged in the entrepreneurship literature (Lumpkin and Dess, 2001b; Wiklund & Shepherd, 2005; Covin & Slevin, 1991; Smart and Conant, 1994; Tat et al., 2007; Hughes, Morgan, 2007). Innovation is a crucial factor in firm performance because of the evolution of the competitive environment (Bueno & Ordoñez, 2004). Innovation performance is considered to have a direct effect on firm performance (West & Iansiti, 2003; Brockman & Morgan, 2003). Also, Ireland and Webb (2007) argue that entrepreneurial actions have direct effects on product and process innovation.

Therefore, as EO increases a firm's autonomy, competitive aggressiveness, proactiveness and willingness to take risks and innovate (Zahra et al., 1999; Lumpkin & Dess, 2001b), EO and innovation performance can be linked with each other. Although, former literatures have traditionally conceived innovation as an indicator of entrepreneurship, however; a few researches have empirically analyzed this relationship (Madhousi, 2011) Hence, we hypothesize:

H2: Entrepreneurial Orientation is significantly related to Innovation

Entrepreneurial Orientation and Business Performance

According to Rauch, Wiklund, Lumpkin & Frese (2009), for firms adopting EO it is likely to perform better than companies that adopt conservative orientation. In an environment of rapid change and shortened product and business model lifecycles, the future profit streams from existing operations are uncertain and businesses need to constantly seek out new opportunities (Rauch, 2009). Firms may benefit from adopting an EO, innovate frequently while taking risks in their product market strategies (Miller & Friesen, 1982). Previous studies showed that EO could significantly improve business performance (Covin & Slevin, 1991; Lumpkin & Dess, 1996; Wiklund & Shepherd, 2005; Covin & Slevin 1989; Lumpkin & Dess, 2001).

Many studies on EO and business performance have been associated to have positive results (Jantunen, Puumalainen, Saarenketo, and Kylaheiko, 2005; Chow, 2006; Coulthard, 2007;

Wiklund, 1999; Wiklund & Shepherd, 2003, 2005; Zahra, 1991; Zahra & Covin, 1995; Madsen, 2007; Keh, Nguyen & Ng, 2007; Lee, Lee & Penning, 2001; Lumpkin & Dess, 1996).

However, there are also studies that revealed that EO does not give positive results to business performance (Hart, 1992; Matsuno, Mentzer & Ozsomer, 2002; Morgan & Strong, 2003; Smart & Conant 1994; Naldi, Nordqvist, Sjöberg, & Wiklund, 2007). Hence, the study of EO especially on (Lumpkin & Dess's, 1996) dimensions are needed as many studies have proven there is a relationship between EO and business performance.

EO generally has a positive effect on business performance, however, several studies show that this main effect is context-sensitive, for example, Zahra & Covin (1995) identify the degree of hostility in the business environment as an intervening factor (Frank, 2010). In assessing international entrepreneurship, Zahra & Garvis (2000) argue that EO's contribution to business success depends on the degree to which executives perceive their firm's international business environment.

The meta-analysis conducted by Rauch et al. (2004) reveals that the dimensions of EO vary independently of performance. The study carried out by (Lumpkin & Dess, 2001) analyzes two independent factors comprising EO (proactiveness and competitive aggressiveness) and argues that their relative impacts on business performance vary over the different stages of the industry's life cycle.

According to Yoo's study (2001), which is also part of th meta-analysis, the three factors comprising EO (innovativeness, pro-activeness, and risk-taking) are closely interrelated. Similarly, Rauch et al. (2004) identify differences in the relation between EO and objective compared to perceptual performance measures, thus indicating that EO is only related to selected indicators of business success. In their meta-analysis, Rauch et al. (2004) also find that the relation between EO and performance varies substantially according to national culture. business size and technological intensity of the industry. Therefore, the researcher hypothesizes that:

H3: Entrepreneurial Orientation is significantly related to business performance.

Organizational Learning and Innovation

Empirical studies support the relationship between organizational learning and innovation (Bueno et al., 2010; Cohen & Levinthal, 1990; Glynn, 1996; Hurley & Hult, 1998; Ireland et al., 2001; Mezias & Glynn, 1993). Different types of learning and innovation are also related. For example, generative learning is the most advanced form of organizational learning and occurs when an organization is willing to question long-held assumptions about its mission, customers, capabilities, and strategy and to generate changes in its practices, strategies, and values. Such learning forms the necessary underpinnings for radical innovations in products, processes, and technologies (Argyris & Schön, 1996; Damanpour, 1991; Glynn, 1996; Senge, 1990; Senge et al., 1994).

. Organizational learning is a major component in any effort to improve organizational performance and strengthen competitive advantage. The literature also emphasizes the great

importance of organizational learning and innovation for a company's survival The development of new knowledge, derived from organizational learning, reduces the likelihood that a firm's competencies will become outdated, enabling the competencies to remain dynamic and thus favoring improvement in performance.

Organizational learning usually has positive connotations, since this form of learning associates with performance improvements (Argyris & Schön, 1996; Fiol & Lyles, 1985; Inkpen & Crossan, 1995; Ireland et al., 2001; Senge, 1990). Various authors also show that innovation is essential to improving performance and that innovation comes into play in order to improve organizational performance (Argyris & Schön, 1996; Damanpour, 1991; Fiol & Lyles, 1985; Hurley & Hult, 1998; Senge, 1990; Zaltman et al., 1973).

Different types of organizational learning (adaptive/generative) and innovation (incremental/radical) have a close, positive connection (Forrester, 2000). The deeper innovation reaches, the greater the degree of learning required. Thus, the more innovative the products, services or methods, the greater the degree of critical capacity, skill and new and relevant knowledge necessary (Senge et al., 1994).

The process of creating organizational knowledge, which draws new knowledge from existing (organizational learning), is the cornerstone of innovative activities. Organizational knowledge creation is the process that strengthens innovation, not knowledge in itself (Nonaka & Takeuchi, 1995). Further, organizational innovation depends on the organization's knowledge base, and organizational learning in turn promotes this knowledge base (Cohen & Levinthal, 1990). An increasing number of firms analyze organizational innovation as an organizational learning process or apply organizational learning models to specific aspects of the organizational innovation process (MERIT, 1992). Organizational learning supports creativity (e.g., Sánchez & Mahoney, 1996; Yli-Renko et al., 2001), inspires new knowledge and ideas (e.g., Damanpour, 1991), increases ability to understand and apply these ideas (e.g., Damanpour, 1991), favors organizational intelligence and (with the organization's culture) forms a background for orientation to organizational innovation.

An organization committed to learning increases its organizational innovative capability because the organization is less likely to miss the opportunities that emerging market demand creates. Such organizations have the ability and knowledge to anticipate and understand customer needs, possess more and better state-of-the art technology, and use that technology to innovate. They also have a stronger capacity to understand rivals' strengths and weaknesses and thus to learn from their successes and their failures and to generate greater innovative capability than competitors (Calantone et al., 2002). Based on that we posit that:

H4: Organizational Learning is significantly related to Innovation

Organizational Learning and Business Performance

The primary aim of organizational learning is to enhance performance quality and quantity, allowing the firm to increase and improve sales; to achieve more support; and to create,

maintain and enlarge its customer base. Further, organizations that learn and learn quickly increase strategic capability, enabling them to sustain a position of competitive advantage and improve their results. These attitudes, behaviors, and strategies of organizational learning will guide organizations to superior long-term performance. Organizations that encourage the learning spirit sacrifice performance to achieve future performance, since immediate performance is due to the organizational learning drawn from yesterday, while future performance will be the product of today's learning process (Guns, 1996; Senge, 1990)

Organizational learning is the capability "within an organization to maintain or improve performance based on experience. This activity involves knowledge acquisition (the development or creation of skills, insights, and relationships), knowledge sharing (the dissemination to others of what has been acquired by some), and knowledge utilization (integration of learning so that it is assimilated and broadly available and can be generalized to new situations)" (DiBella et al., 1996, p. 363). The development of new abilities and knowledge and the increase in the organization's capability enable organizational learning. Organizational learning involves cognitive and behavioral change. Organizational learning has become a need rather than a choice. Inability to learn is the reason most firms disappear before forty years have passed (Argyris and Schön, 1996; Senge, 1990)

The literature emphasizes the importance of organizational learning for a company's survival and effective performance (Argyris & Schön, 1996; Fiol & Lyles, 1985; Inkpen & Crossan, 1995; Senge, 1990). Organizational learning has a positive influence on performance improvements. This positive influence normally occurs in both technological companies and manufacturing firms (Argyris & Schön, 1996; Decarolis & Deeds, 1999; Fiol & Lyles, 1985; Senge, 1990). Firms that show a greater breadth, depth, and speed of organizational learning have higher performance levels (Hurley & Hult, 1998).

According to (Vijande, 2012) Organizational Learning facilitates organizations' strategic flexibility, permits the implementation of efficiency-based operations and quality-based innovation through a continuous new knowledge that inspires creativity and, ultimately, allows the achievement of CA. (Vijande, 2012) also found that learning organizations can implement a double strategy, that OL simultaneously supports the implementation of differentiation and cost leadership strategies. From this perspective, learning organizations have the ability to focus either on a pure cost leadership strategy or on a pure differentiation strategy. In this regard, Porter (1996) acknowledges that unique product advantages to meet customer requirements and lower prices for the customer than the competition are determinants for firms' competitiveness in modern markets. These results reinforce the role of OL as an organizational capability that sustains competitive strategy, and contribute to better understanding OL's role in strategy implementation.

(Vijande, 2012) also shows that OL enhances the firm's ability to respond rapidly to environmental contingencies, that is, strategic flexibility. (Vijande, 2012) finding is consistent with the work of Eisenhardt and Santos (2002) and Hitt et al. (1998), who indicate that successful firms need to learn quickly to be flexible in order to face unstable and unpredictable

business conditions. (Vijande, 2012) findings provides empirical evidence that both cost leadership and differentiation strategies have a positive and significant impact on customer performance, which in turn mediates the impact of those competitive strategies on business performance. Based on the discussion we hypothesize that:

H5: Organizational Learning is significantly related to business performance

Innovation and Business Performance

According to marketing theories, organizations that concentrate on speed of innovation gain a greater market share, which produces high income and high profitability Morales et al (2012). Strategic theories stress that organizations that adopt an innovation first are able to create isolation mechanisms. Because knowledge of the innovation is not available to competitors, these mechanisms protect profit margins, enabling the organization to gain important benefits. Likewise, the theory of resources and capabilities maintains that the capabilities, resources and technologies needed to adopt the innovation make external imitation more difficult and allow firms to sustain their competitive advantages and obtain greater organizational performance (Irwin et al., 1998; Lengnick-Hall, 1992; Lieberman & Montgomery, 1988). Thus, a positive link exists between organizational innovation and organizational performance (Zahra et al., 2000; Zaltman et al., 1973), or between different aspects of organizational innovation (e.g., innovation design or speed, flexibility) and organizational performance (Calantone et al., 2002; Capron, 1999; Danneels & Kleinschmidt, 2001; Gopalakrishnan, 2000; Hall and Bagchi-Sen, 2000).

The innovation literature also includes various empirical studies supporting this relationship, the more valuable, imperfectly imitable and rare innovations (e.g., technological) are, the higher performance will be (Irwin et al., 1998). Organizations with greater innovation will achieve a better response from the environment, obtaining more easily the capabilities needed to increase organizational performance and consolidate a sustainable competitive advantage (Calantone et al., 2002; Hurley & Hult, 1998; Zaltman et al., 1973).

Innovation and the capacity to implement innovations determine whether the organization will achieve superior performance (Hurley& Hult, 1998). Firms with greater capacity to innovate when combined with resources are more successful in responding to their environments and developing new capabilities, which leads to competitive advantage and greater innovative capacity resulting in superior performance (Hurley & Hult, 1998); Innovative products may create new demand and thus, facilitate firm's growth. If the innovation in company manages to set high barriers, preventing competitors from market entry, the company position in the industry is strengthened and the innovation can lead to persistent above-average returns (Porter, 1985).

Based on the above discussion, and in line with (Lee et al., 2014; Tajuddin et al., 2015) findings, Innovation is hypothesized to be positively related to business performance, and mediating the relationship between Entrepreneurial orientation and Business Performance.

H6: Innovation is significantly related to Business performance

Organizational Learning as a mediating variable between EO and firm performance.

Many studies on EO and business performance have been associated to have positive results (Jantunen, Puumalainen, Saarenketo & Kylaheiko, 2005; Chow, 2006; Coulthard, 2007; Wiklund, 1999; Wiklund & Shepherd, 2003, 2005; Zahra, 1991; Zahra & Covin, 1995; Madsen, 2007; Keh, Nguyen and Ng, 2007; Lee, Lee and Penning, 2001; Lumpkin & Dess, 1996)

Organizational learning is the capability "within an organization to maintain or improve performance based on experience. This activity involves knowledge acquisition (the development or creation of skills, insights, and relationships), knowledge sharing (the dissemination to others of what has been acquired by some), and knowledge utilization (integration of learning so that it is assimilated and broadly available and can be generalized to new situations)" (DiBella et al., 1996, p. 363).

Organizational learning is the process by which the organization increases the knowledge created by individuals in an organized way and transforms this knowledge into part of the organization's knowledge system. The process takes place within a community of interaction in which the organization creates knowledge, which expands in a constant dynamic between the tacit and the explicit (Nonaka and Takeuchi, 1995). The development of new abilities and knowledge and the increase in the organization's capability enable organizational learning. Organizational learning involves cognitive and behavioral change. More than ever, organizational learning has become a need rather than a choice. Inability to learn is the reason most firms disappear before forty years have passed (Argyris & Schön, 1996; Senge, 1990).

The scientific literature proposes different definitions of innovation. This study uses the definition of innovation formulated by the OECD, which analyzes innovation as "product, process and organizational. Empirical studies support the relationship between organizational learning and innovation (Bueno et al., 2010; Cohen & Levinthal, 1990; Glynn, 1996; Hurley & Hult, 1998; Ireland et al., 2001; Mezias & Glynn, 1993). Different types of learning and innovation are also related. For example, generative learning is the most advanced form of organizational learning and occurs when an organization is willing to question long-held assumptions about its mission, customers, capabilities, and strategy and to generate changes in its practices, strategies, and values. Such learning forms the necessary underpinnings for radical innovations in products, processes, and technologies (Argyris & Schön, 1996; Damanpour, 1991; Glynn, 1996; Senge, 1990; Senge et al., 1994).

The literature also emphasizes the great importance of organizational learning and innovation for a company's survival and effective performance. Organizational learning is a major component in any effort to improve organizational performance and strengthen competitive advantage. The development of new knowledge, derived from organizational learning, reduces the likelihood that a firm's competencies will become outdated, enabling the competencies to remain dynamic and thus favoring improvement in performance.

Entrepreneurial firms encourage non-authoritarian structures that facilitate creativity, collaboration, and dialogue (Cope 2003; Fletcher & Watson 2007). EO might provide the

management support for the organizational learning process and capability (Zahra et al. 2006; Wang 2008). Similarly, Zahra et al. (1999) consider that EO promotes and supports organizational learning and learning values, such as teamwork or openness. EO might be considered as the basic managerial approach to support learning within organizations.

Organizational learning usually has positive connotations, since this form of learning associates with performance improvements (Argyris & Schön, 1996; Fiol & Lyles, 1985; Inkpen & Crossan, 1995; Ireland et al., 2001; Senge, 1990). Organizational learning has been showed to have beneficial effects for firm performance (Zollo and Winter 2002; Prieto and Revilla 2006; Wang 2008; Baker and Sinkula 2009). Therefore, we put forward the following hypothesis:

H7: Organizational Learning mediating the relationship between EO and Business Performance

Innovation as a mediating variable between EO and firm performance.

Many studies on EO and business performance have been associated to have positive results (Jantunen, Puumalainen, Saarenketo, & Kylaheiko, 2005; Chow, 2006; Coulthard, 2007; Wiklund, 1999; Wiklund and Shepherd, 2003, 2005; Zahra, 1991; Zahra & Covin, 1995; Madsen, 2007; Keh, Nguyen & Ng, 2007; Lee, Lee & Penning, 2001; Lumpkin & Dess, 1996). Several authors (Ireland & Webb 2007; Covin & Miles 1999; Schumpeter 1934) argue that entrepreneurial actions have direct effects on product, process and administrative innovations. EO increases proactiveness and willingness to take risks and innovate (Zahra et al. 1999) within a particular organization. As a result, EO may be considered one of the antecedents of innovation performance (Renko, Carsrud, & Brännback 2009; Baker & Sinkula 2009).

The innovation performance of a firm includes product and process innovations; these two kinds of innovation outcomes are very closely linked (Utterback & Abernathy 1975) and constitute a highly complex process that generally involves all company functions. Various authors show that innovation is essential to improving performance and that innovation comes into play in order to improve organizational performance (Argyris & Schön, 1996; Damanpour, 1991; Fiol & Lyles, 1985; Hurley & Hult, 1998; Senge, 1990; Zaltman et al., 1973). Consequently, innovation performance is considered to have a direct effect on firm performance (Wheelwright & Clark 1992; Renko et al. 2009; Baker & Sinkula 2009) and can be considered as a more precise dependent variable of EO than firm performance (Ireland et al. 2003). The following hypothesis is therefore put forward:

H8: Innovation mediating the relationship between EO and Business Performance

3. Research Method

3.1 Research Framework and Design

To test the conceptual model, PLS-SEM will be employed using SmartPLS3 software. This tool is particularly suitable for small samples with complex models; a prediction-oriented method that does not require strong theory (Hair Jr, Hult, Ringle, & Sarstedt, 2014). In this regard, developing both measurement and structural models are important to adequately formulate the hypothesized relationships within the proposed model as presented below

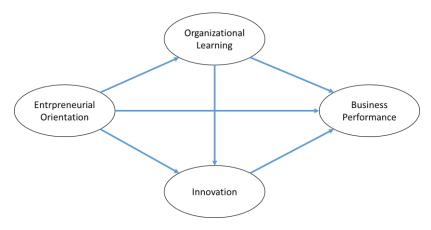


Figure 1. Research framework

3.2 Samples and Procedures

We test our hypotheses by focusing on 168 state owned companies in Indonesia. A pretest will be carried out to 30 managers from different cluster of business, to ensure that the questionnaire items were fully understandable. The questionnaire will be applied using a 5-point Likert scale. The questionnaire was addressed to various company directors and managers. Nonresponse bias was assessed through a comparison of sample statistics with known population values such as annual sales volume or number of employees. The websites of Ministry of SOE provide this information for most of the firms in the industry.

3.3 Measures

Entrepreneurial Orientation.

EO was measured using the widely used nine-item, 5-point scale proposed by Covin and Slevin (1989). This measurement scale has been used satisfactorily by a number of empirical papers (Covin, Green, & Slevin 2006; Green, Covin, & Slevin 2008; Escribá-Esteve et al. 2008).

Organizational Learning.

In light of the OL concept adopted in our theoretical review, we selected the measurement instrument developed by Chiva & Alegre (2009). It is a fourteen-item, 5-point scale that includes five different dimensions consistent with the previous literature: experimentation, risk-taking, interaction with the external environment, dialogue and participative decision making. Experimentation is defined as the degree to which new ideas and suggestions are attended to and dealt with sympathetically. Risk-taking is conceived as the tolerance of ambiguity, uncertainty, and errors by members of the organization. This OL dimension refers to an organizational characteristic while the EO 12 dimension focuses on a managerial attitude. Interaction with the environment is defined as the scope of relationships with the environment. Dialogue is considered to be the sustained collective inquiry into the processes, assumptions, and certainties that make up everyday experience. Finally, Participative decision-making refers to the level of influence employees have on the decision-making process.

Innovation performance.

We conceive innovation performance as a construct with three different dimensions consistent with the previous literature: product and process innovation effectiveness and innovation efficiency. These dimensions have been widely discussed in innovation research (Brown and Eisenhardt 1995; OECD 2005). The OECD Oslo Manual provides a detailed measurement scale for assessing the economic objectives of product and process innovation and this is the scale that we propose for measuring product and process innovation effectiveness. This scale was put forward by the OECD to provide some coherent drivers for innovation studies, thereby achieving greater homogeneity and comparability among innovation studies. Nowadays, many innovation surveys use this widely-validated scale (INE, 2008; Alegre, Lapiedra, & Chiva 2006). Innovation efficiency is the third dimension considered for measuring innovation performance. It is widely accepted that innovation efficiency can be determined by the cost and the time involved in the innovation project (Wheelwright & Clark 1992; Brown & Eisenhardt 1995; Chiesa, Coughlan, and Voss 1996).

Firm performance.

To measure firm performance, we asked general managers to rate their firm's performance over the last three years compared to competing firms. We used Venkatraman's (1989) business performance scale. Specifically, managers were asked to score their firm's growth and profitability on a scale from 1 to 5, with 1 indicating that the firm was among the lowest scoring competing firms and 5, among the highest scoring. Control Variable. Firm size was included as a control variable in the overall model since it explains variation in organizational performance. Firm size affects the endowment of significant inputs for the business process, such as money, people and facilities, and has been shown to influence organizational performance (Tippins & Sohi 2003).

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ISLAMIC CULTURE IMPACT OF INCREASING SATISFACTION AND PERFORMANCE OF EMPLOYEES: STUDY OF EDUCATIONAL INSTITUTIONS SABILLILAH SAMPANG

Abstract. Many studies conducted by experts who want to know the direct relationship between organizational culture with organizational performance, but there are also some empirical studies which found that organizational culture is directly does not have a significant impact on employee performance, which means other variables that directly affect the performance employees. Therefore, this study seeks to show how big the Islamic culture through employee satisfaction influence on performance. The research was conducted on respondents as many as 106 employees both as educators and non-educators at the Education Institute Sabilillah Sampang.

Through analysis approach structural equation modeling (SEM) found that: First, the culture of Islam which includes (competence, commitment, honesty and transformative) directly positive effect on employee performance. Second, Islamic culture which includes (competence, commitment, honesty and transformative) positive influence on employee performance through job satisfaction. Third, Islamic culture and job satisfaction simultaneously positive influence on employee performance.

Keywords: Islamic culture, Job satisfaction, Employee performance

I. Introduction

The achievement of success in an organization can not be separated from the role of each of human resources within the company, for every organization or company that realizes the importance of human resources qualified for the progress of the company, trying to properly manage its human resources to be able to achieve the targets that had been selected by the company.

One national problem faced by Indonesia today is the handling of the low quality of human resources. Number of human resources in Indonesia is huge, if it can be utilized effectively and efficiently would be helpful to support the pace of sustainable national development. In order for the public available human resources needed reliable quality education, the provision of various social facilities and sufficient jobs. The main challenge is how to actually be able to create human resources which can produce optimal performance to achieve the goals of a company or organization. Ting (2011) to create effective employee performance and efficient for the betterment of the organization hence the need for organizational culture as one of the guidelines that could be a reference to the employee to perform the activities of the organization. Organizational culture are the values that flourish in an organization, where these values are used to steer the behavior of members of the organization (Soedjono, 2005). The employee's behavior is influenced by the environment in which they work that was formed through the culture of the organization, where the culture of an organization is expected to improve employee performance.

Besides influence on employee performance, organizational culture are also well aligned with job satisfaction. Job satisfaction can be defined as an emotional state that is pleasant or unpleasant in which employees view their work (Handoko, 2009). If the employee perceptions of organizational culture in a well, then the employees will feel satisfied with the work. Conversely, if the employees' perception of the culture in an organization is not good, then employees tend to be dissatisfied with his work (Robbins and Judge, 2008). Employees who are satisfied with the work and considers her work as something fun will tend to have a good performance.

Some organizational behavior experts have been trying to see how and what are the factors that can affect the performance. From previous studies (Shore and Martin, 1989; Udo, et al, 1997; Clugston, 2000; Elangovan, 2001; Pareke, 2004; Falkenburg and Schyns, 2007; Emami, et al, 2012) (Yousef (2002); McKinnon et al. (2003); Koesmono (2005); Samad (2005); Manetje and Martins (2009); Ojo (2009); Rose et al. (2009); and Gunlu et al. (2010). However, there are also some empirical studies which found that organizational culture and job satisfaction organizational did not have a significant impact on employee performance Crossman and Zaki (2003); Chang and Lee (2007); and Yiing and Ahmad (2009).

Such an understanding of the culture according to Soediono (2005) that organizational culture is the values that flourish in an organization, where these values are used to steer the behavior of members of the organization. Therefore iti research the values used are Islamic values. An understanding of values Islamic values will affect the behavior of an individual to perform activities included in the work. Darajat (1984), defines value as a set of beliefs or feelings that is believed to be an identity which gives a special pattern to a pattern of thought and feeling, attachment and behavior. Value itself directing behavior and satisfaction in daily life (Kusaili, 2007). Values on which the conviction can be born from a culture that has developed in the community. Values of right or wrong in the community known as ethics. Ethics comes from the Greek ethos (single word), which means the customary habits (Sadozai, 2012). Ethics refers to the rules of right and wrong, good or bad. Religious values would then affect an individual in a work ethic. According Purnama (2014) ethics can be interpreted as an attitude, personality, character, characters, and beliefs that serve as the basis for an activity undertaken by individuals or groups in order to achieve a desired goal, include; competence. commitment. honesty transformative.

From the definition and the research that has been conveyed in this study wanted to know how big the influence of Islamic culture affects job satisfaction and employee performance Sabillah Sampang Education Institute.

II. OVERVIEW LITERATURE

2.1. Islamic culture

According Soedjono (2005) that organizational culture is the values that flourish in an organization, where these values are used to steer the behavior of members of the organization Values on which the conviction can be born from a culture that has developed in the community. Values of right or wrong in the community known as ethics. Ethics comes from the Greek ethos (single word), which means the customary habits (Sadozai, 2012). Ethics refers to the rules of right and wrong, good or bad. From some sense it can be concluded that the culture of Islam ordered his people to work in cooperation with followed by a variety of safety devices such as moral values, namely morality or ethics. Hafinuddin and Hendri Cape (2003) reveals there are some characteristics of the work culture of Islam, namely: (1) Work is nice and helpful; (2) Work towards stability and perfection; (3) Work is doing their best and better again; (4) Working hard to obtain optimal

results; (5) Competitive and mutual help; (6) Looking at the value of time. Research from Shukor (2010) proved that belief in religion impacts on the understanding of religious values which will then affect the performance of an individual. From previous research finding work ethic affect the performance (Imam et.al., 2013), the commitment (Sabri, 2011), to the perception of fairness (Rokhman 2010; Farahizade et.al.,2013), the involvement of labor and reduce the level turnover (Khan and Muhammad Abbas, 2012). From these findings, the authors focus on identifying the problem as follows: (1) How does the influence of religious values on the performance of employees of small businesses; (2) What about the influence of Islam on the performance of the work ethic of employees of small businesses; (3) How religious values affect employee performance through the work culture of Islam.

While in the study of Islamic culture indicator used was developed by Purnama (2014), Hafinuddin and Hendri Cape (2003), Antonio (2012) includes the competence, commitment, honesty and transformative.

2.2. Job Satisfaction,

By definition, job satisfaction is a positive attitude of employees towards work, which comes under the assessment of the employment situation (Robbins and Judge, 2008; Umam, 2010). According to Handoko (2009) Job Satisfaction is the emotional state of pleasant or unpleasant by which employees view their work. Job satisfaction reflects a person's feelings towards their work, which usually appears in the positive attitude of employees towards work and everything that is faced in their work environment ". According Malthis (2008: 107) job satisfaction is a positive emotional state of a person's work experience evaluated. Job dissatisfaction arise when anticipations are not met. Job satisfaction has many dimensions, in general is the satisfaction in the work itself, salary, recognition, relationships between supervisors with labor, and the opportunity to move forward. Handoko (2009) expressed satisfaction at the work (job satisfaction) as an emotional state that is pleasant or unpleasant by which employees view their job. Job satisfaction reflects a person's attitude towards his job.

Job satisfaction expresses a number of compatibility between one's expectations of job performance that can be given by the company and the consideration paid for his work. In essence, one is encouraged to move because he hoped that it would bring better conditions satisfactory than the present situation. So the work is a form of activity that aims to gain job satisfaction (Smith and As'ad Weckelly in 2001). Robbins (2002: 36) suggests some important

factors that bring more job satisfaction first is a job that gives an opportunity to use skills, and feedback about how well they work, the next factor is how the working conditions of employees, both in terms of personal comfort and ease of performing the job, these things are closely related to the rules and standards set by the company, whereas the established rules and standards of organizational culture within the company itself. Job satisfaction felt by employees is influenced by two factors, namely intrinsic and extrinsic factors (Johan, 2002). Intrinsic factor is a factor that comes from within the individual that brought each employee since it began work in their workplaces. Whereas extrinsic factors are factors concerning matters that come from outside the employee, such as the physical condition of the working environment, interaction with employees, the payroll system, and so forth.

Meanwhile, according to Luthans (2006), there are five dimensions that affect job satisfaction, namely: colleague, employment, followed most recently supervision and opportunities. These indicators are used as a measure of job satisfaction.

2.3. Employee performance

According to the Mangkunagara (2010: 116), employee performance can be measured by the quantity, quality, efficiency, professional standards, capabilities, judgment, accuracy, knowledge, and creativity. By Lewa and Subowo (2005: 75), an indicator of employee performance is a factor of the quality of work; quantity; knowledge; reliability; and cooperation. Lawler and Porter declared the successful achievement of performance is obtained someone's role on what they did (As'ad, 2001). According Rival (2004) performance is the result or the overall success rate of a person during a certain period in carrying out the task compared with a range of possibilities, such as the standard of the work, the target / targets or criteria that have been agreed. According Mangkunagara (2001) results in quality and quantity of work accomplished by an employee in carrying out their duties in accordance responsibilities given to him. Dessler (2009), that the performance is a performance, a comparison of the work significantly with the standards specified work.

While Bernardin and Russel in Ruky (2010: 115) gives the sense According to Gibson (2008: 55), job performance is the result of the work associated with the organization's objectives, efficiency and effectiveness of performance other performance. Meanwhile, according to Ilyas (2009: 99), the performance is the appearance of the work of personnel as well as within an organization. The appearance of the work is not limited to personnel who took office functionally and structurally but also to the entire range of personnel within the organization.

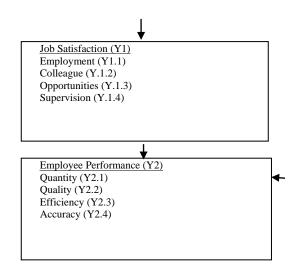
Based on the definitions above it can be concluded that the performance of the work performance by employees in the workplace in carrying out its duties and responsibilities. There are three factors that affect the performance of individual employees, namely: (1) the individual's ability to carry out such work; (2) the level of work done; and (3) support organization (Mathis and Jackson, 2006). Employee performance can be improved if these three factors is within the employee, and the employee's performance will be reduced or decreased if one of these factors does not exist. In this study used indicator of the development of Tsui et.al.,(1997) and Purnama (2011) which consists of; quantity, quality, efficiency, and accuracy.

III. CONCEPTUAL FRAMEWORK

The conceptual framework of the research is intended to illustrate how the relationship between the variables based on theory and previous studies experts. Model conceptual framework linkages between variables in this study can be presented in figure 1 below.

FIGURE 1 MODEL FRAMEWORK CONCEPTUAL RESEARCH

Islamic Culture (X1)
Competence (X1.1)
Commitments (X1.2)
Honesty (X1.3)
Transformative (X1.4)



IV. METHODS RESEARCH

In general, this study aims to describe and analyze the influence of Islamic culture that includes intellectual competence, commitment to duty, honesty and transformative capabilities to employee performance through job satisfaction. In accordance with its objectives, this study was designed as an explanatory study. The results obtained in this study is expected to provide an explanation of how the Islamic culture affects job satisfaction and impact on employee performance. Total population in this study were 106 employees in the Institutions of Sabilillah Sampang.

V. RESULTS

5.1. loading factor confrimatury Testing Results Analysis, Critical Path ratio and coefficient

In this study used factor analysis and regression model with Structural Equation Modelling (SEM). Based on the results of testing the model, then obtained loading factor confrimatury and Critical ratio as follows:

1) Islamic Culture

Results loading factor confrimatury and Critical ratio of Islamic Culture is as follows:

TABIE 1
REGRESSION WEIGHT (LOADING FACTOR CONFRIMATURY) STANDARDIZED ESTIMATE (SE) AND CRITICAL RATIO (CR) INDICATORS OF ISLAMIC CULTURE FACTOR

No.	Indicators	SE (Loading Factor) good of fit> 0.4	CR good of fit>	Probability (P) good of fit <0.05	Specification
1	Competence	0758	3,699	0,000	good of fit
2	commitments	1,021	4,504	0,000	good of fit
3	Honesty	1,000			good of fit
4	Transformative	1,210	4,734	0,000	good of fit

Sources: primary data are processed

Test results that are presented in table 1 show that if seen from the loading factor confrimatury, that these four indicators above the value of 0.4 according to Ferdinand (2008) the value of the loading factor is allowed to come in the analysis model is greater than 0.4, Ferdinand further said that while the CR required is greater than 1.96 at the level of $\alpha = 0.05$ and the value of CR the fourth indicator shows that significant with CR values: 1.96 and the value

of the probability (P) of 0.00 is smaller than 0.05. From the above test results obtained at these four indicators that can be used as a measure of Islamic Culture in explaining variables, namely: Competence, Commitments, Honesty and Transformative. Fourth indicators are jointly able to explain the variable and of these four indicators are best able to explain the variable is transformative capability, then the commitment in work, followed by competence and most recently Honesty.

2) Job Satisfaction

Results and Critical confirmatory factor loading ratio on Job Satisfaction in the following carefully: TABLE 2

REGRESSION WEIGHT (LOADING FACTOR CONFRIMATURY) STANDARDIZED ESTIMATE (SE) AND CRITICAL RATIO (CR) INDICATORS OF FACTORS JOB SATISFACTION

No.	Indicators	SE (Loading Factor) good of fit> 0.4	CR good of fit>	Probability (P) good of fit <0.05	Specification
1	Employment	1,362	4,756	0,000	good of fit
2	Colleague	3,907	5,425	0,000	good of fit
3	Opportunities	0925	3,715	0,000	good of fit
4	Supervision	1,000			good of fit

Source: primary data processed

Test results that are presented in table 2 show that when seen from the value of the loading factor, that four of the indicators above 0.4 by Ferdinand (2008) the value of the loading factor is allowed to come in the analysis model is greater than 0.4, Ferdinand further said to (CR) required greater than 1.96 at the level of $\alpha = 0.05$ and if seen from table 2 shows that the value of its CR fourth significant indicators with CR value of 1.96 and when seen at the level of $\alpha = 5\%$, It can be seen the value of the probability (P) 0,000 less than 0.05. From the test results above obtained that the four indicators, all of which can be used as a measure in explaining jointly variables Job Satisfaction are: Employment, Colleague, Opportunities and Supervision of these four indicators are best able to explain the variable Job Satisfaction is Colleague, Employment, followed Supervision and most recently Opportunities.

3) Employee Performance

Results loading factor confirmatory and Critical ratio of success in the meticulous effort are as follows:

TABLE 3

REGRESSION WEIGHT (LOADING FACTOR CONFRIMATURY) STANDARDIZED ESTIMATE (SE) AND CRITICAL RATIO (CR) INDICATORS OF FACTORS EMPLOYEE PERFORMANCE

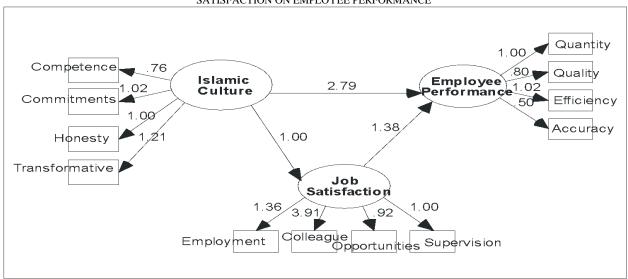
No.	Indicator	SE (Loading Factor) good of fit> 0.4	CR good of fit>	Probability (P) good of fit <0.05	Specification
1	Quantity	1,000			good of fit
2	Quality	0.820	2.300	0.021	good of fit
3	Efficiency	1,016	7766	0,000	good of fit
4	Accuracy	0.510	2.360	0.019	good of fit

Source: Data primary processed

Test results that are presented in table 3 shows that when seen from the loading factor, that these four indicators value above 0.4 and if seen from table 4b shows that the value of the four indicators CR significantly with CR value of 1.96 and if visits at the level of $\alpha = 5\%$. It can be seen the value of the probability (P) 0,000 less than 0.05. From the above test results showed that the four indicators, all of which can be used as a measure in explaining variable Employee Performance are: Quantity, Quality, Efficiency and Accuracy. Fourth indicators are jointly able to explain the variable Employee Performance and of these four indicators are best able to explain the variable is Efficiency, Quality and then Quantity followed most recently Accuracy.

The test results Confrimatory Factor and path coefficients with variables influence the Islamic Culture Competence indicators, Commitments, Honesty and Transformative and Job Satisfaction which include; Employment, Colleague, Opportunities and Supervision of the Employee Performance are: Quantity, Quality, Efficiency and Accuracy in general can be seen in figure 2 below:

FIGURE 2 CONFRIMATORY FACTOR AND COEFFICIENTS CHANNEL EFFECT OF VARIABLE ISLAMIC CULTURE AND JOB SATISFACTION ON EMPLOYEE PERFORMANCE



5.2. Hypothetical Testing Results

Results of calculations as presented in table 4

TABLE 4 RESULTS OF TESTING EFFECTS ISLAMIC CULTURE AND JOB SATISFACTION TO THE EMPLOYEE PERFORMANCE.

NO	Variable	Coefficient Line	SE	CR	Probability (P)
1	Job Satisfaction ← Islamic Culture	1000			
2	Employee Performance ← Islamic Culture	2,794	0184	2,553	0,020
3	Employee Performance \leftarrow Job Satisfaction	1,382	0573	4,875	0,000

Source: Primary data are processed

Seen from table 4 above, significant with the value of the critical ratio > 1.96 and at the level of α = 0.05 (Ferdinand, 2008). It was found that 1). Islamic Culture significant effect on Job Satisfaction withvalue probability (P) and the CR value is perfect. 2). Islamic Culture significant effect on Employee Performance with a value probability (P) = 0.020 less than 0.05 and 2,553 CR is smaller than 1.96 and 3). Job Satisfaction significant effect on Employee Performance with a value probability (P) = 0.000 less than 0.05 and CR 4875 is greater than 1.96. Results of testing the influence of Islamic Culture on Job Satisfaction and Employee Performance shows that the Islamic Culture effect on Job Satisfaction with value path coefficient of 1.000, while the direct influence of Islamic Culture on **Employee** Performance value path coefficient of 2.794 and influence Job Satisfaction on Employee Performance value path coefficient of 1.382

VI. DISCUSSION

In this section we will discuss the research findings described in the previous section. Discussion is done based on empirical and theoretical findings and previous research relevant to the research conducted. This discussion is intended to explain the appropriateness and relevance of each dependent variable and independent variables. From the tests using AMOS 4 through analysis of SEM(StructuralEquationModelIing), the test results for the model either through the overall test and measurement test can be drawn that the multilevel model is able to explain the phenomenon in the organization in several important aspects.

The results of this study to answer that very good multilevel models to explain the model or accept the hypothesis. By analyzing the influence of Islamic Culture on Job Satisfaction and Employee Performance expected us to gain an understanding of the importance of Islamic Culture in enhancing Job Satisfaction and Employee Performance in Institutions of Sabilillah Sampang. In this study connects the three variables proposed in the model. Those variables include: Islamic Culture, Job Satisfaction and Employee. Indicators of the four variables are as follows:

- Variable Islamic Culture measured by indicators; competence, commitments, honesty and transformative. Fourth indicators are jointly able to explain the variable and of these four indicators are best able to explain the variable is transformative capability, then the commitment in work, followed by competence and most recently Honesty.
- Job Satisfaction variables which includes; employment, colleague, opportunities and supervision of these four indicators are best able to explain the variable Job Satisfaction is colleague, employment, followed most recently supervision and opportunities.
- For variable Employee Performance are: quantity, quality, efficiency and accuracy. Fourth indicators are jointly able to explain the variable Employee Performance and of these four indicators are best able to explain the variable is efficiency, quality and then quantity followed most recently accuracy.

In this study, in addition to finding a new model as mentioned above, also found the influence of Islamic Culture variable variable influence on the Job Satisfaction and Employee Performance as a hypothesis test results in Table 4.

An explanation of the effect of variable influence on the Islamic Culture Job Satisfaction and Employee Performance is as follows:

 influence of Islamic Culture variables to Job Satisfaction

From the analysis of SEM(StructuralEquationModelling)found that, variable Islamic Culture with indicators covering competence, commitments, honesty and transformative, influential Job Satisfaction. Of the

four indicators are jointly able to explain the variable and of these four indicators are best able to explain the variable is transformative capability, then the commitment in work, followed by competence and most recently Honesty.

It can be concluded that the test results with the analysis of SEMthrough AMOS 4.0 shows that the Islamic Culture positive effect on Job Satisfaction. These findings show that the results are in line with what was mentioned by Yousef (2001) who studied the culture of Islam as a moderator of employee job satisfaction on Muslims in the United Arab Emirates. As a result, the work culture of Islam has a positive effect on job satisfaction. So, the individual has a high commitment to the culture of Islam (stressing hard work, dedication to work, cooperative) the higher the perceived job satisfaction. Hayati (2012) also examined the work culture of Islam and its relation to job satisfaction and performance. As a result, the work culture of Islam to give a greater influence on job satisfaction and performance. Thus, Islamic principles believed by the individual will be embedded into intrinsic motivation in him, and the intrinsic motivation has the strongest influence for the achievement of individual job satisfaction. Islam sees the job work culture has an important meaning for a person's future economic, social psychological, to give honor, to improve social welfare and strengthen (Ali, 2008). With this, the work culture of Islam can facilitate the individual life goals. According what is taught in Islam, the individual must have a job that is useful and meaningful. Work is also seen as evidence of achievement and independence. People will be successful and advance due to work hard. Work is a source of wealth and well-being (Chanzanagh and Akbarnejad, 2011), this is in line with the principle of work as the source of ownership. Fairness and transparency of a work is also an important thing for a Muslim, because it will give the view that there was no difference in social class for them. A Muslim must also be able to choose the types of jobs that match their interests and skills, so as to minimize errors and discrepancies that will be caused. The achievements resulting from the work performed and provide benefits for others, and a sense of justice that is felt, can cause a sense of satisfaction with the work performed.

2) The influence of Islamic Culture towards variable Employee Performance

From the analysis of SEMfound that, Employee Performance influenced by the Islamic Culture. Variable Islamic Culture with indicators covering competence, commitments, honesty and transformative. Of the four indicators are jointly able to explain the variable and of these four indicators are

best able to explain the variable is transformative capability, then the commitment in work, followed by competence and most recently Honesty.

It can be concluded that the test results with the analysis of SEM through AMOS 4.0 indicates that the variable positive influence on the Islamic Culture Employee Performance. These findings show that the results are in line with what was mentioned by Shukor (2010) proved that belief in religion impacts on the understanding of Islamic culture which would then affect the performance of an individual. Previous research has found work ethic affect the performance (Imam et.al., 2013), the commitment (Sabri, 2011), to the perception of fairness (Rokhman 2010; Farahizade et.al.,2013), the involvement of labor and reduce the level of turnover (Khan and Muhammad Abbas, 2012). Some research suggests that the culture of Islam can drive satisfaction, commitment and continuity of work and the results, reducerates turnover employee(Marri can et.al.,2012). Islam regards the work culture as a goal to work not just finish the job, but to promote personal growth and social relationships (Hayati, 2012). This is important because not only provide benefits to individuals who adhered to the principle, but the culture of Islam is also an impact on the environment as a whole. The success and the success of the work depends on a person's hard work and commitment to his work. Commitment to the job may also increase social welfare. Problems can be reduced if people are committed and avoid unethical things to accumulate wealth (corruption). It is emphasized in the concept of work culture of Islam is the inclusion of intent in performing an activity. If the work is seen as a virtue, then the work will be of benefit to themselves and others. Individuals will exert all the capabilities, and felt life meaningless without work (Ali, 2008). Therefore, their views on this matter (in accordance with the concept of work culture of Islam) can encourage individuals to have a high involvement in the work. Additionally, Islam teaches a Muslim should be trusted (trust) in holding an affair (Chanzanagh and Akbarnejad, 2011). By mandate, the individual will have a strong sense of responsibility towards his job. Similarly with Mohamed (2010) examines the culture of Islam in the Arab students in Israel. As a result, the work culture of Islam influence on variable individualism, individualism where the emphasis is on achievement and loyalty. This is a proof that a Muslim would give his best dedication to the job, are loyal to the organization where they work. Additionally, Marri et.al.,(2012) also revealed the results of his research that individuals who hold strong work culture of Islamic principles would also increase

commitment to the organization and reduce the intention to leave the organization.

3) Variables influence Job Satisfaction on Employee Performance

From the analysis of SEMfound that, Employee Performance influenced by Job Satisfaction, Job Indicators include; Employment, Satisfaction Colleague, Opportunities and Supervision of these four indicators are best able to explain the variable Job Satisfaction is colleague, employment, followed most recently supervision and opportunities. And for Employee Performance variables are: quantity, quality, efficiency and accuracy. Fourth indicators are jointly able to explain the variable Employee Performance and of these four indicators are best able to explain the variable is efficiency, quality and then quantity followed most recently Accuracy.

It can be concluded that the test results with the analysis of SEMthrough AMOS 4.0 indicates that the variable Job Satisfaction on Employee Performance. These findings show that the results are in line with what was mentioned by Qureshi et.al., (2011) in this study stated that their job satisfaction factors that improve employee performance. The results show that there is a positive effect of job satisfaction on employee performance. This study jug line with research Soegihartono (2012), which concluded that job satisfaction has a positive influence on performance. To improve the performance of employees, the company did not forget to leave a factor of employee satisfaction. Nurse job satisfaction found to affect the performance and productivity of hospitals, Al-Ahmadi (2009: 112) conducted a study of nurses at a hospital in Riyadh, Saudi Arabia. Results of regression analysis indicated that some of variables that contribute to employee performance. Staff job satisfaction can affect patient outcomes. All service providers showed better services when they are satisfied with his work and when they feel committed to the organization (McNeese and Smith, 2005). Empirical research also found that job satisfaction has a positive and significant influence on employee performance Rose et.al.,(2009); and Gunlu et.al.,(2010). A person tends to work very vigorously if satisfaction can be gained from his job and employee satisfaction is a key driver of morale, discipline, and employees' performance in supporting the realization of the company's goals "(Hasibuan, 2003: 203). Prayuginingsih (2011) indicates that there is a positive relationship between job satisfaction on employee performance variables. High or low a person's satisfaction will have an impact for the organization. According to Robbins (2007) some impact due to job satisfaction, among others: job satisfaction within the organization to produce a good performance because it can increase

the productivity of a person. If satisfaction and productivity are combined for an overall organization, an organization that has many satisfied workers tend to be more effective than those with fewer workers are not satisfied. Someone who is happy or satisfied with his work will be a productive worker employment. The success of an organization is influenced by the performance of the employee, for that each company will try to improve the performance of employees in achieving organizational goals that have been set. Job satisfaction is achieved employees will be able to trigger the performance.

VII. CONCLUSIONS

Based on the results of research and discussion of research can be concluded that the indicator variables Islamic Culture Competence, Commitments, Honesty and Transformative Education Institute Sabilillah Employee Performance Madura as follows.

First, Islamic Culture with indicators covering (competence, commitments, honestv and transformative) indirectly affect Performance Sabilillah Institutions Madura, namely through increased Job Satisfaction. Here Job Satisfaction has a direct influence on Employee Performance. Fourth Job Satisfaction indicator which includes; employment, colleague, opportunities and supervision jointly able to explain and job satisfaction of these four indicators are best able to explain the variable job satisfaction is colleague, employment, followed supervision and most recentlyopportunities,

The Second Job Satisfaction with indicators include; employment, colleague, opportunities and supervision affect variable employee performance. For variable employee performance are: quantity, quality, efficiency and accuracy. Fourth indicators are jointly able to explain the variable employee performance and of these four indicators are best able to explain the variable is efficiency, quality and then quantity followed most recently accuracy

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