



2nd International Seminar on Interreligious and Intercultural Studies 2018

RELIGIOUS PLURALISM IN SOUTHEAST ASIA

Universitas Hindu Indonesia, Denpasar, Bali, 6 December 2018

PROCEEDING BOOK

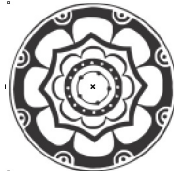
ISBN 978-6A23-91636-5-5

UNHI PRESS
2018

**2nd International Seminar of
Interreligious and Intercultural Studies
Religious Pluralism in Southeast Asia**

PROCEEDING BOOK

ISBN 978-6A23-91636-5-5



UNHI

**6 December 2018
Indraprastha Hall, Universitas Hindu Indonesia, Denpasar, Bali,
Indonesia**

**UNHI PRESS
2018**

**2nd International Seminar of
Interreligious and Intercultural Studies
Religious Pluralism in Southeast Asia**

Editors:

I Ketut Ardhana, I Putu Sastra Wibawa, Made Adi Widyatmika

Peer Reviewers:

I Ketut Ardhana, Dicky Sofjan, Yekti Maunati, Montri Kunphoomarl, Goh Beng Lan

Organizing Committee:

I Putu Sastra Wibawa (Chairman)

Made Adi Widyatmika (Secretary)

Nevi Diah Pratiwi (Treasurer)

Keynote Speaker

Dr. H. Wiranto, S.H., M.M

Plenary:

Prof. Dr. Volker Gottowik, Prof. Dr. Montri Kunphoomarl, Prof. Goh Beng Lan; Prof. Dr. phil. I Ketut Ardhana, M.A.

Cover design and layout:

Satya Prasavita

Publisher and Editorial Address:

UNHI PRESS

Hindu University of Indonesia

Jl. Sangalangit, Tembau, Denpasar, Bali - Indonesia

Phone. +62 361 464800

email: unhipress@unhi.ac.id

© UNHI 2018

All Right Reserved. No part of this publication can be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording or any information storage or retrieval system, without prior permission of UNHI Denpasar.

CONTENT

Contents

Welcoming Messages From The Chair Of YPWK

Remark From Rector Of Unhi

<i>Baliologi: Towards the Maintanance of Balinese Suistanable Development</i> I Ketut Ardhana	2
<i>Political Hegemony in Agricultural Transformation In Bali</i> Euis Dewi Yuliana, Ida Bagus Dharmika	4
<i>Politics Of Identity Of Balinese Artists Toward Domination Of Modern Art Ideology</i> I Ketut Supir	5
<i>Strengthening The Value Of Hindu Education For Young Hindu Generation To Against Radicalism</i> I Gede Dharman Gunawan, I Made Bagus Andi Purnomo, Kadek Wiramarta	6
<i>The Karang Bomha ornament in Kori Agung (Great Door) in Denpasar City Perspective of Hindu Religious Fine Arts Education</i> I Kadek Sumadiyasa	7
<i>Teaching Tat Twam Asi, The Basic Concept Of Tolerance In Religion Pluralism</i> IGK Widana, NM Sukrawati, IG Widya Suksma	8
<i>Hindu Bali Worship Architecture Of Tradition To Milenial Era, In Multicultural Perspective</i> I Putu Sarjana, I Putu Gede Suyoga	8
<i>Pluralism Religion: Accusing Practical Educational Hindu Religion That Is Inclusive In School</i> Ni Putu Suwardani, I Made Sumarya	9
<i>Pada Gelahang Marriage: Perspective Of Legal Pluralism</i> I Putu Gelgel, I Putu Sastra Wibawa	10
<i>Strengthening The Hindu-Balinese Religious Identity In The Public Sphere: Ogoh-Ogoh Display & Silent Day (Nyepi) Revisited</i> Erni Budiwanti	10
<i>Gender Wayang: Ritual Music Within The Hindu Religion In Bali</i> I Nyoman Kariasa	11
<i>Positioning Analyse on Pura Ngobaran Symbols as Attractive Credit Points for Tourists</i> Aris Risdiana, Reza Bakhtiar Ramadhan	12
<i>The Value Approach in Cyberbullying Countermeasures against Children</i> Dewi Bunga, I Wayan Gde Wiryawan	12

<i>Overcoming Religious-Hate Speech on Social Media</i>	13
Ni Luh Gede Yogi Arthani	
<i>Cultural Values and Religious Harmony Practice in South Sulawesi</i>	14
Andi Ima Kesuma	
<i>Muslim Intellectualism on Religious Pluralism and Bali Religious Diversity</i>	14
Dundin Zaenuddin	
<i>Multicultural In Geguritan Tuwan We And Its Function In The Art Show</i>	15
I Made Suastika, Luh Putu Puspawati	
<i>Tourism Management Based On Javanese-Hinduism and Islamic Kejawen: the Case of Ngobaran Beach, Gunungkidul, Yogyakarta</i>	15
Mikhriani, Imam Nawawi	
<i>Cham Cultural Identity in the Making: The Case of Cham Diaspora in Kelantan Malaysia</i>	16
Yekti Maunati, Beti Rosita Sari	
<i>Ulu Danu Beratan Development as a Spiritual Tourism Attraction: Strategy for Accelerating Regional Economic Development</i>	17
P Krisna Adwitya S, M Heny Urmila D, NP Martini D, IA Sasmita D	
<i>Transition Of Balinese Painting In 1920-1930</i>	18
I Wayan Agus Eka Cahyadi	
<i>Preservation Of Local Wisdoms Of Hindu In Pura Building As Cultural Heritage</i>	18
M Novia Indriani, C Putra, IB Wirahaji, N Ganawati, IK Suputra	
<i>Piper Betle L. in Bali : The Magic of Nutrition, Health, Inner Beauty, religious, and Low Cost</i>	19
I Gusti Ayu Ari Agung, IGN Alit Wiswasta, I Made Tamba, IM Diarta, IB Ari Arjaya	
<i>The Legality of Law Enforcement Against Illegal Levies Conducted by Customary Village in Bali</i>	20
I Wayan Gde Wiryawan	
<i>The Meaning And Function Of Betel Chewing (Ngingang) Tradition As A Cultural Heritage</i>	21
Ida Bagus Putra Suta, Putu Lakustini Cahyaningrum, Sang Ayu Made Yuliari	
<i>Socio-Religious Community Of Tengger: Analysis Of The Roles, Functions And Development Of Religious Institutions In Pasuruan Regency, East Java</i>	22
IW Suija, IK Sudiarta, K Satria, IBP Eka Suadnyana, Rubi Supriyanto	
<i>Sinergisity Of Bali Tourism And Culture Through The Tour Guide Function</i>	23
K Ayu Ariningsih, IN Jayanegara	
<i>The Transformation Of Kakawin Ramayana Into Geguritan Kapiparwa In Bali</i>	24
LP Puspawati, IM Suastika, IK Jirnaya, IW Sukersa	
<i>Legong Sudarsana In Puri Taman Saba A Representation Of Rwa Bhineda</i>	

<i>Concept</i>	24
Ni Made Pira Erawati	
<i>Cultural Acculturation In Creating Motif Design Of Batik Lasem</i>	25
Vera Jenny Basiroen	
<i>Hulu-Teben Concept Of Traditional Bali Aga Belandingan Village, Kintamani District Bangli Regency, Bali</i>	25
NGA. Diah Ambarwati Kardinal, IKG Santhyasa, K Wirawan, IN Harry Juliarthana,	
<i>Students' Learning Motivation in Indonesian as Foreign Language Classrooms at GoBali International Program, Udayana University</i>	26
A.A.S. Shanti Sari Dewi, P Weddha Savitri	

WELCOMING MESSAGES FROM THE CHAIR OF YAYASAN PENDIDIKAN WIDYA KERTHI



Om swastyastu,

It is a great pleasure to learn that the Universitas Hindu Indonesia (UNHI), Denpasar, Bali organize the 2nd International International Seminar on Interreligious and Intercultural Studies: Religious Pluralism in Southeast Asia. With the involvement of scholars and researchers from several countries, the conference is expected to become an academic forum that addresses the pluralism in Southeast Asia.

Currently, in the disruptive era, Southeast Asian countries are facing various forms of threats such as intolerance, radicalism, ethnicities, etc., come with the advancement of technology, leading to the disintegration of the nation. Indonesia, as well as other Southeast Asian countries, need to anticipate such threats, either by strengthening relationships between countries and by strengthening local wisdom. The idea of promoting the Dewan Kerukunan Nasional (National Harmony Council), as a local wisdom in Indonesia, is one solution to all issues in the context of diversity.

Hopefully, the conference becomes a media for a global discussion and dialogue between formal institutions and local customary institutions to seek common ground for the contribution to the harmonious life. My best wishes for a productive and successful conference, and a pleasant stay amongst us.

Om santih, santih, santih, Om.

I Ketut Ardhana

REMARK FROM RECTOR OF UNHI



Om Swastyastu,

It gives me great pleasure to extend to you all a very warm welcome on Universitas Hindu Indonesia and to say how grateful we are to the scientist, scholar and researcher who have accepted our invitation to convene the 2nd International Seminar of Interreligious and Intercultural Studies, here in Denpasar, Bali.

There are more than 30 papers will be presented on the 2nd International Seminar of Interreligious Studies: Religious Pluralism in Southeast Asia, which held on December 6th, 2018 hosted by Universitas Hindu Indonesia. The greatest academic issues that will be discussed in this forum are about pluralism and its consequences in the disruptive era. Through this seminar, we explore and develop smart ideas to deal with conflict in a pluralistic society.

As the host, we consider that the attendance of participants and speakers to this seminar, both from local and board, exactly illustrating the nuances of multi culture. These nuances will attract us into the atmosphere of unity in diversity as directed by Pancasila, Bhinneka Tunggal Ika.

We sincerely hope that this seminar could be an academic discussion for scholars from various fields of interest, and get the noble goal. And I would like to thanks to all participant for their kind participation and to organizing committee for the great job.

Om Shanti, Shanti, Shanti, Om

I Made Damriyasa

Political Hegemony in Agricultural Transformation In Bali

Euis Dewi Yuliana¹, Ida Bagus Dharmika², University of Hindu Indonesia

¹<dewi.yuliana1966@yahoo.co.id>; ²<gusdharmika@gmail.com>

Abstract. In order for sustainable agriculture to be realized and the security of food quality as implemented by developed countries can be achieved, agricultural transformation from modern agriculture to organic is carried out. In implementing the business, it is suspected that there are many factors that influence it, one of which is how the role of the government in the effort to roll out the agricultural transformation that occurs, for that it needs further study. This study aims to determine the role of the government in the effort to roll out agricultural transformation. To answer the problems in this study qualitative methods were used with research sites in Subak Wangaya Betan, Mengesta Village, Penebel District, Tabanan Regency, Bali Province. From the results of the study obtained the following conclusions. (1) Government interest related to agricultural transformation in Wangaya Betan Subak, is politically answered by the implementers of field officers in the area, namely the Agricultural Field Extension (PPL). PPL, which is an extension of the government in the field, has an active role in rolling out agricultural transformation. (2) One of the policies in agricultural development launched by the government is the development of organic agriculture through Go Organic 2010 commitments. Go Organic 2010 is a program launched by the government to support programs of resilience and independence in agriculture by carrying out organic agriculture or transforming modern agriculture into organic.

Keywords: transformation, agriculture, hegemony politics

I. Introduction

In the 21st century, the problem of agriculture and food can no longer be seen simply, namely only the provision of food, primarily rice for a population that has not yet developed, but at present the agricultural problems have shifted very drastically. Agriculture has a very complex mission colored by various problems that are interrelated with one another.

The linkages between various problems in agriculture are reinforced by the statement of Apriyantono (2006: 18-19), Minister of Agriculture of the Republic of Indonesia for the period 2004-2009, which states that agricultural development policies in Indonesia are an accumulation of a variety of very complex agricultural problems that are interrelated between one with others marked by several things, namely (1) agriculture is not only required to produce for the adequacy of food for the people of Indonesia, but also to serve the market for some of the world's population whose consumption patterns have shifted with more emphasis on protein, fat, minerals, and

vitamins, (2) agriculture can provide employment and become a key in overcoming food shortages and poor nutrition, (3) agricultural development is expected to be able to provide a major contribution in overcoming world concerns relating to the existence of 1.2 billion human beings who experience absolute poverty and 840 million suffer from hunger and malnutrition, (4) in an era of more free trade, agriculture is part of an open global competition system, where inevitably must be prepared to compete with any country that still subsidizes the agricultural system, including marketing agricultural products that use an approach integrated collaboration incorporation between the private sector and state support, (5) agriculture can only be sustainable if it is part of the ecological system of the universe that is environmentally friendly, which in the past was not considered in the Green Revolution, and (6) as a result of the progress of communication, the quality requirements and food security applied by various developed countries, can easily develop into the expectations and demands of the global community.

To answer the agricultural development policies launched by the government (as described above), especially those relating to (1) agricultural issues that can only be sustainable if they are part of the ecological system of the universe that is environmentally friendly and (2) the existence of quality and safety requirements food that is applied by developed countries and also the expectations and demands of the global community, then various businesses in agriculture are carried out. One of the efforts carried out is agricultural transformation in the Wangaya Betan Subak from modern agriculture based on the use of chemicals in agriculture towards organic farming systems, so that sustainable agriculture can be realized and food quality security as implemented by developed countries can be achieved. To implement the business, it is suspected that there are many factors that influence it, one of which is how the role of the government in an effort to roll out the agricultural transformation that occurred.

Starting from the above questions, a study was conducted that examined “Political Hegemony In Agricultural Transformation In Bali”. In this study, more in-depth study of the role of the government in its political policy is hegemonizing farmers in Subak Wangaya Betan in order to want to carry out agricultural transformation from modern agriculture to organic farming.

II. Research Methods

The research was carried out in depth in Subak Wangaya Betan, Desa Mengesta, Kecamatan Penebel, Kabupaten Tabanan in Bali Province, with a research design using qualitative methods. The type of data used in this study is qualitative data and is supported by quantitative (secondary) data as supporting data. The data source of this study consists of two data sources namely primary data sources and secondary data sumber. Primary data sources are objects observed (observed) and interviews with

informants. Secondary data sources are various kinds of publications, photos, pictures, flyers and others that will be reprocessed. Determination of informants begins with the determination of key informants, by capturing a number of potential informants, the informants are carefully selected, namely people who know and understand the problems that occur in carrying out modern agricultural transformation to organic farming in Subak Wangaya Betan. Based on information from key informants, it was developed to other appointed and selected informants, who else can provide information to complete the results of the research that has been carried out, until data saturation occurs.

This study seeks to explore and collect data through certain stages such as observation, interviews, document study, and focus of group discussions. This study uses qualitative and interpretive descriptive analysis. The stages of data analysis are identification, classification (categorization), and at the same time an analysis of various information obtained from the field by always basing on literature review and theoretical studies that have been explained previously. Data interpretation is also done carefully and deeply using knowledge, ideas and concepts that exist in the community at the research site.

III. Results and Discussion

A. Role of Field Agricultural Extension Workers (PPL)

Political interests present in agricultural transformation in Subak Wangaya Betan is one form of the realization of the role of the government in carrying out its functions in agriculture. The government program relating to agricultural transformation in Subak Wangaya Betan is an extension of the national agricultural development program. Mattjik (2006: xliii) states that agricultural development requires partiality from all components of the nation, especially politicians and policy makers in order to place potential rich agriculture and involve the majority of people's livelihoods, as sectors that need concrete support. Such support can involve the provision of infrastructure, monetary and capital policies, insurance and fair marketing guarantees. In the era of globalization without partiality, inevitability about agricultural development, of course is just a dream.

According to Krisnamurthi (2006: 4), one of the great strategies to restore the success of agricultural development in the past, the government has launched an agricultural revitalization program. Agricultural revitalization at first was an awareness of the importance of agriculture for the lives of all Indonesian people and nation. Awareness that precisely Indonesia will become a large country if it is able to utilize its agriculture. This awareness later became a political promise in the General Election, and because it gained the people's trust, the political promise became a provision on national development contained in the Medium Term Development Plan (RPJM) which was confirmed in the form of a Presidential Decree.

The three big targets to be achieved in revitalizing agriculture are strengthening food security, dissecting permanent poverty traps to alleviate poverty, and developing competitive agribusiness. Food security has become an indicator of the success of development, food security is not synonymous with rice self-sufficiency even though the food security pillar is the production of rice that meets domestic needs. Food security is also not identical with household resilience, but food security includes many elements such as elements of production, distribution, price and income, without all of which impossible food security can be realized. Furthermore, according to Law Number 7 of 1996 article 1 paragraph 17 reads: food security is a condition of fulfilling food for households which is reflected in the availability of sufficient food, both in quantity and quality, safe, evenly distributed and affordable, which can be obtained at a fairly cheap price (Adnyana, 2006: 109-110). Increasing agricultural production is one way to achieve food security, in Subak Wangaya Betan taken by implementing agricultural transformation, from modern agriculture to organic farming, so that agricultural production increases

Government interests related to agricultural transformation in Wangaya Betan Subak are politically answered by field officers in the regions, such as information conveyed by one PPL from BPTP Bali Province, namely Dr. Ir. I Wayan Alit Artha Wiguna, M.Sc as follows.

“... We from BPTP Bali Province carry out a coaching program on organic farming in the Subang Wangaya Betan inseparable from the government’s policy on going organic 2010. The work program that we have planned in Subak Wangaya Betan since 2006, is to accelerate the realization of the 2010 organic go program, which is one of the government’s policy programs in agriculture ... “

From the information conveyed by the informant above it can be seen that in fact the presence of government interests in agricultural transformation in Subak Wangaya Betan is marked by the presence of Field Agricultural Extension officers (PPL). PPL officers from the Institute for Agricultural Technology Assessment (BPTP) of Bali Province, are paid by the government to provide guidance to farmers in Subak Wangaya Betan to carry out agricultural transformation towards organic farming in accordance with the elaboration of the interests of government policies in the field.

Agricultural development is a government policy in the field of agriculture, in its implementation in the field is carried out through the construction of agricultural counseling, the spearhead is carried out by PPL officers. According to Adnyana (2006: 115) Government policy in agricultural counseling aims to improve the knowledge and skills of farmers in utilizing technology that continues to grow. In the three decades of the New Order era, a centralized agricultural extension system in the center, extension workers were central employees and their management was centralized. Various counseling methods such as training and visits are quite effective, especially in areas with a high population density. This extension system has been proven to accelerate

the process of technology transfer. Institutional extension that was built by the central government to the sub-district level such as the Agricultural Extension Center has become the communication arena for farmers.

The government's attention to agriculture has been quite large and has been going on for a long time. If following the selection of political-economic aspects as the dominant aspect in examining the history of agriculture, the government's attention to agriculture is realized in the political-economic framework. The attention is in the form of political conciseness that agriculture is something that is decisive and important, then it must be followed by political will to advance agriculture, then accompanied by a political decision which mainly concerns priority setting, program development, resource allocation, and organizational development as well as supplemented by political actions that concretely realize these concerns in the form of concrete steps that are directly affected (Krisnamurthi, 2006: 17-18)

In the course of the history of agricultural development in Indonesia refers to agricultural politics and economics developed in accordance with the "color" of politics in each era. During the Dutch colonial period, agricultural development was a form of implementation of "profit balance politics" which were exploitative for the wealth of the colonial state. This politics was then followed by "ethical politics" from the invaders who tried to pay attention to the "indigenous people" who suffered, even though the suffering was more due to exploitation carried out by the same invaders. During Japanese rule, agriculture was only seen as raw material and supporting war. As a result agriculture and farmers return to being objects of exploitation that make suffering and misery (Krisnamurthi, 2006: 18).

Krisnamurthi (2006: 18-19) further stated that in the early days of independence, agricultural development was filled with the spirit of nationalism and the desire to fulfill all the people's needs for staple food from their own land. In the first half of 1960, the development planning approach began. Agricultural development programs that are still being carried out, such as intensification, extensification, and credit have been carried out. In the era of the new order "self-sufficiency politics" became the main flag of the management of agricultural development, by developing and implementing programs that had actually been launched previously, namely intensification with the application of technology, extensification, rehabilitation, and various other programs. All-government and uniform and centralized approaches accompany the "politics of development trilogy" (growth, stability and equity). During the transition period of reform, agricultural politics in Indonesia was carried away by greater political development. This is reflected in the Ministry of Agriculture's policy for decentralized agricultural development in accordance with the adopted, competitive political era which reflects the need for businesses to face growing competition pressures, fears that reflect the spirit of participation, and sustainable in line with increased awareness of the importance of environmental conservation. Decentralized political policy

in agricultural development is also applied to the agricultural extension system in Indonesia which was originally arranged at the center in accordance with the political policy at the time, namely centralized agricultural development. This is in line with the opinion of Adnyana, et al (2003) that the reform era brought fundamental changes to the agricultural extension system, which is no longer arranged centrally, but centralized to the regions. It turns out that the political policy of agricultural development like this weakens the institutions and dynamics of extension activities. Extension agents are the spearhead of the technology transfer process, the real impact in the reform era is the slowing down of the information and technology adoption process. Both directly and indirectly, this condition also has an impact on efforts to increase agricultural production, so as not to close the possibility of weakening national food security. But this is not the case in Subak Wangaya Betan, the role of PPL from BPTP Bali Province is so responsive in delivering agricultural transformation, by adopting information and transfer of technology about organic agriculture, has a positive impact on subak in increasing agricultural production.

This is in line with the opinion of Adnyana, et al (2002), the establishment of the Center for Agricultural Technology Assessment (BPTP) in each province has a significant role in overcoming the decentralization of the freezing system. Although still relatively young, the existence of BPTP that works with extension institutions in the regions is enough to help accelerate the process of adoption and diffusion of technology.

The Secretariat of the Bimas Regulatory Agency (in Legowo, 2006: 664), stated that the agricultural extension in question was a system of non-formal education for farmers and their families so that they would grow their desires, develop their abilities and be self-sufficient to improve / improve the welfare of their families and communities. Agricultural extension contains elements of providing knowledge, improving skills for farmers and their families so that they can improve their welfare independently.

The non-formal education system which contains elements of providing knowledge and improving the skills of farmers, on the one hand does look good because it can increase farmers' knowledge and skills. This is also very useful for shaping the personality of farmers so that they can change the mental attitude of farmers. But behind all that, unwittingly the provision of non-formal education which is one of the government's policies in the effort of agricultural development, unwittingly contains power values that can suppress the freedom of farmers to be creative. In line with that Freire (in Sutanto, 2000), said that educational practices both formal and non-formal in some developing countries often trap communities in a compliance that occurs naturally to new ideologies. Thus, education is a dehumanization process carried out by the authorities through the process of hegemony for its power.

The concept of hegemony, is a form of domination not only in the form of political domination through force, but also cultural domination through intellectual and moral leadership. This means that in the concept of hegemony there is a kind of intellectual,

moral, and idea domination, namely through which there is control and mastery of both the mind, mentality and public awareness in a society, especially the peasant community. So hegemony creates a kind of public acceptance of a principle, idea, idea, which is disseminated through various forms of institutions, including non-formal educational institutions from the government in agriculture.

Hegemony combines strength and agreement depending on the situation of a society. The agreement will give birth to citizens who through self-discipline will adjust to the norms placed by the state. Just as the state apparatus in the Department of Agriculture performs intellectual, moral, and ideas domination through which control and mastery of the mind, mental, awareness and behavior of farmers occur. This is very clearly seen from the presence of PPL from BPTP Bali Province in Subak Wangaya Betan which carried out non-formal education in the form of field schools which were given to farmers of subak members. In this case the government through PPL dominates intellectual, moral, and ideas to farmers in order to accept the government's interests through policies under the guise of agricultural development, in terms of developing organic agriculture.

The purpose of the PPL presence from BPTP Bali Province in Subak Wangaya Betan was to review, disseminate, guide and study organic farming, which began in 2006 and ended in 2008. The PPL program ended in Subak Wangaya Betan, due to transfers science and technology about organic agriculture has been maximized and has been understood by farmers and farmers who are sufficiently capable of carrying out organic farming independently. At present farmers in Subak Wangaya Betan are already very dependent on organic agriculture, and organic farming is the right choice for them in their cultivation. This was conveyed by Mr. Ketut Riksa (age 50), one of the cooperative farmers in Subak Wangaya Betan as follows.

"... The guidance program provided by BPTP here (Subak Wangaya Betan) has ended in 2008, because it is considered that we are sufficiently capable of carrying out organic farming independently, what is given by BPTP is felt to be maximal, and now we just continue farming with agriculture organic ...".

In connection with the information above, another opinion was also conveyed by PPL from BPTP Bali Province namely Dr. Ir. I Wayan Alit Artha Wiguna, M.Si, who plays an active role in providing guidance to farmers in Subak Wangaya Betan, as follows.

"... The guidance program for farmers in Subak Wangaya Betan, has ended in 2008, until this stage it was felt that the transfer of knowledge and technology related to organic farming was sufficient. Farmers have been able to accept and apply organic farming innovations. However, it does not rule out the possibility because farmers find it difficult to absorb transformation, so the process of mentoring and learning must continue continuously ...".

Based on the information that has been conveyed by the informant above, the empowerment of farmers must be seen as an effort to improve the internal capabilities

of farmers as well as open access and more opportunities for farmers to get productive resources support and to develop more prosperous businesses. Agricultural education and education is a very important operational agenda. The development of agricultural institutions will determine the ease of access to financial resources. Research and development including reliable, focused and sustainable data collection will be another determining factor. Access to farmer control over follow-up activities, especially agro-industry and agro-services which have better incentives while determining the performance of the farm, must also be more open.

The role of agricultural extension workers is not only limited to technology transfer which is government policy, but also includes efforts in institutional development, for example agricultural cooperatives, to be very strategic. The very small scale aspect of farming is also a major limitation on the empowerment of farmers. Firm steps are needed to prevent land conversion and provide opportunities for farmers to get the economic scale needed. Agrarian arrangement and enforcement of spatial law are steps that cannot be delayed. Increasing competitiveness also requires technology, research and development to improve the ability of farmers.

B. Government Policy as the Basis of Agricultural Transformation

One of the policies in agricultural development that was launched by the government was the development of organic agriculture through the “Go Organic 2010” commitment. Go Organic 2010 is a program launched by the government to support the program of resilience and independence in agriculture. With the launch of the agricultural program, it has an impact on the private sector as a business actor to participate in participating in the success of resilience and independence in agriculture. In this commitment it was announced that in 2010, Indonesia would become the largest producer of organic agricultural products in the world. Furthermore, government policies on organic agriculture also refer to global policies, encouraging agricultural transformation in subak Wangaya Betan. With the launch of the 2010 Go Organic by the government, it is expected that the development of all industries in the agricultural sector is expected. One of them is the organic fertilizer industry players. The industrial scale of the actors of organic fertilizer is not only large scale, but also household scale. By utilizing waste and organic matter in the environment it will produce economic and socio-cultural added value. Therefore the growth of the organic fertilizer industry should be supported and developed.

Many efforts have been made by the government, agricultural industry players and especially farmers to return to organic farming patterns, but it is felt necessary to make a movement so that organic programs can run faster and more directed. Go Organic 2010 is the momentum of the beginning of the socialization of organic farming on a wide scale. This pattern of organic farming does not mean anti-chemical fertilizers and other synthetic products. Because it is undeniable that the soil needs nutrients

contained in chemical fertilizers, but it must be realized that there are actually many natural chemicals that can be used from nature.

Entering the 21st century, governments in various countries have determined to enhance the role of agricultural cultivation that prioritizes environmental and health aspects. Community lifestyles that require safe attributes (food safety attributes), high nutritional content (nutritional attributes), and environmentally friendly (ecolabelling attributes), require humans to consume organic food, which is free from the use of chemicals. This is in accordance with the opinion of “Father of Organic Theory” Dr. Henry Chang is as follows (Antara, 2009: 204).

“... organic food means that all agricultural products that are free from chemical fertilizers, chemicals or additives from the beginning have been cultivated, which is entirely natural, in other words produced from agriculture, which is called organic farming ...”

Furthermore, from various opinions of experts, organic farming is defined as an agricultural production method that does not use materials that are not allowed by Organic Standards, namely pesticides, chemical fertilizers, genetic engineering (Genetically Modified Organisms / GMO), antibiotics, and growth hormones (Between, 2009 : 204)

This preference is thought to spur the demand for world organic agricultural products to grow fantastically at an average rate of 20% per year. The World Trade Organization (WTO) reports that in the period 2000-2004, trade in organic agricultural products in the world reached an average of 17.5 million US dollars, and even estimated to reach 100 million US dollars. This condition of course needs to be seen as a very prospective opportunity for developing countries, especially Indonesia, to use it because of the large amount of biodiversity owned by Indonesia (Goenadi,2006:286).

In an effort to facilitate the business prospects above, the government, in this case the Ministry of Agriculture and the Directorate General of Processing and Marketing of Agricultural Products has compiled the National Agenda for the Development of Organic Agriculture with the 2010 Go Organic Program. to accelerate the realization of environment-oriented agricultural development (eco-farming) to improve the welfare of the community, especially farmers. The mission of this program is to improve the quality of life of the community and the preservation of Indonesia's natural environment by encouraging the development of competitive and sustainable organic agriculture. The basic strategies formulated are by developing: (1) technology, human resources, and information systems, (2) farmer business organizations, (3) centers for organic farming growth, and (4) marketing of organic products. Based on activities that have been started since 2001, in 2006 - 2010 it was programmed to strengthen aspects of industrialization and trade so that by the end of 2010 Indonesia had become one of the world's major producers and exporters of organic food. During this experience, Indonesia has enjoyed little or no high value of organic products with

the export of organic coffee from Kintamani Bali, even though the amount is still limited to Japan (Damardjati, 2005: 5).

The existence of government policies as outlined by the Ministry of Agriculture and the Directorate General of Processing and Marketing of Agricultural Products on the National Agenda for Organic Agriculture Development with the 2010 Go Organic Program, has dominated and hegemonized farmers to want to implement organic farming with socialization media through PPL. Thus, in the implementation of the agricultural system there has been symbolic violence which is wrapped in government policy so that it does not appear to be surface.

When a government institution that is controlled by political interests serves as a tool of hegemony, which is a tool to disseminate and strengthen certain ideological ideas and systems that are dominant, then there is a great opportunity to create various forms of coercion of ideas, knowledge, or ideology, through a mechanism called symbolic violence. Symbolic violence according to Pierre Bourdieu is a form of violence that is subtle and invisible, but behind it hides domination (Pilliang, 2004: 359). This means that the dominance of both ideas, ideas, knowledge related to organic farming is done in a very subtle way so that domination does not appear to be a force of domination. However, this leads to consensus or mutual agreement to hegemony farmers to implement ideas, ideas and knowledge about organic farming without pressure and / or coercion.

Entering the 21st century, the world community began to realize the dangers posed by the use of synthetic chemicals in agriculture. People are wiser in choosing food that is safe for health and environmentally friendly. A healthy lifestyle with the slogan "Back to Nature" has become a new trend leaving an old lifestyle that uses non-natural chemicals, such as fertilizers, synthetic chemical pesticides and growth hormones in agricultural production. Healthy and highly nutritious food can be produced with new methods known as organic farming. Organic farming is an agricultural cultivation technique that relies on natural ingredients without using synthetic chemicals. The main objective of organic farming is to provide agricultural products, especially food that is safe for the health of producers and consumers and does not damage the environment. Such a healthy lifestyle has institutionalized internationally which requires assurances that agricultural products must be consumed safely (food safety attributes), high nutritional content (nutritional attributes) and environmentally friendly (eco-labeling attributes). Consumer preferences like this cause the demand for world organic agricultural products to increase rapidly.

Indonesia has a unique wealth of tropical biological resources, abundance of sunlight, water and soil, as well as community culture that respects nature, the potential for organic farming is very large. The world market of organic agricultural products increases by 20% per year, therefore the development of organic farming needs to be prioritized on high-economic value crops to meet the needs of domestic and export

markets. Opportunities for Organic Agriculture in Indonesia. The area of land available for organic farming in Indonesia is very large. Of the 75.5 million ha of land that can be used for agricultural business, only about 25.7 million ha have been processed for rice fields and plantations (BPS, 2000). Organic farming demands that the land used is not or has not been contaminated by chemicals and has good accessibility. Quality and extent are considered in the selection of land. Land that has not been polluted is land that has not been cultivated, but in general such land is not fertile. Fertile land generally has been intensively cultivated using chemical fertilizers and pesticides. Using land like this requires a long conversion period of around 2 years.

IV. Conclusions and Suggestions

A. Conclusions

Based on the above discussion, it can be concluded as follows.

1. Government interest related to agricultural transformation in Wangaya Betan Subak, is politically answered by the implementers of field officers in the area, namely Agricultural Field Extension (PPL). PPL, which is an extension of the government in the field, has an active role in rolling out agricultural transformation.
2. One of the policies in agricultural development launched by the government is the development of organic agriculture through the Go Organic 2010 commitment. Go Organic 2010 is a program launched by the government to support programs of resilience and independence in agriculture by implementing organic agriculture or transforming modern agriculture into organic.

B. Suggestions

1. Further research is needed on other factors that influence agricultural transformation.
2. It is recommended to the government to be more serious in implementing the 2010 Go organic policy, as well as rolling this policy to another place.
3. To farmers it is suggested that they continue to carry out organic farming, as a consequence of agricultural transformation.

Acknowledgment

Thank you to the subak Wangaya Betan, both administrators and member, especially to Mr. I Nengah Suarsana, SH, as a cooperative farmer. Also to Mr. Dr. Wayan Alit Artha Wiguna as a field agriculture instructor, who contributed a lot in this research.

References

- [1] Adnyana, M. O., E. Basuni, R.N. Suhaeti, R.S. Rifai, R. Hendayana, W. Sudana, S. Partohardjono, D.K. Sadra, H. Supriyadi, A. Setyono, "Impact Study on

- Agricultural Technologies in 12 AIATs. AARD-ARM-II Project”, Jakarta, 2002.
- [2] Adnyana, M. O., F. Agus, B. Krisnamurthi, S. Sumarto, A. Indrayono, and E. Pasandaran, “A Socio-Economic and Policy Analysis of the Roles of Agricultural in Indonesia”, Paper Presented at the Roles of Agricultural International Conference 20-22 October, 2003. FAO, Rome, Italy, 2003.
- [3] Adnyana, Made Oka, “Lintasan dan Marka Jalan Menuju Ketahanan Pangan Terlanjutkan dalam Era Perdagangan Bebas”. dalam Sutanto, Jusuf dan Tim (editor). Revitalisasi Pertanian dan Dialog Peradaban. Penerbit Buku Kompas. Jakarta, 2006.
- [4] Antara, Made, “Pertanian, Bangkit atau Bangkrut?”. Cetakan Pertama. Arti Foundation. Denpasar Bali, 2009.
- [5] Apriyantono, Anton, “Harus Berani Keluarkan Kebijakan Terobosan Untuk Petani”. Sinar Tani, Edisi 26 Januari – 1 Februari 2005. Nomor 3083 Tahun XXXV. 2005.
- [6] Damardjati, D.S, “Kebijakan Operasional Pemerintah dalam Pengembangan Pertanian Organik di Indonesia”. Makalah Workshop dan Kongres II Maporina. Jakarta, 21-22 Desember 2005.
- [7] Gunadi, Didik Hadjar. “Pengelolaan Tanah Sebagai Aset Sumber Daya Alam Tak Terbarukan Melalui Pendekatan Probiotik”. dalam Sutanto, Jusuf dan Tim (editor). Revitalisasi Pertanian dan Dialog Peradaban. Penerbit Buku Kompas. Jakarta, 2006.
- [8] Krisnamurthi, Bayu, “Sebuah Konsekuensi Sejarah dan Tuntutan Masa Depan”. dalam Sutanto, Jusuf dan Tim (editor). Revitalisasi Pertanian dan Dialog Peradaban. Penerbit Buku Kompas. Jakarta, 2006.
- [9] Legowo, Eko. “Kepedulian Dhamma terhadap Revitalisasi Pertanian”. dalam Sutanto, Jusuf dan Tim (editor). Revitalisasi Pertanian dan Dialog Peradaban. Penerbit Buku Kompas. Jakarta, 2006.
- [10] Mattjik, Ahmad Ansori, “Pertanian dan Dialog Peradaban”. dalam Sutanto, Jusuf dan Tim (editor). Revitalisasi Pertanian dan Dialog Peradaban. Penerbit Buku Kompas. Jakarta, 2006.
- [11] Pilliang, Y.A, “Dunia Yang Dilipat : Tamasya Melampui Batas-Batas Kebudayaan”. Bandung: Penerbit Jalasutra, 2004.
- [12] Sutanto, R. “Ketahanan Pangan dan Kesejahteraan Petani. Dalam Makalah”. Disampaikan pada Seminar Nasional dalam Rangka Peringatan Hari Pangan Sedunia XX Kanisius Agroexpo 2000, tanggal 14 Oktober 2000 di Yogyakarta.

Politics Of Identity Of Balinese Artists Toward Domination Of Modern Art Ideology

I Ketut Supir, Visual Communication Design Study Program, Language and Arts Faculty, Undiksha, Singaraja, Bali

<ketut_supir@yahoo.co.id>

Abstract. Pre-colonial Balinese art carries the theme of wayang to convey the symbolic meaning of Hinduism. Balinese art is done based on the norms that have been established. Since modern ideology influenced it, Balinese art experienced a change in concept and purpose. Modernization in Balinese art was marked by the establishment of Pitamaha. Pitamaha, founded by Spies and Bonnet, is the place where these two Western artists teach modern art to Balinese artists. The practice of teaching art in Pitamaha, Bonnet prioritizes modern art with the theme of everyday life. Puppet themes that convey the message of Hinduism are marginalized. There is a dichotomy between modern art and Balinese art, placing modern art in a superior position and Balinese art (the theme of puppets) in a marginalized position. In the face of the condition of the domination of modern art ideology, Balinese artists struggle with building identity politics. This issue is interesting to study to find the attitude of Balinese artists facing Western domination. Descriptive qualitative research with this interpretive approach is combined with critical theories. Through identity politics, Balinese artists fight against Western domination, accept or imitate and ridicule modern art (mimicry and mockery). Implementation of the development of Balinese art, namely the emergence of art with double code, transesthetics, and brikolase. The art has a different character from modern art and Balinese art.

Keywords: Identity Politics, Pitamaha, Mimicry, Double Code, and Transesthetics

I. Introduction.

Balinese painting displays the subject matter of puppets drawn from Hindu epics - Ramayana, Mahabarata, and other Hindu holy tales. The description of the puppet theme is guided by the Hindu's standards. Hinduism is positioned as a source of ideas in the creation of art, and on the contrary art serves as a medium for conveying messages and teachings of Hinduism. Art and Hinduism are intertwined with mutual relations, then Amaladass (2007: 67) says that religion without art will be bland, whereas art without religion will not be directed or without clear objectives.

Hinduism as a source of inspiration in the philosophical level as well as structuring its visual elements. Hinduism has three aesthetics, namely shivam (purity), satyam (truth), and sundharam (beauty) (Dibia, 2003: 96). The aspects of shiwam and satyam that are guided by artists in their attitude and behavior are related to the content or symbolic meaning of art. Sundaram aspects are related to the beauty that

relating to placing objects and the basic elements of art - lines, colors, shapes, fields, textures, and others. The aspects of shiwam and satyam occupy an important position considering that Balinese art adheres to the principle of form follows meaning. Form follows meaning is a principle in art, where the object presented always refers to the meaning it contains (Piliang, 2012: 157).

The application of the principle form follows meaning can be seen in the depiction and placement of puppet figures based on the colors of pangider-ider (Yasa, 2007: 35). Pangider-ider, in Hinduism, are wind direction which consists of nine directions. Each direction has its own deity, so it is later known as the Nawasanga God (nine gods who placed the nine directions of the wind). The gods have their own colors and weapons.

Artists working on art are based on the spirit of ngayah. Ngayah is a form of sincere devotion to God or Sang Hyang Widhi. All of his abilities are mobilized to produce the best works of art. The Balinese offer good, luxurious, and magnificent works, regardless of their belief that creating art is one form of offering or a way to unite themselves with God. They will feel very happy, if they can offer their art to God (Shiva). Shiva is a god who is positioned as a teacher or who teaches art to humans in this world (Triguna, 2003: 4).

When modernism influenced Bali, theme of wayang of Balinese painting (Ubud painting and Batuan) changed to the theme of everyday life. The aim of artists to paint is not to offer offerings, but to visualize visual aesthetics. Therefore, modern Balinese art only focuses on visual elements – lines, colors, shapes, textures, etc. – are ignored. Spies and Bonnet have a very big role in instilling modern art in the Pitamaha association. Bonnet suggested that painters draw real objects not imaginary objects (Djelantik, 1989: 25). Immediately, the theme of everyday life develops, on the contrary the theme of wayang is receding.

Though the puppet theme occupies an important position because it has the function of conveying religious messages to the public. Along with the reduction in puppet themes, the media is also missing to teach the value of Hinduism to the public. This will alienate art from the life of religion and society in Bali.

Bonnet only puts art that accentuates the beauty of mere visuals or art for art. Bonnet teaches modern art ideology by utilizing power and knowledge. According to Foucault in Suyanto and M. Khusna Amal (2010: 370), the power of producing knowledge, especially science provides power. In the face of Western domination, Balinese artists reacted to it by creating an identity politics that was a policy of difference.

The attitude of Balinese artists faces the dominance of Spies and Bonnet who teach the ideology of modern art is to do identity politics. The politics of identity of Balinese artists and their implications for the development of Balinese art interesting examined using cultural studies theories

II. Research Methods

This study uses qualitative methods and qualitative descriptive techniques intended to understand the phenomena experienced by the subject of research, such as behavior, perceptions, motivations, actions, etc., holistically, and by way of descriptions in the form of words and language, on a special natural context and by utilizing various natural methods (Moleong, 2012: 6). The location of the study focused on the area of Ubud and its surroundings. Determination of the sample is done by purposive sampling technique. Data collection starts from key informants and continues to the next informant such as a snow ball that continues to roll until it enlarges until the data obtained is considered sufficient. Data was collected by participatory observation techniques and in-depth interviews and document studies.

Descriptive-critical data analysis using an interpretive approach and combined with critical theories (Basrowi and Suwandi, 2008: 206).

III. Analysis and Discussion

2.1 Resistance to Western Ideology

In the face of modern ideology, Balinese artists staged resistance to modernism. They fought resistance because the ideology of modern art ignored and even eliminated Balinese art ideology. Balinese fine art adheres to the beauty associated with Hindu religious values. The creation of Balinese art refers to Hindu aesthetics which have aspects: satyam, shiwam, and sundaram. The artists work in reference to the traditional standard, both related to the selection of materials, objects, and symbolic meanings. Before starting work, a ceremony is always held to invoke salvation to the God of Art. Unlike modern art, it emphasizes secular principles which are seen as damaging the joints of Balinese art. Modern art that only prioritizes aspects of form is very contrary to the principles of Balinese art that prioritizes content. Modern art works positioned as commodities for sale are seen as injuring non-market art principles. Based on this, the Balinese artists fight against modern art in a blatant and covert manner.

Unlike modern art, it emphasizes secular principles which are seen as damaging the joints of Balinese art. Modern art that only prioritizes aspects of form is very contrary to the principles of Balinese art that prioritizes content. Modern art works positioned as commodities for sale are seen as injuring non-market art principles. Based on this, Balinese artists resist resistance to modern art in a blatant or covert manner.

Resistance was openly carried out by Balinese artists against the curatorial system of Spies and Bonnet. Balinese artists protested against the curation system of Spies and Bonnet so that a number of artists' works could not pass the selection. The trial was carried out in the manner of the opinion published by Djatajoe magazine, No. 7 Yr 4, published February 25, 1940. They fight the policies of Spies and Bonnet by exiting Pitamaha membership and forming new associations in Denpasar.

Ida Bagus Made Poleng or Gus Made opposed Bonnet because the price of painting was too low. "Mr. Bonnet is too low to set prices. Now I determine the price ". Bonnet accepted the proposal and Gus Made raised the price of all the paintings on display (Wirata, 1996: 7).

Gus Made also protested Sukarno for drawing a naked Chinese girl in the open. For Gus Made, a naked person in public, is not true according to Hinduism. Someone is allowed to appear naked in a closed place (Susanto, 2014: 388).

2.2 Mimicry

Mimicry is a term in postcolonial theory as a result of an ambivalent relationship between colonizers and colonists. Colonial encouraged the colonized class to imitate their habits, assumptions, and values. The colonized class attempts to imitate the invaders, but does not reach the character possessed by the invaders. As a result the resulting form blurred between the characteristics of colonizers and colonized. Thus, mimicry led to the emergence of vague copies of the characteristics of invaders, thus becoming a threat to invaders (Ashcroft et al. 2001: 140).

Bhabha in Martono (2011) says that mimicry has two meanings. First, mimicry is defined as the ability to change oneself so that it is difficult to distinguish from its environment. The elements of their original culture have merged with colonial culture, so they lose their authenticity. Second, mimicry as the ability of the community to resemble others who are stronger or have greater abilities than themselves (Martono, 2011: 158).

Balinese artists imitate modern art works not only to resemble modern works, but also to show that Balinese artists as colonized classes are not silent and submissive to invaders. The rules of modern art are imitated but not in the right way, so they appear to be misplaced. This way of mimicry is a mockery method. The ridicule can develop into a form of subversion. Ashcroft et al. said that mimicry was the strategy of the colonized class to face the domination of invaders (Ashcroft et al. 2001: 141). Through mimicry, artists negate the rules of modern art by utilizing third space. Through this third space, a hierarchy between modern art and Balinese art was eliminated (Ashcroft, et al., 2007: 118).

A number of Balinese paintings show the nature of mimicry, including the works of I Reneh, I Gusti Ketut Kobot, Ketut Sadia, and others. For example, a painting titled Bima in Pasar by I Reneh, describes the atmosphere of a traditional market. The impression of space is displayed with a modern perspective. Objects that appear far and near are distinguished in size, but each object has its own vanishing point. Yet according to the rules of modern art all objects refer to the same vanishing point.

Objects are not drawn based on analytical scientific calculations, but are approximate. Humans are drawn based on puppet patterns, namely faces drawn from the direction

of three quarters, body and legs from the front. The background is given a dark and even color which causes the painting to appear flat.

IV. Implications for the Development of Balinese Art.

3.1 Transesthetic art

The transesthetic paradigm built in postmodernism is the relationship of various regions that are very pluralistic and segmented through various connecting lines. In the paradigm of physics, various aesthetic fields (based on ethnicity, ethnicity, regionalism) are left to each other and interact, and dialogue with each other (Piliang, 2006: 137).

A number of arts from different regions copy the dialogue will produce new elements. In this condition, elements of the dominant class of art and the dominated class blend and are in an equal position. This aesthetic dialogue will form a third culture.

Balinese art has built a dialogue with outside art, both from China, India, and from the West. In the dialogue, artists take elements of modern art and are accompanied by elements of Balinese art. This can be seen in the works of I Gusti Nyoman Lempad, I Wayan Cekeg, Gede Widiantara, Ketut Budiana, Wayan Gendra, and Nyoman Sudirga.

I Gusti Nyoman Lempad in a painting entitled Arjuna and Drona, drawing figures of Arjuna, Drona, and an animal. The figures of Arjuna and Drona are drawn following the wayang style. Animals that bite Drona associate with the Chinese snake motif (dragon). Apparently Lempad built a dialogue between Chinese-style art and Bali. The Chinese snake body is combined with the bird's head, thus displaying a surrealist style (Soedarso, 2000).

In the painting Birth of Abimanyu, Lempad's work also features phonik motifs. Apparently Lempad borrowed phonik bird motifs which were dialogue with puppet figures to form an aesthetic carnival (Young, 1995: 23).

3.2 Double Code

The double code is an aesthetic form of postmodernism which opens up opportunities for various codes in an eclectic code.

Brikolase is one of the eclectic code forms in which various different elements are combined. Levis Strauss (in Piliang, 2006: 137) says that bicolase is a strategy to work by building something from material (concepts, concepts, ideas, ideas) in the hands. Brikolase builds a dialogue between past codes, between elite and popular, between art and kitsch.

Balinese artists whose work shows Brikolase, include: I Dewa Putu Putrayasa, Ketut Budiana, Made Sudirga, and others. In the painting of Calonarang, Putrayasa drew

the figure of Dirah haired white hair, large milk, tongue sticking out and giving out a fire, wearing a knee-length fabric. In front of the Dirah, the sanggah cucuk was stuck, a place of worship of bamboo in the shape of a triangle. Sanggah cucuk is filled with banana leaves as a base for three dollars. Next to the buddy stood a man dressed in the style of a kecak player holding a gun to his own neck. In the background a barong figure appears with eyes and mouth tightly closed. This painting displays multiple codes, namely global codes (pistols and dollars) and local codes (Barong, Dirah, and sanggah cucuk).

Ketut Budiana in a painting titled “Drunk Under the Sakura Tree, draw thin lines that move wildly. The white lines that move from the middle to the upper right corner form granules resembling snow. On the other hand, black lines that move in the direction of the white lines form strands of hair. On the right side a black tree is drawn. At the base of the tree a monkey is sheltering. Near the tree lay a large, unclear figure.

Budiana displays lively and wild lines, so that it looks different from Balinese painting which tends to be patterned. The agile brush strokes produce traces of thin lines and the boundaries between one and the other fields appear blurred. The trail of agile brush strokes is reminiscent of a painting by Joseph Mallord William Turner. Turner was a painter of European Romanticism in 1842 with his famous work *Snow Storm: Steam Boat off a Harbor's Mouth* (Honor and John Fleming, 1982: 516). Budiana married modern brushwork techniques with Balinese painting techniques. Mixing the two codes causes the purity of each identity to be lost even though not entirely (Piliang, 2006: 138).

3.2 Conclusion

The politics of the identity of Balinese artists towards the dominance of modern art has resulted in the emergence of art patterns that were previously unknown in Balinese art. The art produced by Balinese artists is also not the same as the rules of modern art taught by Spies and Bonnet. This shows that even though Balinese artists are colonized classes, it does not mean that they can be arranged as they wish.

Although as a colonized class they were still able to utilize various strategies to fight the power of the invaders carried out with the mimicry cata, fighting openly and secretly. This method proved effective enough to balance the power of invaders who had more advanced power and knowledge.

References

- Amaladass, Anand. “Aesthetics and Religion from the Indian Perspective” dalam Guttorm Floistad *Aesthetics and Philosophy of Art*, Volume 9. The Netherlands: Springer. Pp. 67.
- Ashcroft, Bill dkk. *Key Concepts in Post-Colonial Studies*. London: Routledge, 2001.

- Ashcroft, Bill dkk. *Post-Colonial Studies: The Key Concepts*. New York: Routledge, 2007.
- Basrowi dan Suwandi. *Memahami Penelitian Kualitatif*. Jakarta: Rineka Cipta, 2008.
- Dibia, I Wayan. "Nilai-nilai Estetika Hindu dalam Kesenian", dalam Ida Bagus Gde Yudha Triguna *Estetika Hindu dan Pembangunan Bali*. Denpasar: Program Magister Ilmu Agama dan Kebudayaan Universitas Hindu Indonesia bekerja sama dengan Penerbit Widya Dharma. 2003.
- Pageh. Wayan. "Peroesahan Barang Keradjinan Bali" dalam *Majalah Djatajoe*, No. 7 Thn 4, terbit 25 Februari 1940.
- Djelantik, A.A.M. "Kecenderungan Perkembangan Seni Lukis Bali dan Ketahanan Gaya-gaya Tradisional" dalam Jiwa Atmaja dkk. *Puspanjali: Persembahan untuk Prof. Dr. Ida Bagus Mantra*. Denpasar: Penerbit Kayumas, 1988..
- Honour, Hugh dan John Fleming. *The Visual Arts: A History*. Second Edition. New Jersey: Prentice-Hall, Inc., 1983.
- Martono, Nanang. *Sosiologi Perubahan Sosial: Perspektif Klasik, Modern, Posmodern, dan Poskolonial*. Jakarta: Rajawali Press, 2011..
- Moleong, Lexy J. *Metodologi Penelitian Kualitatif*. Edisi Revisi. Bandung: PT Remaja Rosdakarya, 2012.
- Piliang, Yasraf Amir. "Antara Hegemonitas dan Heterogenitas: Estetika dalam "Cultural Studies" dalam *Jurnal Kajian Budaya*, Volume 3 Nomor 6 Juli 2006. Denpasar: Program S2 dan S3 Kajian Budaya Universitas Udayana, 2006.
- Piliang, Yasraf Amir. *Semiotika dan Hipersemiotika: Kode, Gaya, dan Matinya Makna*. Yogyakarta: Jalasutra, 2012.
- Soedarso S.P. *Sejarah Perkembangan Seni Rupa Modern*. Yogyakarta: Studio Delapan Puluh Enterprise bekerja sama dengan Badan Penerbitan ISI Yogyakarta, 2000.
- Susanto, Mikke. *Bung Karno: Kolektor dan Patron Seni Rupa Indonesia*. Yogyakarta: Dicti Art Lab.
- Suyanto, Bagong. 2010. "Teori Hegemoni" dalam Bagong Suyanto dan M. Khusna *Amal Anatomi dan Perkembangan Teori Sosial*. Malang: Aditya Media Publishing, 2014..
- Triguna. I.B. *Estetika Hindu dan Pembangunan Bali*. Denpasar: Program Magister Ilmu Agama dan Kebudayaan Universitas Hindu Indonesia bekerja sama dengan Penerbit Widya Dharma, 2003.
- Wirata, I Putu. "Mereka Merasa Kita yang Mementingkan Uangnya" dalam *Para Rupa: Suplemen Khusus Pembukaan Museum Agung Rai (ARMA)*, Minggu, 6 Juni 1996. Ubud: Museum Agung Rai.

- Yasa, I Wayan Suka. *Teori Rasa: Memahami Taksu, Ekspresi, dan Metodenya*. Denpasar: Penerbit Widya Dharma bekerja sama dengan Program Magister Ilmu Agama dan Kebudayaan Universitas Hindu Indonesia, 2007..
- Young, Robert, J.C. *Colonial Desire: Hybridity in Theory, Culture and Race*. London: Routledge, 1995..

Strengthening The Value Of Hindu Education For Young Hindu Generation To Against Radicalism

I Gede Dharman Gunawan¹, I Made Bagus Andi Purnomo², Kadek Wiramarta³

¹IAHN-TP Palangka Raya, STAHN-MK Singaraja², STAHN-MK Singaraja³

¹<dharman.gunawan@gmail.com>;

²<bagusandipurnomo@gmail.com>;

³<wiramartakadek@gmail.com>

Abstract. The millennial era at this time cannot be denied that there are individuals who understand religion in the perspective of radicalism. The rapid development of science and technology has contributed to the development of various factors that have caused the younger generation to be involved in religious radicalism. Social change causes degradation of morality to occur easily, besides that lack of religious understanding and the continued impact of incomplete reading causes the drivers of radicalization to find great opportunities by manipulating emotions and religious sentiments. Various methods were used to spread this radicalism through cadre organizations, radical teachings, and through hoaxes on various sites on the internet. As a result, radical understanding has entered most schools in several regions. So it needs to be anticipated immediately by strengthening the value of Hindu religious education in counteracting radicalism. If left unchecked, it can foster an attitude of intolerance among the younger generation of Hindus, which is contrary to the goal of Hinduism education itself.

Keywords: Strengthening, Hinduism Education, Radicalism

INTRODUCTION

In the current era of globalization, Hinduism education has a very decisive role in strengthening the social attitudes of the younger generation of Hindus. In essence, education is an integrative process of shaping and developing personality and abilities throughout human life. Education takes place every time and every place. Therefore, the internal factor of individuals especially in understanding the meaning and value of Hindu religious education in counteracting radicalism is crucial

Knowledge about Hinduism can be obtained formally, informally and non-formally. Some of this education are given systematically and planned according to. This systematic and planned education is given in schools and this kind of education is called formal education. Meanwhile education that takes place in the family is called informal education. Finally, non-formal education takes place in the community. The three education systems are very important to be given to the younger generation of Hindus in counteracting radicalism in their environment.

Radicalism is a notion made by a group of people who want drastic changes in social and political reform by using methods of violence. However, if viewed from a religious

point of view, it can be interpreted as a religious notion that refers to a very basic religious foundation with very high religious fanaticism. Thus, it is not uncommon for adherents of this ideology to use violence to people with different understandings or religion to practice the religious ideas adopted and believed to be accepted forcefully (Asrori, 2015: 257). Therefore, in the community based on religious norms, it is appropriate for the young generation of Hindus to serve the community, as long as it does not violate religious norms. Religion should not be interpreted narrowly, let alone radical. The integrity and sense of unity that we have in society must be kept maintained because there is where the real essence of life is. The place where we are born, someday, will definitely be the place for us to be buried. Society develops rapidly, so does science and technology that always accompany it. Culture of one region will influence or be influenced by other cultures. Therefore, there will be continuous intercultural dialogue. Culture continuously develops in line with human thinking. Human way of thinking is influenced by science, education, association and social media technology.

Social media that are so popular today can be used by anyone, whether it is for good or bad. We are required to always be the subject of technology, because if not then we will become the objects and victims of technology. Well utilization of social media will have a good effect on human life, although there are still some who deviate and use social media for useless and negative things such as dividing the unity of society. Through social media, YouTube videos that are mutually insulting and demeaning between groups are made. It is an example of abuse that would have a negative effect on the establishment of national unity. It can be felt nowadays, the development of science and technology also contributed to the development of various factors that caused the younger generation to be involved in religious radicalism. Social change causes degradation of morality to occur easily. Additionally, the lack of religious understanding and the continuous impact of incomplete reading causes the mastermind of radicalization to find great opportunities by manipulating emotions and religious sentiments encouraging the younger generation to resist the warm atmosphere in the society. So it is very necessary to strengthen the value of Hindu religious education to the younger generation of Hindus in counteracting the radicalism.

Beside forming the a clever generation, strengthening the value of Hindu religious education given to the younger generation of Hindus also aims to give direction to character building, cultivating high character, and noble personality and to increase basic knowledge of community and insight in counteracting radicalism. All of the above goals emphasize that the younger generation of Hindus are expected be able to think well, behave politely and learn to make connections with people, family and society. In this life association there are usually norms that must be followed. Without following religious norms, we will not be liked in the society. This is where Hindu religious education needs to be given to the younger generation of Hindus, in order to

have high manners, a noble personality, to change the bad qualities to be good and to know how to live according to the norms in Hinduism.

According to Hindu teachings, radical thought and action are ingrained in everyone mind. Some radical elements in human includes Asuri sampad (bad qualities in self), Tri Mala (moha, mada, kasmala), Sad ripu (kama, loba, matsarya), Sad atatayi (agnida, wisada, atarwa, sastra gna, raja pisuna), and Sapta timira. Of course this pro-radical element needs to be controlled by strengthening the value of Hindu religious education to counter radicalism among the younger generation of Hindus.

CONCEPTION OF HINDUISM EDUCATION IN PREVENTING RADICALISM

a. Tat twam asi

Tat twam asi means I am you. The point is that all human behavior and actions are based on the sense of respect, appreciative, equality, a sense of togetherness and tolerance for all components of life in this world.

b. Catur Paramita

Catur paramita is four types of noble human behavior. Nobleness of manners are aspirations for all human because catur paramita are the ethics in education and in life together in society. The division of catur paramita is maitri, karuna, muditha, and upeksha. Maitri means gentleness in getting along and friendliness in living together. Karuna means behavior that is full of compassion and affection for others and those around it. Muditha means being able to behave cheerfully and happily towards everything around it. Upeksha means a noble attitude to respect others.

c. Tri Kaya Parisudha

Tri Kaya Parisudha means three behaviors that are glorified and sanctified by every Hindu. The parts are manacika parisudha, wacika parisudha, kayika parisudha. Tri kaya parisudha is considered as the main foundation in thinking good and right, saying good and right, and acting good and right. Whatever is done or will be done should begin with a healthy, careful, wise, noble, wise, diverse, and slow but steady mindset. If that has been done then the next expected behavior is the use of words in conversations that should be pleasing or not offensive. Rude and painful words to others should not be used. From the sympathetic and commendable thought and words, in the end came commendable acts that could make people happy. The ideal situation should be done like what has been mentioned previously, But sometimes in reality, inequality often occurs.

d. Yama and Niyamabrata

Panca Yama Bratha means five types of human life behavior that must be controlled and directed towards goodness and truth. The division of panca yama bratha namely ahimsa means not killing or not hurting, especially to students, it is strictly

prohibited. Brahmachari means diligently learning science and technology. At this time, only learning took precedence, other things such as romance is seconded. Satya means loyalty, truth and obedience. Anyone who pursues education, truth and faithful condition should be prioritized. It should not be ignored or it can lead to failure. Atyaharika means there is no attachment to worldly ties. This is intended to focus on learning various knowledge and technology. Asteya means not to commit theft, because stealing can damage the morale of students.

Panca Niyama Bratha means five kinds of human behavior that should be controlled towards the good and perfection. The division is akrodha, guru susrusa, sauca, aharalagawa, and apramada. Following this akrodha is not being angry or emotional. Anger is not good which causes mutual harm. Guru susrusa means obedient to follow and apply the knowledge from teacher. If that is done then success belongs to the learners. Sauca means harmonious holiness inside and outside. Both should walk hand in hand together. Leaving one thing become sacred and the other is dirty is not harmonious. Aharalagawa means to enjoy simple things and stop wasting money. This is to ensure a healthy life physically and mentally. Apramada means behavior that does not deny personal obligations or to the others. This is to guarantee a complete relationship in togetherness.

STRENGTHENING THE EDUCATIONAL VALUE OF THE HINDU RELIGION TO COUNTERACT RADICALISM

Radicalism is an attitude that craves total change and is revolutionary by overturning the values that exist drastically through violence and extreme actions. There are several characteristics that can be recognized as radical attitudes and understandings: 1) intolerance (do not want to respect opinions & beliefs of others), 2) fanatics (always feel right themselves; consider others wrong), 3) exclusive (distinguish themselves from others) and 4) revolutionary (tend to use violent methods to reach their goal). To fight radicalism and attitude, it is necessary to strengthen the value of Hindu education to the younger generation of Hindus. The value of Hindu education which can counter the radicalism includes:

a. Human values

Human value is something that concerns human behavior and actions that are in accordance with norms and respect for human dignity. Truth values are equal to human values, both are important or useful traits in life. Human values must be understood and practiced by all people by helping each others affected by disaster and always practicing the value of Hindu education in helping fellow human beings.

b. Honesty value

The value of honesty is one of the values of Hindu education which is able to counter the radicalism. Honest is a decision in expressing feelings, words, actions that are

not manipulated by lying or cheating others for individual or group interests. The meaning of honesty values is closely related to goodness and truth. The interests of public should be chosen other than self-interest and group interests. Honest is also a moral character that has positive and noble qualities such as integrity, patience, and straightness. While not lying, cheating or stealing. The value of honesty is very important to always be ingrained in the younger generation of Hindus in fighting radicalism.

c. Value of Human Rights

Human rights are generally understood as inherent rights of a human being. The concept of human rights is respecting that every human being has the right to enjoy their rights regardless of race, color, sex, language, religion, political views or other views, nationality or social origin, wealth, birth status or other status. The value of human rights is legally guaranteed in human rights law, which protects each individual and group from actions that can disrupt fundamental freedom and human dignity. The value of human rights is also contained in the value of Hindu education in fighting radicalism.

d. Value of Nationalism

Indonesia is a nation that has a variety of different religions, tribes, languages and regions. If each element sees its own group or personal interests, it will experience social inequality which will lead to the collapse of the nation and state. To maintain and strengthen nationalism, different religion, age, class and its own interests should not be a matter anymore. Everyone interpret nationalism differently according to their respective views on nationalism. The values of nationalism itself can be concluded as a deep feeling that can only be thought of and lived by humans in defending and maintaining their homeland. The values of nationalism consist of love of the homeland, togetherness that is accompanied by the spirit of patriotism and also resistance against the invaders, nationalism has been considered to emerge when a nation has the same ideals to establish a country and nation. Strengthening the value of nationalism is very important for the younger generation of Hindus in fighting radicalism.

EFFORTS THE YOUNG GENERATION IN COUNTERACTING RADICALISM

Efforts to fortify the younger generation from the influence of teachings and invitations to violence has become our duty. There are three social institutions that are very important to protect the younger generation. First of all is education, through the role of educational institutions, teachers and curricula in strengthening nationalism, moderation and tolerance for the younger generation. Second is the family, through the role of parents in infusing love and affection for the younger generation and making the family a unit of consultation and discussion. Third is the community, through the

role of community leaders in the society in creating a conducive space for the creation of a culture of peace among the younger generation. In addition to the roles carried out institutionally through educational institutions, families and the community environment, the younger generation is also required to have strong immunity and deterrence in facing radical influences and invitations.

There are some things that can be done by the younger generation, in order to counteract the influence of radical teachings by instilling the spirit of nationalism, enriching religious insights that are moderate, open and tolerant, fortifying self-confidence by always being alert to provocation, sedition and patterns of radical violence both in the community and cyberspace and building networks with peaceful communities both offline and online to add insight and knowledge. Several efforts that can be made by the younger generation of Hindus in combating radicalism are through conducting a planned/structured education to the young generation of Hindus. Fostering the younger generation of Hindus in a structured manner can be done through Hindu youth organizations (PERADAH) and Hindu Student Units (KMHDI). In actualizing the devotion to religion and the country, organizations chose to use the means of education through a rational, systematic and standardized regeneration movement. Organizations regeneration is directed at the formation of “conscious” cadres. For this reason, members must overcome three main obstacles in the effort to realize the world of consciousness, namely conditioning, hegemony and illusion. This step of regeneration is taken so that members are able to play a role in a large process that has been, is being and will continue to run in this small world. This is the process of changing the religious tradition from an active and emotional attitude, towards an intellectual and speculative attitude.

Hindu Student Units as a cadre organization, prioritizes education which aims to raise awareness of the cadre of his rights, obligations and self-esteem. It believes that only members are aware of what is done, who take steps for their own consideration and actions and not on orders from outside, who are able to change the situation. In carrying out regeneration, there are several values given by this organization to young generation cadres, including: 1) Religiosity or the actualization of the religious teaching of Dharma. Religiosity values must be applied in social life. This does not mean the organizations want a society based on one religion. The value of religiosity is realized by applying universal religious values, when members carry out their social rights and obligations. The value of religiosity is also interpreted as a concern for Hinduism, which means that each member must master the knowledge of religion, which is accompanied by a desire to conduct a critical review of the basic values and religious practices that develop in Hindu society. 2) Value of Humanism The awareness that every human being is a spark from God and at the deepest core of every human being has the same divine attributes, embodied in the Atman concept, is the basis of the value of Hindu humanism. Members must be able to view other human beings as

a reflection of themselves in accordance with the concept of Tat Twam Asi. Humanism encourages to help other human beings, and not only does not disturb other human beings. As a manifestation of the value of universal humanism, members must care in addressing every humanitarian problem. 3) Nationalism or a translation of members' wishes to devote for the state. Nationalism embraced is nationalism that grows out of the feeling of being in the same boat with compatriots (solidarity) and mutual respect with other national brothers. Nationalism is defined as a sense of belonging to the nation and therefore is partly responsible for the survival of the nation itself. Members position themselves as citizens who oppose exclusive forms of society in the form of primordiality or sectarianism. Members actively participate in the formation of a nation state.

CONCLUSION

Considering radical ideas and actions can occur on self and outside parties, then to fight them: Every young generation of Hindus must understand, appreciate and practice the teachings of religion correctly, intact, and balanced in all space and time. Every devotee or young generation of individuals or groups of society must be sensitive to the atmosphere of the surrounding environment. All Hindu students or young generation must increase their vigilance and cooperation to counteract radicalism. The government and all components of the nation or society must unite and zeal against radical actions and understandings both with legal regulations and preventive measurements and repressive actions.

BIBLIOGRAPHY

- Ahmad Asrori. (2015). Radikalisme di Indonesia: antara Historisitas dan Antropisitas. Kalam: Jurnal Studi Agama dan Pemikiran Islam
- Gunawan, I Gede Dharman. (2017). Penanaman Nilai-nilai Belum Bahadat dan Huma Betang dalam Pendidikan Karakter Anak Sekolah Dasar. Prosiding Senada 2, 62-72.
- Gunawan, I Gede Dharman. (2017). Character Education Though Education Media of Dayak And Balinese Local Culture. DAFIS Proceeding, 232-237.
- Kajeng, I Nyoman dkk. (1999). Sarasamuccaya. Surabaya : Paramita
- Pudja, G. (2003). Bhagawadgita (Pancama Weda). Jakarta : Pustaka Mitra Jaya.
- Subagiasta, I Ketut. (2007). Etika Pendidikan Agama Hindu. Surabaya : Paramita.
- Sivananda, Sri Swami. (2003). Intisari Ajaran Hindu. Surabaya : Paramita.
- Pimpinan Pusat KMHDI. (2016). Buku Saku Kesatuan Mahasiswa Hindu Dharma Indonesia. Jakarta.
- Punyatmadja, IB Oka. (1992). Silakrama. Denpasar:Upada Sastra.

Tim Penyusun. (1994). Kamus Besar Bahasa Indonesia Edisi Kedua. Depdikbud dan Balai Pustaka Jakarta.

Titib, I Made. (2003). Menumbuhkembangkan Pendidikan Budhi Pekerti Pada Anak. Jakarta : Ganesha.

Teaching Tat Twam Asi, The Basic Concept Of Tolerance In Religion Pluralism

IGK Widana¹, NM Sukrawati², IG Widya Suksma³, Universitas Hindu Indonesia

¹<igustiketutwidana1805@gmail.com>;

²<sukrawati.unhi@gmail.com>;

³<widyasuksma@yahoo.com>

Abstract. Tat Twam Asi is a Hindu cross-border teaching of moral decency without questioning any identity, except solely as a view and guidance to see and treat anyone as a brother. The teaching of Tat Twam Asi is based on the Sacred Vedic which contains the meaning “that is you”, then develops into “he is you, I am you and we are all the same creatures of God”. Therefore, all living things, especially humans are brothers, even though they are created with different circumstances and entities. The teaching of Tat Twam Asi is a moral commitment for each other to understand and realize each other, then implement a sense of brotherhood and attitude in tolerating behavior. Whatever is different and inherent as an entity and human identity, including in matters of religion is not a problem, it is a blessing of grace from God to commit to beautifying life in this world with breath of tolerance in the spirit of pluralism which will make relations with each other stronger, not easy to collapse let alone fall into the brink of conflict that will not bring human life to an atmosphere of peace.

Keywords: Tat Twam Asi, Tolerance, Pluralism

DISCUSSION

With regard to its teachings, Tat Twam Asi is the basis of the teachings of the Hindu / Ethical Ethics (Sukartha et al., 2002: 67), and is one of the elements of the Tri Basic Framework of Hinduism. The teachings of Tat Twam Asi are based on the Vedic scriptures in the Candayoga Upanisad section, which inspirationally and implementatively affirms the famous Hindu philosopher Svami Vivekananda by advocating: “Look at every human, male, female and child as God. You will not be able to help anyone, you can only serve them. Serve the children of God, serve the Lord Himself, if you have the honor to do so. Do it as a cult “(Yogamurti, 1982: 11).

The testimony of Swami Vivekananda above is in line with Wasudewa Kuthum Bhakam’s philosophy, that all God’s creations are one, the same, therefore they are all brothers and sisters as God’s children. So serving all of them is the same as serving God (manava seva, madhava seva). Serving souls can only grow from the seeds of love that are sown and then implanted in the conscience of every human being, as fertilizer grows fertile tolerance attitudes and behaviors among fellow humans who live and live in the frame of pluralism.

Tat Twam Asi: Commitment to Humanity

It is a natural role that is carried out by humans to develop their existence on their own in the social engagement of humanity. Humans and other human beings live in a life that is dependent on dependency. Each other moves in the crystallization of humanitarian institutions.

That humans do not mean without the presence of others. That humans actually become human if they are in the middle of their community. That humans are social beings. That humans need friends. That humans are civilized. That humans are human beings who should be humane. That humans are brothers and sisters as fellow creatures of God. That it turns out that humans are us, I am, are you. You are it. That is the truth of the teachings of Tat Twam Asi, has sparked humanitarian commitments.

The teaching of Tat Twam Asi is not something new for Hindus. The notion of humanity as a humanitarian concept is summarized in it, by laying a “shared in common” foundation as a universal projection in looking at human values with a just and civilized human soul. Tat Twam Asi, as a feature of human socialistic religious selfhood provides philosophical guidance and ethical foundation, that above love is service to fellow children of God. Tat Twam Asi, at the same time is a reflection of the religious attitude of the faith by placing service to the children of God, the brother of God as a manifestation of worship before God. Tat Twam Asi, with her humanitarian commitment is the ideal form of morality, with the soul of upanisad as spirit sarwam khalu idham brahman that all creation comes from His power alone, and therefore ‘we’ are brothers of one family in the exclamation of all nature sarwam idham kuthem bhukem.

This philosophical flow requires the inhabitants of the cosmic brotherhood to nurture one another and then maintain the communalist attitude by cultivating an attitude of recognition and treatment in the equation. Recognition which, based on equal dignity and dignity as fellow God beings. Its formulation, human integrity with the spirit of its humanity are increasingly demanded to manifest it in the actualization of concrete behavior which is driven by a spirit of tolerance in pluralism.

From here, humans are then obliged to take a position in their noble role as virtuous beings, having the character to always be committed to upholding human values consciously and persuasively through mental understanding on the basis of faith. Its essence is very essential for efforts to give meaning and noble value in the embodiment of the teachings of Tat Twam Asi as a moral force to realize humanitarian commitments with everyday languages in the form of real actions and useful for fellow human beings.

The problem now, Tat Twam Asi, has not been hardwired into an integral part of human life. Tat Twam Asi is only just seen as a jargon for the defense of a philosophical idealist humanity that is limited in the space of conception of morality. The real attitude about humanitarian commitment still needs to be highlighted. The orientation of achieving

happiness in balance, should not merely refer to verticalism in the form of worshipping before Him. However, horizontal harmonization in relation to the creation of shared prosperity must also be included in the estuary of humanitarian commitments. That every human being must morally agree to share well-being or happiness amidst the life of pluralism.

Life and human life are indeed interwoven in a relationship. Each other depends on each other's hopes, ideals, including the desire to share feelings of grief and brotherhood. Humans are always hopeful of getting joy, but not separated from position. But with the spirit of brotherhood, all issues of life in the community, nation, state and religion can be overcome. That life must always be framed together with the bhinneka tunggal ika as the initial capital which is morally going to give birth to what is called tolerance in the spirit of pluralism.

Tat Twam Asi, Growing Love

Either how many definitions have been expressed by humans to formulate the meaning and nature of love. Love is the most universal and mysterious cosmic power. The mystery of the nature of love indeed ultimately makes people more curious to seek, discover and then feel and enjoy the gift of abundance of love. That is what it is, love as a gift of God's love to link one another to living things, especially humans to love, love and love one another. Love is eternal and is devoted and certainly will never die. Because if love can die, then human consciousness will die too.

Love is indeed very broad to be peeled. Love is too deep to dive into and understand. But love is universal, so the full world is covered with and covered in a mystery of love. Many people are very fluent giving meaning and meaning about love. But very few want to understand how to love, love or love. As Swami Vivekananda put it:

“This world is full of all conversations about love, but it is very difficult for a person to show love. Where is love? How do you know that there is love? The first test of love is the absence of bargaining. As long as you see someone loving someone else to get something from him, know that it is not love, but about buying and selling” (Yogamurti, 1982: 27).

Love is a symbol of sincerity, while love is a melt of intimacy, all of which flow sincerely sincerely. William Shakespeare (1564-1616) once said: “If someone does not accept and give love, he will remain alone, his soul is barren, and psychic death awaits him”. In the depths of his heart, a lover (must) feels himself united without the object of his love. Unity is a fundamental togetherness and involves all its existence “. In essence, love in the expression of affection is part of sraddha bhakti by expressing only one form of power: giving, giving and only giving, not hoping to return (to give, no take)

Tat Twam Asi Based on the Power of Giving

The life cycle of a creature continues to live, move, swirl through the axis of evolution of dependence. God creates, creatures enjoy. Nature gives, beings accept. Nature has wisely perpetuated the process of giving, giving life, giving life and anchoring a natural lesson about the eternity of the power of giving. Like the sun, so dawning from the eastern horizon continues to emit light until it sinks into the western horizon. So it continues over and over again, solely to give life to all beings.

The sea is, too, for the help of sunlight, all the time airing its water vapor, then forming thick clouds (kadi megha menghudanaken), and then dropping rain, giving life to the inhabitants of the universe and all its contents. In that process, natural events that occur at the same time suggest only one force: giving and continuing giving, never stopping.

“Just give it no hope of returning, like the sun shines on the world”, so as to sing a childhood song illustrates. Of course we also still remember the meaning of the content. But now, it seems like many people have forgotten to sing, let alone manifest their meaning into life. It seems that the example of giving is still not fully part of the attitude and behavior of everyday life. Perhaps, it is still felt as something very difficult to do. Not a few people prefer to put themselves in a “given” position rather than “giving”. Because when “given” there is revenue, income or income, and this is considered more profitable. Whereas when “giving”, there is only liberation, which means the reduction, and is considered harmful. This view has been symptomatic, and certainly it only rests on material calculations and speculations: profit and loss.

Related to this, Svami Vivekananda reminded:

“Don’t ask for something, don’t want a reply. Give what you have to give; the item will come back to you, but don’t think about it now. He will come back with thousands of times, but your attention must not be devoted to the fruit. The important thing is to have the power to give; give it, and just end up here. Learn to know that all this livelihood is to give “(Yogamurti, 1982: 110).

If we dive in, even if there is true reward, you will come back thousands of times more. That giving is indeed a reward, at least spiritual satisfaction can provide something, especially if the gift makes it happy and happy for the other person who receives it. After all, it should be known, that in accepting, there is actually a burden, at least the burden of feeling indebted. If material debt may be paid, but if it is debt, it can only be brought to death, and this is clearly recounted. Even so, many people still prefer to be in the position of recipient, always hoping to be able to receive something from other people. This attitude of always expecting and self-giving has indeed moved many steps of human life in their daily lives which are full of struggle and competition.

In fact, referring to the book Bhagawadgita II, sloka 47, clearly states;

Karmany evādhikāras te
mā phalesu kadācana
mā karma-phala-hetur bhūr
mā te sasgo 'stv akarmani.

Translation:

“Just do it for your obligations, not the results of that action (which you think), don't ever reward your motives in working, don't also keep silent” (Pudja, 1981: 56).

Thus, the statement and the statement of the Bhagawadgita above stated, however, the reality shows, how the tendency of work or actions of a person is more oriented toward getting reward / reward. Apparently the symptoms always want to get / receive something from other people as a reflection of the materialistic attitude of life that seems to be increasingly thriving now. Pamrih is seen as something that must be put forward. As a result, the attitude and behavior of giving is no longer considered as an uncomfortable or beneficial action, it is even considered harmful. After all, it's not uncommon, let alone giving, just to see happy people is difficult to show. In fact, it often creates feelings of envy when people are happy or happy. Moreover, to share happiness to be enjoyed by others, seeing other people achieve success often raises a presumption of nothing, triggered by jealousy as a sign that the person is unable to achieve happiness. If this prejudicial attitude is allowed, it can be an intolerant attitude and behavior in the midst of pluralist life.

Apparently, even though nature has perpetuated the example of the power of giving, it is not enough to make people move and then do the same, give and always want to give. It is realized that life and human life are actually intertwined with one another in natural and eternal dependence. Through the process of life, the habit of giving and or helping others should continue to be developed so that it becomes a strong part of forming a virtuous human personality. Planting an attitude of caring and tolerance for others seems important to be internalized in order to raise awareness of human nature as a social being. That life and human life are interdependent must not only position themselves as recipients, but will be more honorable and noble to be the giver.

Aware of that, it is important that everyone has the power to give, give and continue to give, then what is owned will never be inexhaustible. Giving more and more. Lots of giving, lots of contents. “It should be without the boredom of making offerings and giving charity full of faith, because it can deliver to achieve the highest goal - immortality”, according to the book Manawadharmasastra, IV. 226 indicates (Pudja, and Sudharta, 1977/1978: 274).

Tolerance in Pluralism

Related to the power of giving, in the context of the wider life of the nation and its hegemony, including religion, it has been established through the motto of Unity in Diversity. A motto for the Unitary State of the Republic of Indonesia which describes the diversity of the situation and conditions of the Indonesian people from Sabang to Merauke. Diversity which covers almost all aspects of national and state life. Among them, the diversity of islands with a variety of potential biological resources, ethnic groups that inhabit each island along with a wealth of languages, cultures, customs, personalities, livelihoods, including those related to differences in beliefs and / or beliefs popularly known as religion.

The occurrence of diversity is caused by differences in the history of the development of each culture and adaptation to the environment. Whereas the peaks of culture, namely the configuration of each of these cultures shows the principles of equality and adaptation to one another which ultimately becomes the basis for the creation of national culture.

Koentjaraningrat (1990) states that differences in race, ethnicity, and religion anywhere also often harbor potential conflicts. The statement is supported by the growing reality that religious differences and also cultural differences can give rise to different views, then lead to competition, which in turn can become a potential for the birth of intolerant attitudes and behaviors that lead to conflict situations.

Viewed from the viewpoint of the teachings of Tat Twam Asi, true diversity is a gift of wealth. By placing diversity as wealth, what exists and should be displayed is the similarity of universal values, not substantive differences which, if more highlighted, will only lead to a relationship between mankind and religious people in conditions that are intolerant. Especially if every difference in pluralism (pluralism), including in matters of religious life, only sees and places (teachings) each other's religion from the point of view of its differences, not on its 'equation' which is actually more essential and universal, such as in terms of ethical values and moral.

In view of pluralism, diversity in diversity is a kind of mosaic decorating the beauty of life in the midst of diversity. Every difference is accepted in their differences. It is different from multiculturalism which seems more integralistic in accepting differences. Society "plural" refers to a society order in which there are various elements of society that have different cultural characteristics from each other. Where the pluralistic community of each community lives in its own world. Whereas in 'multicultural' societies refer to pluralistic or plural societies, they are involved in an active interaction in daily life, mixed, mingled and merged into one community unit.

In line with the development of pluralism, multiculturalistic concepts can also be developed into integralistic notions, which view and place differences in unity or unity in differences. For the diverse Unitary State of the Republic of Indonesia, this integralistic understanding of culture can be a frame to unite the mosaic of beauty in

all differences, as well as a vital foundation for the establishment of an atmosphere of religious life imbued with a spirit of tolerance and or harmony.

Thus, this diverse Indonesian nation must indeed develop an attitude about the importance of pluralistic meanings and values, which are expected to be more multiculturalistic as a reflection of the integralistic awareness that only by mutual understanding and giving on the basis of Tat Twam Asi through full attitudes and behavior love, then a shared life that is harmonious, full of tolerance and peace will undoubtedly be realized, not only in terms of discourse but also in nature. Because as stated by Indian reformist Mahatma Gandhi: "If we believe in God, not only with our intelligence, but with all of ourselves, we will love all humanity regardless of race or class, nation or religion. We will work for the unity of mankind "(Gandhi, 1988).

The condition of a pluralistic Indonesian society in terms of religion, ethnicity, adat, regionalism with a different historical background, on the one hand is a potential if it is successfully developed in a positive, constructive and productive direction so that the Indonesian people become a big and strong nation. On the other hand, plurality can also be an obstacle, even threatening national integration. Therefore what is called pluralism with a multiculturalistic nuance seems to be the ideal choice because it contains an understanding that a country, a group of people or personal has the willingness and willingness to accept anything different so that they can coexist peacefully and harmoniously without eliminating entity and identity elements which is characteristic of differences from one another.

Implementation of Pluralisme in Community Life

For Hindus, true inspiration and motivation about multiculturalistic pluralistic life has been mandated in the holy book Bhagawadgita, IV. 11 and VII.21 which affirm that: "However (way) man approaches me, I accept the same, O Arjuna, man follows my way in all ways; Whatever form of belief you want to be embraced by followers of religion, with any form of unchanging belief, I actually taught it myself. "

For other religions, of course the multiculturalistic substance of life in politics is also written in their respective scriptures. The problem is, when the conception of each religion, even though it has firmly accepted all differences as part of a unity in shared life, but in its implementation it often collides, there is even a tendency to be confronted to still position differently from the others. The reason, for some religious people, tends to try to build an exclusive image and fanatical spirit, with the instinct of a "sectoral ego" being encouraged that different religious beliefs are a "reality" that cannot be accepted if "equated" or "united". In fact, it is like achieving one goal, many ways and ways that can be taken. So that the nature of religion is actually more of a "goal", which is to seek, approach and reach God, not just the way taken or the way it is done. In reality, the road or method is only a means to an end, all of which have become the "provisions" of each religion.

The excerpts of the Hindu heritage in the book *Jnana Sidhanta* which reads *Ekatwa Anekatva Swalaksana Bhatara*, seems to be a reference for a multiculturalistic pluralistic understanding. That all differences are actually in a single entity. So, by understanding this way, the different Indonesian people are still one, so that they are expected to live side by side in an inner atmosphere full of tolerance and the spirit of living in harmony, which among others is characterized by an attitude of mutual acceptance, understanding, respect, and respect each other.

In the context of the Unitary State of the Republic of Indonesia, which has the potential to disintegrate geopolitically, the inspiration of Hindu teachings, especially through the teachings of *Tat Twam Asi*, should be promoted as a theological discourse to be used as an ideology in creating and maintaining a sense of unity amid diversity or diversity. Pluralism, as a notion that recognizes differences in unity seems to be a very important discourse to be increasingly socialized and internalized in the midst of the lives of the people, nation, state and religion. The hope is that every citizen and especially religious community can understand each other that what is different is actually “the same”, at least in the context that together through their respective religions they continue to strive to achieve the “one” goal - God own.

That the road taken and the method used are different, it is a matter of “technical” language of each religion that has been revealed differently. It is naive, because of the technical problems of different religions, until finally defeating or even sacrificing our humanist characteristics that are religious, religious and / or spiritual.

Harold Coward, a professor and chair of the Department of Religious Studies, University of Calgary in his book “*Pluralism*”, *Challenges for Religions* (1989) invites us to ponder for a moment that “We will not be able to obtain an understanding of the transcendent reality which each person tries to convey -one of religions, if what is achieved is only superficial, because that’s where important nuances are often lost if translated “. In short, Coward said further, “the limitations that can be explained or translated must still be respected, but our need for absolute religious commitment to a religion must also be recognized”. This means that differences that exist together will continue to be preserved properly in an atmosphere of mutual respect that is filled with a spirit of harmony and tolerance, so that life can be created together in a family atmosphere.

CLOSING

The discourse of tolerance in pluralism has been echoed for thousands of years by Hinduism, by voicing the importance of the application of the teachings of *Tat Twam Asi* as the foundation of love in pluralist or multiculturalistic life, both in relations to society, nation, state and especially religion. The importance of the teachings of *Tat Twam Asi* is used as a foundation, because only with a sense of love, every human being with different backgrounds will view the same towards other humans

as fellow brothers. Thus it will be easy to grow a sense of mutual acceptance, and understanding differences, which in turn will grow a sense of mutual love and love among fellow humans. So that with love capital, too, will naturally grow and develop tolerant attitudes and behaviors, which ultimately lead to the realization of a life in a community, nation, state and religion in an atmosphere of harmony in order to achieve true and lasting peace.

REFERENCES

- Coward, Harold. 1989. Pluralisme, Tantangan Bagi Agama-Agama. Yogyakarta : Kanisius
- Gandhi, Mahatma. 1988. Semua Manusia Bersaudara. Jakarta : PT Penerbit Gramedia
- Sukartha dkk, Drs. K.M., 2002. Wrhaspatti Tattwa. Surabaya: Paramita
- Pudja, G. 1981. Bhagawadgita (Pancama Weda). Jakarta : Mayasaari.
- Pudja, G dan Tjokorda Rai Sudharta. 1977/1978. Manawa Dharmacastra (Manu Dharmacastra). Jakarta : Departemen Agama RI.
- Yogamurti, S. 1982. Suara Vivekananda. Denpasar : IHD.
- Koentjaraningrat. 1990.. Pengantar Ilmu Antropologi. Jakarta : Rineka Cipta

Pluralism Religion: Accusing Practical Educational Hindu Religion That Is Inclusive In School

Ni Putu Suwardani¹, I Made Sumarya²

¹Postgraduate Program, Unhi, ²Faculty of Mathematics and Natural Sciences Indonesian Hindu University Denpasar, Bali, Indonesia

Abstract. An indisputable fact is that Indonesia is a country with a high level of plurality. Countries with a pluralist nation are vulnerable to SARA-based conflicts or acts of violence (radicalism) that hurt harmony and peace if they do not understand the meaning of pluralism. Prolonged violence and conflict are exclusive forms of interaction in religious attitudes. This is a challenge for religious scholars, scholars, including the role of Hindu's religious education. Hinduism Education is not only in the form of teaching Hinduism or the transfer of knowledge about Hinduism (to have religion) to just rituals and theories, but knowledge of Hinduism that is functionally related to daily life (to be religion). Hindu religious education has a strategic value in creating a blue print in building a pluralist society to be tolerant, harmonious, democratic and civilized, far from radicalism because of the narrow understanding of religion. In the context of application, Hinduism education must be able to change an exclusive religious attitude on the basis of a rigid understanding of Hinduism intolerance to the inclusive attitude paradigm that is able to cooperate with other people in a tolerant and harmonious manner without losing their Hindu identity and identity.

Keywords: Pluralism, Hinduism Education, Inclusive, and Exclusive

I. INTRODUCTION

Ethnic, cultural, religious and other pluralities anywhere in the world, including in Indonesia, are facts that cannot be denied because plurality is a natural law. To deny plurality means denying natural law. The problem is not plurality itself, but what our attitude towards plurality is.

As a large nation with a very large population that is spread in a very wide archipelago, with abundant natural wealth, as well as a very diverse wealth of cultures and languages is a huge potential for Indonesia. The great potential of the Indonesian people is often directly proportional to the problems faced.

The plurality that belongs to the Indonesian nation is multidimensional, both seen from ethnicity, language, race, religion, the flow of beliefs, customs, cultural arts, and socio-economic status (Asra, 2007; Tilaar, 2007; Naim & Sauqi, 2008). Pluralism in the field of religion, for example, is often related to ethnicity (Maryati & Atmaja, 2014: 135). In fact, as stated by Atmaja (2010) religion is not only as a guide to worldly life and birth, but it is often positioned as an ethnic identity. Ethnic Balinese, for example,

use Hinduism as their ethnic identity. Likewise with other regions.

In this context religion is easily used as a means of developing internal social solidarity to deal with other ethnic groups of different religions. This shows that the position of religion in Indonesian society has a double face. On the one hand, religion is a source of morality in social life, but on the other hand religion can easily be linked to the development of internal solidarity to deal with or even marginalize other ethnic groups of different religions. Werang (2010: 44) clearly states: “Religion is often a cover for rejecting the presence of others, considers the religion as the most righteous and has the right to live, while other religions are wrong, get lost and have the right to life”.

In the name of religion, Indonesia is vulnerable to conflict and hostility. Religion is often manipulated as a means to legitimize violence against followers of other religions. This can be observed from various cases of conflict and violence that occurred in Indonesia with Nuance nuances (ethnicity, religion, race, and, among groups). Not infrequently violence is actually carried out by educated people (students), so that it potentially threatens the unity, unity and integrity of the nation.

This phenomenon seems to force us to rethink the role of religion, more specifically religious education in coloring the life of a pluralistic society. Various problems or collisions that occur in the country, especially from the socio-cultural and religious aspects are thought to be caused by the weak role of religious education, especially in schooling in the planting or inclusion of togetherness values. Therefore, a religious education system that is inclusive in schools needs to be designed so that students have sensitivity in dealing with social problems that occur due to differences and values that occur in pluralistic and pluralistic societies.

Conflicts and various kinds of violence that occur in various regions in Indonesia may be due to not understanding each other and respecting one group with another group. In plural and multicultural realities such as Indonesia, the community should live harmoniously side by side and uphold the values of universal plurality in the context of Indonesia, such as the one that was initiated by Mpu Tantular “Bhineka Tunggal Ika, Tan Hana Dharma Mangruwa”. Thus, the paradigm of religious education for students in schools must be able to protect and provide awareness that differences in society cannot be avoided but must accept and respect one another in the midst of differences, through inclusive religious education.

II. DISCUSSION

1. Religious Education and its Problems

The recent emergence of riots and violence in society in Indonesia involving religious sentiments should invite a lawsuit against the powerlessness of religious education. Education is often interpreted as teaching. Whereas between education and teaching

have different press points. Education is more than teaching. Teaching can be said as merely a process of transferring knowledge, and not a transformation of values in the formation of students' personalities. Teaching is more oriented to the formation of specialists who are confined in their specialist space, because their attention and interest are more technical (Noer, 2001: 232).

While education emphasizes the formation of awareness and personality of students in addition to the transfer of knowledge and expertise. With this understanding, a nation or state can inherit religious, cultural, thought and skill values to the younger generation, so that they are truly ready to meet life (Azra, 1999: 4). Thus, education is "coaching" and "teaching" at the same time. Education is a whole human guidance process: heart and mind, spiritual and physical, morality and skills.

The occurrence of various violence and riots in several regions in Indonesia, seems to lie in the fact that the processes that occur in education are nothing more than teaching. Education that takes place in Indonesia places more emphasis on the process of transfer of knowledge and expertise or more concerned with the ability of reason, and less attention to the process of improving heart quality, spirituality, morals, togetherness values.

Besides that, they are still struggling with the issues of laws, regulations, prohibitions. Religious studies do not touch very basic things related to issues of faith, hope and affection. The pressure of religious teaching still lies in to have religion, not on to be religion. Emphasizes individual piety rather than social piety. The shortness of religious studies has not touched the basic things for the survival of human life. More specifically the survival of the people in the context of national pluralism.

The helplessness of the religious education system in Indonesia as part of our national education system as a whole seems to be due to the emphasis on religious education so far on the process of transferring religious knowledge to students, not on the process of transforming religious noble values to students to guide them to become human strong personality, noble character, can live in diversity or pluralism that respects each other, as a feature of inclusive religious education. The more ongoing process of religious education in schools has been "teaching" religion, not "education" religion. What is often found in schools is the "teacher" of religion, not the "teacher" of religion. Not surprisingly, eventually being able to become students as part of the community members is further away from the "religious spirit".

People who are far from "spirit of religion" according to Bolotio (2001: 116), will spread the seeds of hostility and reap disaster for the survival of human life itself. According to Bolotio, there are three characteristics of people who have been far from the "spirit of religion", namely; (1) The loss of sensitivity to good values. Good and bad values become more commodities without a foundation of morality; (2) Profit-oriented social relationships. Brotherhood becomes barren. The purpose of life is no longer giving much attention to the connection of heart based on equality, help, and

appreciation of human values. Religious doctrines only become philosophical and do not carry much practical consequences in life; and (3) Human freedom begins to transcend norms that show the height of its degree as humans. Humans turn a blind eye to the consequences of action according to their low instincts.

Learning from the wounds of history, it is time for values that teach love, brotherhood, equality and various other noble qualities to be intensively instilled in the younger generation, both through formal educational institutions (schools), in families and in society. The planting of universal religious values must always be carried out so that the behavior of educated citizens remains in the corridor of morality and true faith. In this context religious education as a medium of inheritance of religious values becomes important and meaningful for humans (students).

Christopher J. Lukas, as quoted by Naim (2004: 8), said that education is not only related to aspects of transfer of knowledge, but also related to broader aspects, namely aspects of changes in values and outlook on life. Through education, especially religious education, it is expected that there can be a fundamental change in aspects of morality, culture, towards a better direction. Although in its journey education (religious education) is often used as a “scapegoat” the decline of morality and harmony between religious groups.

Religious education has been considered to lack emphasis on moral values such as love, help, tolerance, respect for differences of opinion and religious beliefs, and other attitudes that can create and support harmonious relations between people, even though different ethnicity, religion, and culture. These values should be emphasized in religious education in schools, because this moral attitude will be easier to instill in students if they know other students from different religions, ethnicities, and cultures. Thus students are expected to be able to accept religious pluralism and SARA as something that is not contested.

Plurality values can be developed, so that the narrow fanaticism that leads to the behavior of religious radicalism can be avoided. Adagium “Unity in Diversity” becomes something that is not impossible to be realized at school. This atmosphere will encourage inclusive behavior to tolerate and build mutual respect for differences.

2. Exclusive and Inclusive Religious Education

Seeing the historical facts about the frequent emergence of the phenomenon of violence or conflict based on SARA, it seems that forcing religious, intellectuals, religious teachers, including religious education stakeholders, to build a pluralistic society into a tolerant, harmonious, and collaborative society, and democratic. In this case religious education has a strategic role in shaping a society that is civilized especially for students. In the implementation of religious education, of course it must be inclusive paradigm (-not exclusive-).

In this case the definition of a paradigm is a way of thinking in seeing things as tools in the science of philosophy (Hadi, 1994: 32). While the term exclusive is a strict religious understanding, rigid (rigid), and blind fanaticism. This group is less able to relate and cooperate with other groups. They easily blame or accusing infidels of other people who do not agree with their class. With rigid understanding, it will certainly be easy to cause social conflicts between different groups.

Religious education has an exclusive paradigm, its supporters consider its religious doctrine to be entirely true. In any religion such attitudes ultimately give birth to religious fundamentalism which practically excludes all others who do not agree (Barr, 1994: 397-398). Even the area of safety is narrowed to the extent that people accept the basic principles of the teachings. Unity because of doctrinal ties is considered to be the most important guarantee for obtaining salvation. Exclusiveism like this clearly does not fundamentally consider the efforts of dialogue and cooperation among religious groups to be important. Religion or other groups tend to be considered as threatening enemies, and therefore cannot be trusted to have good will for the common good. They lack respect for differences, easily accusing other people of infidelity, only think for their groups, are less tolerant, and the like.

According to Noer (2001: 227), there are several reasons that cause an attitude of exclusiveness to someone. One of them is the nature of religion he has received since he was a child who taught that his religion is the only true religion and the only religion that brings salvation. Another reason is the atmosphere of life in a society that consists of only one religious group. People who live in such a society never associate with other people from other religious groups. They have never known much less to study other religions.

Conversely, religious education which has an inclusive paradigm is a complete and comprehensive understanding of a religious teaching. This paradigm emphasizes education that is contextual, tolerant, and respects the differences of SARA. They can live side by side and cooperate with other people in a tolerant and harmonious manner without violating the teachings of their religion or without losing their identity and group identity.

In this paradigm, supporters still see that in a religion there is absolute truth, but they cannot be forced on others. They are able to hold the values of the truth of religion and belief. What is important is a harmonious and conducive atmosphere for a peaceful and tolerant life together.

Those who receive religious education have an inclusive paradigm, maintaining that in the context of dialogue and cooperation between religious people is more fundamental than religious teachings. Therefore for the sake of harmony with other religious people, the doctrine of each religion needs to be reduced as far as possible. Those who are educated with this inclusive paradigm assume that each doctrine is particular, while the praxis is universal and open to everyone.

The establishment of inclusive religious attitudes is supported by several things, such as: the religious education they receive is not dogmatic and institutionalized. The attitude of pluralism can more easily emerge in an inclusive religion that teaches many ways to the Absolute. Their attitude to pluralism also arises because the atmosphere of life mixes with different religious groups, because they have the right knowledge and understanding of other religions.

Indonesia which adheres to the unity in diversity concept, exclusive religious education is important to abandon, and emphasizes inclusive religious education in schools. Comparative religion seems to be important intensively given in schools especially at the high school level, after students have sufficient knowledge about their own religion. That is the reason why comparative religious subjects are given right at the high school level, after they have studied their own religion in elementary and junior high schools. Thus, students are expected not to be trapped in the attitude of religious fanaticism that leads to radicalism. With an inclusive paradigm, it is expected that students with other religious communities can live in harmony, peace, tolerance, cooperation, mutual respect, so that the NKRI remains strong.

3. Praxis of Inclusive Religious Education in Schools

The praxis of religious education that is inclusive in this matter concerns technical matters, both about curriculum, learning media, and learning methods, namely how the process of teaching and learning activities is carried out properly and correctly. Religious education is not only in the form of religious teaching or the transfer of knowledge which only produces rote knowledge. With only a religious diversion will not be able to influence the personality people who study it. In this case religious education failed to achieve its objectives.

To avoid this, Riberu (2001: 51) suggests authentic religious education, in addition to presenting knowledge materials, also seeks experience and appreciation of values in the daily situation and environment. In the appreciation of learners, they are nurtured to experience consciously a value. From the experience, conscious students are invited to appreciate the value found. Because they believe in the value of the value, students begin to accept value for themselves, and in each situation students will experience a positive attitude towards the values they have received and try to embody those values.

Seeing the social facts that contain many conflicts and violent nuances of religion lately, the practice of inclusive religious education must be revised from the concept of indoctrination to relevance. That is, religious education must be developed not only in the form of indoctrination in the form of heaven-hell, good-bad, right-wrong, but also its relevance related to everyday life so that it can be lived and practiced. Religious education must teach students religious knowledge that is functional, namely being able to respond, assess, and find attitudes in life. Therefore, religious teaching should

start from and be associated with concrete daily life situations. Like how to think and act both for yourself and others, dealing with other people, community, tolerance, respecting differences in a pluralistic society.

As stated Santoso (2001: 281), that religion is proud and relied upon: (1) as: spiritual power which is considered capable of making students as human beings who are civilized, moral, fair, good, and commendable; (2) as a basic potential to shape the tradition of thinking, being mature, open, and tolerant; (3) answering basic needs of society from generation to generation to be able to live together dynamically and harmoniously in different religions, ethnicities, races, and cultures (pluralism).

Educational figure Ki Hajar Dewantara once emphasized that the purpose of education is cultural, namely inheriting values to the next generation, so that the inheritance is useful for his life. Likewise the case with religious education must enable a person, not only to know his religion but also to be able to grow in his faith and impose religious teachings in daily life for a life that is physically and spiritually prosperous for all. The ultimate goal of religious education is to cultivate a person who has self-integrity, and is able to use his faith to answer life's challenges and be able to humanize his fellow humans despite different religions and beliefs.

In terms of learning methods, the relationship between teachers and students is dialogic-communicative in nature as suggested by Socrates. Religious teachers are not seen as the only source of learning, and students are not seen as learning objects. But teachers and students alike as subjects of learning so that the atmosphere of learning and planting values will be dynamic and alive (Freire, 2001: 34). The educational concept developed by Paulo Freire is interesting to use in developing students' thinking in problem solving. Education here can be interpreted as human empowerment to be independent and creative in solving life's problems.

In terms of output, according to Tilaar (2004: 92), idealized education graduates are education and civilized human being, namely educated / knowledgeable and cultured human beings. Such humans can only be produced by an educational system rooted in culture. So, learning religious education is not only understood as a transfer of knowledge, but also appreciation and practice in everyday life. Where the teachings of religion in turn achieve its relevance to real life, not just the afterlife / supernatural. Inclusive religious education must be able to make students aware that plurality of religion is a necessity in Indonesia. Therefore students must learn to accept and appreciate differences so that the creation of harmony and peace between religious people.

III. CONCLUSION

Pluralism as an attitude that recognizes and respects the pluralistic, ethnic, cultural and religious conditions which are certainly very necessary to create and maintain

harmony between religious groups. This attitude can be developed through the process of education in schools, especially religious education with an inclusive paradigm. Considering that pluralism in Indonesia has recently been tested by various conflicts and violence involving religious sentiments which are mostly carried out by young people.

One of the factors that caused the emergence of many conflicts and violence in Indonesia, was due to the powerlessness of religious education in instilling values through inclusive religious education. This helplessness is at least caused by several factors as follows: first, the emphasis is on the process of transferring religious knowledge rather than the process of transforming religious and moral values to students; second, religious education has been seen as only a curriculum decoration and underestimated; third, lack of emphasis on moral values that support inter-religious harmony, such as love, compassion, friendship, tolerance, helpfulness, peace-loving; fourth, lack of attention to studying other religions; fifth, you can be your own religious teacher who does not respect pluralism.

Inclusive religious education will be able to fulfill its function and at the same time can contribute to foster an attitude that respects religious pluralism, if: (1) Able to transform religious and moral values with students, (2) Able to make religious education inclusive as an educational program (3) able to instill moral values that support inter-religious harmony, (4) provide sufficient attention to study other religions, and (5) teachers especially religious education teachers have respect for pluralism.

Religious education will still have a strategic value in creating a blue print for the development of students' religious pluralism. A blue print that directs students towards a better, peaceful, harmonious, tolerant, democratic direction as part of a pluralistic and pluralistic society.

REFERENCES

- Atmadja, N.B. 2010. Bali Pada Era Globalisasi: Pura Seribu Pura Tidak Seindah Penampilannya. Yogyakarta: LKiS.
- Azra, Azyumardi. 1999. Pendidikan Islam: Tradisi dan Modernisasi Menuju Milenium Baru. Jakarta: Logos.
- Azra, A. 2007. Merawat Kemajemukan Merajut Indonesia. Yogyakarta: Kanisius.
- Barr, James. 1994. Fundamentalisme. Terjemahan Stephen Suleeman. Jakarta: Gunung Mulia.
- Bolotio, Rifai. 2001. "Membangun Kesepahaman Lintas SARA: Sebuah Kontemplasi di Tengah-tengah Kemelut". Dalam Sumartana, at al. Pluralisme, Konflik dan Pendidikan Agama di Indonesia. Yogyakarta: Institut DIAN.
- Freire, Paulo. 2001. Menjadi Guru Merdeka: Petikan Pengalaman. Terjemahan Ira Shor. Yogyakarta: LkiS.

- Hadi, Hardono. 1994. *Epistemologi: Filsafat Pengetahuan*. Yogyakarta: Kanisius.
- Maryati, Tuty, dan Nengah Bawa Atmaja. 2014. "Pelebagaan Toleransi Melalui Pendidikan Pada SMA Multiagama di Bali". *Jurnal Pendidikan dan Pengajaran*. Jilid 47, Nomor 2-3, Oktober 2014, hlm. 135-144.
- Naim, Ngainum. 2004. *Krisis Moralitas dan Tanggung Jawab Dunia Pendidikan*. Surabaya: MPA.
- Naim, N. & Sauqi, A. 2008. *Pendidikan Multikulturalisme: Konsep dan Aplikasi*. Yogyakarta: Ar-Ruzz Media.
- Noer, Kautsar Azhari. 2001. "Pluralisme dan Pendidikan di Indonesia: Menggugat Ketidakberdayaan Sistem Pendidikan Agama" Dalam Sumartana, dkk. *Pluralisme, Konflik dan Pendidikan Agama di Indonesia*. Yogyakarta: Institut DIAN.
- Riberu, J. 2001. *Pendidikan Kegelisahan Sepanjang Zaman*. Yogyakarta: Kanisius.
- Tilaar, H.A.R. 2004. *Paradigma Baru Pendidikan Nasional*. Jakarta: Rineka Cipta.
- Tilaar, H.A.R. 2007. *Mengindonesiakan Indonesia Etnisitas dan Identitas Bangsa Indonesia: Tinjauan dari Perspektif Ilmu Pendidikan*. Jakarta: Rineka Cipta.

The Value Approach in Cyberbullying Countermeasures against Children

Dewi Bunga, I Wayan Gde Wiryawan, Institut Hindu Dharma Negeri Denpasar
<bunga8287@gmail.com>

Abstract. Cyberbullying is intimidation carried out through cyberspace, both in the form of text, images, and videos. This action can be in the form of threats, insults, extortion, pornography, utterances of hatred, slander, and others. This crime can be committed against anyone and anywhere, including children. Children who are victims of cyberbullying tend to skip school, experience a decline in achievement, depression, and suicide. This condition is certainly very alarming. Children cannot grow and develop optimally, even though children are the next generation of the nation. In this study we will discuss the phenomenon of cyberbullying against children and the value approach used to overcome cyberbullying against children. In axiology, good values must be made the basis for establishing a regulation that prohibits cyberbullying and implementing policies in the context of prevention and law enforcement against cyberbullying. The countermeasure policy against cyberbullying consists of penal policies and non-penal policies. Penal policy is carried out by regulation and law enforcement. Non-penal policies are carried out with a value approach. The Convention on the Rights of the Child itself also considers the cultural value of child protection as important. The Convention states “Traditional values need to be developed to develop a sense of humanity, tolerance and empathy from an early age.

Keywords: value, cyberbullying, and children.

I. Introduction

Violence against children is an important problem that is being faced by various countries in all parts of the world. The violence against children can be done in any form, including in the form of bullying. In general, bullying can occur in families, schools, work environments and communities, even in cyberspace. These actions are carried out repeatedly and make the victim as an object. According to psychologist Andrew Mellor [1], there are several types of bullying, namely:

- a. Physical bullying, namely the type of bullying that is carried out by physical contact between the perpetrator and the victim. This behavior is easier to identify than other forms.
- b. Verbal bullying, a bullying done by involving verbal language that aims to hurt someone's heart.
- c. Social relations bullying, a bullying that aims to reject and break the victim's social

relations with others by humiliating the victim, damaging one's reputation, inviting others to stay away from them, including systematically weakening the victim through neglect, exclusion or avoidance

d. Electronic bullying, a form of bullying behavior that is carried out through electronic communication devices such as computers, internet cellular phones, websites, chat rooms, e-mail, SMS, and others. This action is called cyberbullying.

Internet media is used by netizens to shame others, both known and unknown people because of its unlimited reach. Regarding this, Charisse L Nixon [2] wrote "Compared to traditional bullying, cyberbullying is unique in that it reaches an unlimited audience with increased exposure across time and space, preserving words and images in a more permanent state, and lacking supervision." The development of information technology that is without limit now has provided a large space for cyberbullying to intimidate children. National Crime Prevention Council, U.S. The Department of Justice [3] says "Cyberbullying is similar to other types of bullying, except online place takes and through text messages sent to cell phones. Cyberbullies can be classmates, online acquaintances, and even anonymous users, but most often they know their victims." Bullying Statistics [4] states that cyberbullying can take the form of:

1. Sending mean messages or threats to a person's email account or cell phone.
2. Spreading rumors online or through texts.
3. Posting hurtful or threatening messages on social networking sites or web pages.
4. Stealing a person's account information to break into their account and send damaging messages.
5. Pretending to be someone else online to hurt another person.
6. Taking unflattering pictures of a person and spreading them through cell phones or the Internet.
7. Sexting, or circulating sexually suggestive pictures or messages about a person.

Childhood is a period of sowing the seed, establishing the piles, and making of foundations. It can also be referred as a formation period of character, personality, and self-character of a human being, so that the children will have strength and ability and stand firm in pursuing life [5]. Childhood will determine their identity when they grow up later, so it is true that childhood is said to be a period of formation. The children who are victims of cyberbullying will feel embarrassment and depression, skip school, get poor grades in school, not dare to deal with their social environment, and even get stuck into the use of alcohol and illegal drugs. Therefore, a mitigation strategy against cyberbullying aimed at children is very needed.

II. Result and Discussion

A. Penal policy in Cyberbullying Countermeasures in Indonesia

The criminal justice system has goals for crime prevention. The crime prevention is carried out with various policies. Policies in dealing with crime can be carried out with two events, namely:

a. Penal Policy. Abintoro Prakoso [6] says this policy is often called as the older philosophy of crime control because it is estimated that the penal policy is as old as human civilization. Crime violations with a penal policy will discuss the need for crime prevention by using criminal sanctions. Reasoning policies must be integrated with national development. Supanto [7] further says that the national development includes crime prevention which is accompanied by scientific studies of criminogenic social factors.

b. Non-Penal Policy. According to Abintoro Prakoso [8] non-penal policies are carried out by means of education, assistance, cultivation of the soul of the community through moral and religious education, improvement of public welfare, and supervision. Non-criminal efforts are carried out in all sectors of the social policy.

Indonesia has not had specific rules regarding cyberbullying yet. However, it does not mean that cyberbullying actions have never been carried out and are not regulated in national criminal law. The actions of cyberbullying often occur in Indonesia. In 2015, Ruben Onsu [9] reported on netizens who stole photos of her baby and bullied her baby on Instagram. In 2017, Uya Kuya [10] threatened to report netizens who had spread hoaxes and bullied his daughter, Cinta Kuya.

The case of cyberbullying in Indonesia is increasing with the social media access. Media Liputan 6 noted that Indonesia turned out to be the first rank with a total of 38 percent contributing to cases of cyberbullying in the world [10]. Data from World Organization for Children (UNICEF) in 2016 [11] stated that 41 to 50 percent of teens in Indonesia in the age range of 13 to 15 years old have experienced cyberbullying. Some of the actions are doxing or publishing other people's personal data, cyber stalking or stalking in cyberspace which leads to stalking in the real world. There is also the revenge porn or the spread of porn photos and videos with the aim of taking revenge accompanied by intimidation and extortion.

Social media provides a broad space for cyberbullying. Noma Nazish [12] reports "Instagram is the most common social media platform for cyber-bullying, the latest research pointed out. More than 40% of youngsters have faced online bullying on the photo-sharing app. Meanwhile, 37% of the reports are being bullied on Facebook, and 31% on Snapchat." Netizens are flaming, insulting and slandering against photos or news uploaded on social media. This condition is increasingly out of control with the emergence of gossip accounts. These accounts upload photos (including children) that

are taken secretly and open a comment column that allows netizens to make hateful comments. This intimidation against children in the comment columns needs a great concern.

Child protection from cyberbullying is a human right guaranteed in the constitution. Personal protection of children as the constitutional rights is regulated in Article 28G paragraph (1) of the 1945 Republic of Indonesia Constitution which states “Every person shall have the right to protection of his/herself, family, honour, dignity and property, and shall have the right to feel secure against and receive protection from the threat of fear to do or not do something that is a human right.” The regulation of rights related to the protection of cyberbullying in Law No. 39 of 1999 concerning Human Rights can be seen in a number of the following provisions:

Article 12 of Act Number 39 of 1999 concerning Human Rights

Everyone has the right to protection for his self-development, to obtain an education, to educate himself, and to improve the quality of his life to become responsible, content, and prosperous people, in accordance with his human rights

Article 13 of Act Number 39 of 1999 concerning Human Rights

Everyone has the right to develop and benefit from scientific knowledge and technology, arts and culture as befits human dignity, in the interests of his own welfare, and the welfare of the nation and humanity.

Article 14 of Act Number 39 of 1999 concerning Human Rights

1. Everyone has the right to communicate and obtain information they need to develop themselves as individuals and to develop their social environment.
2. Everyone has the right to seek, obtain, own, store, process, and impart information using all available facilities.

Every child has the privacy right that needs to be protected. In Article 52 paragraph (1) Act Number 39 of 1999 concerning Human Rights is stated “All children have the right to protection by parents, family, society and state.” Article 58 paragraph (1) then states “Every child has the right to protection before the law against all forms of physical or mental violence, neglect, mistreatment and sexual assault while under the care of his parents, guardian, or any other party responsible for his care.” Children protection is a human right.

Penal policies of anti-cyberbullying can be found in a number of laws in Indonesia, namely:

- 1) Act Number 11 Year 2008 concerning Information and Electronic Transactions and Act Number 19 Year 2016 concerning Amendments to Law Number 11 Year 2008 concerning Information and Electronic Transactions

Provisions in Law Number 11 of 2008 is about Information and Electronic Transactions to adjudicate perpetrators. Conceptually, in the provisions of Law Number 11 of 2008 concerning Electronic Information and Transactions, acts which include cyberbullying, namely:

1. Decency violations (Article 27 paragraph (1) of Act Number 11 Year 2008)
2. Insult and / or defamation (Article 27 paragraph (3) of Act Number 11 Year 2008)
3. Extortion and / or threats in cyberspace (Article 27 paragraph (4) of Act Number 11 Year 2008)
4. Speech of hatred with SARA background (Article 28 paragraph (2) of Act Number 11 Year 2008)
5. The violence threat or scares aimed personally Article 29 of Act Number 11 Year 2008)
6. Illegal Access to Computers and / or Electronic Systems (Article 30 of Act Number 11 Year 2008)

2). Criminal Code

Law Number 11 of 2008 concerning Information and Electronic Transactions does not explicitly regulate Electronic Information and / or Electronic Documents that have contents that against propriety, humiliation and / or defamation and extortion and / or threats. Decomposition of these elements must be carried out using a systematic interpretation of the provisions in the Criminal Code, namely Article 281-296 of the Criminal Code to explain decency offenses, Article 310-311 of the Criminal Code for insulting and / or defamation and Article 368 paragraph (1) and 369 of the Criminal Code for extortion and / or threats.

3). Act Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection

Regarding the rights of children, in Law Number 35 of 2014 it is stipulated regarding the right to protection. Article 15 of Act Number 35 of 2014 states:

Every Child has the right to obtain protection from:

1. abuse in political activities;
2. involvement in armed disputes;
3. involvement in social unrest;
4. involvement in events that contain elements of violence;

5. involvement in warfare; and
6. sexual crime.

Countermeasures for cyberbullying include protecting children from events that contain elements of violence and sexual crime. In this case, it is the responsibility of all parties in implementing child protection. Article 20 of Law Number 35 of 2014 states: “States, Governments, Local Governments, Communities, Families and Parents or Guardians are obliged and responsible for the implementation of Child Protection” States, governments and regional governments have an obligation to make legal policies related to child protection, form work programs and promote child protection efforts. Related to this, the state has the authority to adopt the provisions of international conventions which become a reference standard in the efforts to protect children from a legal perspective.

In Article 76A Act Number 35 of 2014, it is stated “Everyone is prohibited to: a. treat children in a discriminatory manner which results in children experiencing losses, both material and moral, thus hindering their social functions;” In Article 77 Act Number 35 of 2014 regulates criminal sanctions namely “Every person who violates the provisions referred to in Article 76A is punished with the most imprisonment 5 (five) years and / or a maximum fine of Rp 100,000,000 (one hundred million rupiah).”

Indeed, children need certain parties, such as parents / family, community, government, and the state as the regulators (regulator bodies), executors of fulfilling children’s rights (executive body), and state obligation (state obligation) [13]. The role of government in each country is crucial in which the governments around the world are struggling to face telematics problems, especially what is called “unwanted information” available to citizens on the internet (cyber space) [14].

B. Non-penal Policy in Tackling Cyberbullying of Children

The presence of internet media makes the perpetrators of crimes are able to freely suppress their victims,. Unfortunately, the children do not realize that they can become the victims. In a survey conducted by UNICEF Indonesia and the Ministry of Communication and Information [15] on the Digital Citizenship Safety program involving internet users in the 10-19 years age group, only 42% of respondents realizing the risk of being bullied online. At least 13% of these respondents have been victims for three months (translated into thousands of children). Bullying on children is done because of their nickname, physical appearance uploaded on the internet media, and the occupation of their parents (eg farmers or fishermen) or their parents’ physical appearance. Some of them experience online threats.

Philosophically, the act of cyberbullying is an action that is far from kindness. According

to Socrates [17], the law is the order of virtue. The virtue is nothing but knowledge. According to this principle, knowing the kindness is by doing kindness. Crimes, mistakes or the other terms arise because of the lack of knowledge, the indifference, and other absences of good things.. In axiology, good values must be made as the basis for establishing a regulation that prohibits cyberbullying and implementing policies in the context of prevention and law enforcement against cyberbullying. Non-penal policy in overcoming cyberbullying against children is done through an approach to values, both in the parenting and the social interaction.

Parenting has an important role in shaping one's character. Incorrect parenting can affect someone to do this act of intimidation. Ybarra and Mitchell [18] have taken the first step in creating a profile of cyberbullying. They in the report state,

Besides, Cyber Bullies tend to have poor relationships with their caregivers and are twice as likely as non-Cyber Bullies to report on the following:

1. A poor emotional bond with caregivers
2. Wrong methods of disciplining
3. Infrequent caregiver monitoring
4. Often intensive Internet users
5. Quickly switch screens or close programs when others walk by
6. Frequent use the computer in the wee hours of the night
7. Get unusually upset if he/she cannot use the computer
8. Laugh excessively while using the computer
9. Avoid discussions about what he or she is doing on the computer
10. Use multiple online accounts or an account that is not his or her own

Family is the closest social environment to raise, mature, and become the first place of education for children [19]. The perpetrators of cyberbullying are victims of the wrong parenting pattern. They have a bad emotional bond with caregivers, both parents, older siblings, more mature people, or other people who are hired to take care of them. In this care, there is a method of wrong discipline. Children tend to be educated by violence as a form of discipline. The violence is used as a tool so that children comply with all the thoughts of their parents, even though this thought is not necessarily in accordance with the children wishes. The perpetrators of cyberbullying are children who are the victims of the lack of parental supervision in parenting . This pattern of behavior is continued when they carry out their activities in cyberspace.

There is weak supervision of parents and school for the children in using the internet. The parents freely provide internet facilities to their children. Internet access can also

be gotten at schools or other public places free of charge. The ease of surfing in this virtual world is not supported by the internalized values for children. This thing causes children do antisocial actions. Sophia Alim [20] said that the lack of adult supervision in a digitally run world could increase the impact of cyberbullying. Children who are victims also do not dare to report the intimidation they experienced.

In the Convention on Rights of the Child as an international legal instrument, it has taken into account the cultural value of child protection as an important matter. The Convention states “Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child.” Traditional values need to be developed to develop a sense of humanity, tolerance, and empathy from an early age. Related to these values, Caitlin Elsaessera, Beth Russellb, Christine McCauley Ohannessianc, Desmond Patton [21] state “Determining which parenting strategies are effective in reducing cyberbullying is key to developing sound, culturally appropriate prevention efforts.” Determine effective parenting strategies in reducing cyberbullying is the key in developing the appropriate prevention efforts that suit the culture.

Local wisdom in Bali has traditional values that can be used as a guidance in preventing cyberbullying. These traditional values, for example *sagilik-saguluk salunglung sabayantaka*, *paras-paros sarpanaya*, *saling asah asih asuh* which form the basis for resolving indigenous conflicts. *Sagilik saguluk salunglung sabhayantaka*, means round like a ball, rolling everywhere in one taste, the same as a soldier, with a mixture of joy and sorrow. *Paras-paros sarpanaya*, means mutual respect in differences to become one and inseparable. *Saling asah asih asuh* means mutual content-filling (in learning or teaching-learning), loving each other, and taking care of each other.

In the teachings of Hinduism, it is known a moral philosophy “*Tat Twam Asi.*” This philosophy is an unlimited social teaching that contains universal values. Briefly, *Tat Twam Asi* means “I am you and vice versa you are me.” The teachings of *Tat Twam Asi* invite every believer to feel what others feel. *Tat Twam Asi* is a key word to foster a harmonious relationship between fellow living beings. Based on these teachings, hurting others by cyberbullying is the same as hurting yourself.

The foundation of traditional values embraced by Hindu societies in Bali is a part of philosophical Hinduism, “*Tri Hita Karana*” (three causes of happiness) which is a philosophy of balance (human balance with God or *parahyangan*, balance between humans and humans or *pawongan* and the balance between humans and the environment or *palemahan* [22]).The value approach in tackling cyberbullying will create a harmonization of the balance between humans and other humans by instilling love, empathy, tolerance and mutual respect; therefore, intimidation against children can be overcome.

III. Conclusion

The prevention of cyberbullying against children is done through penal and non-penal policies. Penal policy is carried out by imposing criminal sanctions on cyberbullying actors based on the provisions in Act Number 11 Year 2008 concerning Information and Electronic Transactions and Act Number 19 Year 2016 concerning Amendments to Act Number 11 Year 2008 concerning Information and Electronic Transactions, Criminal Code, and Act Number 35 Year 2014 concerning Amendment to Act Number 23 of 2002 concerning Child Protection. Non-penal policies are carried out with parenting, social interaction, and supervision based on the traditional values.

References

- [1] Davit Setyawan, "KPAI : Kasus Bullying dan Pendidikan Karakter", Jakarta, <http://www.kpai.go.id/berita/kpai-kasus-bullying-dan-pendidikan-karakter/>.
- [2] Charisse L Nixon, "Current Perspectives: The Impact of Cyberbullying on Adolescent Health", *Adolescent Health, Medicine and Therapeutics*, Vol. 5, 2014, p.143.
- [3] National Crime Prevention Council, U.S. Department of Justice, "Cyberbullying", Washington D.C., <http://www.ncpc.org/topics/cyberbullying/>.
- [4] Bullying Statistic, "Cyber Bullying Statistics", Washington D.C., <http://www.bullyingstatistics.org/content/cyber-bullying-statistics.html>.
- [5] Gultom, Maidin, *Perlindungan Hukum Terhadap Anak Dalam Sistem Peradilan Pidana Anak di Indonesia*. Bandung: Refika Aditama, 2008.
- [6] Abintoro Prakoso, *Kriminologi dan Hukum Pidana; Pengertian, Aliran, Teori dan Perkembangannya*. Yogyakarta: Laksbang, 2014.
- [7] Supanto, *Kejahatan Ekonomi Global dan Kebijakan Hukum Pidana*. Bandung: Alumni, 2010.
- [8] Abintoro Prakoso, *Kriminologi dan Hukum Pidana; Pengertian, Aliran, Teori dan Perkembangannya*. Yogyakarta: Laksbang, 2014.
- [9] Firli Athiah Nabila, "Istri dan Anak Terus Di-bully, Ruben Onsu Mengamuk di Instagram", Jakarta, <http://showbiz.liptan6.com/read/2260009/istri-dan-anak-terus-di-bully-ruben-onsu-mengamuk-di-instagram>.
- [10] Meiristica Nurul, "Anak Di-bully, Uya Kuya Akan Lapor ke Polisi", Jakarta, <http://showbiz.liptan6.com/read/2932246/anak-di-bully-uya-kuya-akan-lapor-ke-polisi>.

- [11] Liputan 6 “4 Alasan Warganet Indonesia Jadi Juara Cyberbullying di Dunia”, Jakarta, <http://citizen6.liputan6.com/read/3026600/4-alasan-warganet-indonesia-jadi-juara-cyberbullying-di-dunia>.
- [12] Mitra Tarigan, “Bullying Bisa Akibatkan Bunuh Diri”, Jakarta, <https://gaya.tempo.co/read/1022038/bullying-bisa-akibatkan-bunuh-diri>.
- [13] Noma Nazish, “Instagram is the worst social media platform for cyber-bullying”, London, <https://uk.blastingnews.com/tech/2017/07/instagram-is-the-worst-social-media-platform-for-cyber-bullying-001864525.html>.
- [14] Hadi Supeno, *Kriminalisasi Anak Tawaran Gagasan Radikal Peradilan Anak Tanpa Pemidanaan*, Jakarta: Gramedia Pustaka Utama, 2010.
- [15] Assafa Endeshaw, *Hukum E-commerce dan Internet dengan Fokus di Asia Pasifik*, Jakarta: Pustaka Pelajar, 2007.
- [16] UNICEF Indonesia dan Kementerian Komunikasi dan Informatika, “Studi Terakhir: Kebanyakan Anak Indonesia sudah online, namun masih banyak yang tidak menyadari potensi resikonya.” Jakarta, https://www.unicef.org/indonesia/id/media_22169.htm.
- [17] Bernard L. Tanya, Yoan N. Simanjuntak, dan Markus Y. Hage, *Teori Hukum: Strategi Tertib Manusia Lintas Ruang dan Generasi*, Yogyakarta: Genta Publishing, 2010.
- [18] Singapore Children’s Society, “Profile of Cyber Bullie”s, Singapura, <http://bullyfree.sg/adults/adults-contact-us/>.
- [19] Nashriana, *Perlindungan Hukum Pidana Bagi Anak di Indonesia*, Jakarta: RajaGrafindo Persada, 2012.
- [20] Sophia Alim, “Cyberbullying in the World of Teenagers and Social Media: A Literature Review”, *International Journal of Cyber Behavior, Psychology and Learning*, Volume 6 • Issue 2 • April-June 2016, p. 74.
- [21] Caitlin Elsaessera, Beth Russellb, Christine McCauley Ohannessianc, Desmond Patton, “Parenting in a digital age: A review of parents’ role in preventing adolescent cyberbullying”, *Aggression and Violent Behavior* Vol. 35, 2017, h. 70.
- [22] Tjok Istri Putra Astiti, *Pemberdayaan Awig-awig Menuju Ajeg Bali*, Denpasar: Lembaga Dokumentasi dan Publikasi Fakultas Hukum Universitas Udayana, 2005,

Overcoming Religious-Hate Speech on Social Media

Ni Luh Gede Yogi Arthani, Faculty of Law, University of Mahasaraswati Denpasar

<yogi_arthani@yahoo.com>

Abstract. Social media is one proof of the fast development of technology that can be used for the unlimited communication for people around the world. They can communicate personally with others and be connected with many people in the virtual space. Lately, the social media has been used for various purposes such as delivering disaster information, delivering news, marketing products, promoting music and videos, and even being used as a means of political campaigns. On the other hand, it is also used to spread religious-hate speech, namely expressions of hatred with a background in religions, beliefs, sects, and other religious attributes. This action can be carried out in a planned way to bring down a person's reputation by building public opinion. Religious-hate speech severely endangers the integrity and unity of the nation. Moreover, Indonesia is a multicultural country consisting of various religions. In this study, there are two issues discussed: 1) How can the forms of religious-hate speech be punished according to the law in Indonesia? 2) What is the prevention policy on religious-hate speech on social media? Religious-hate speech can be in the form of insult; defamation; humiliation; objectionable acts; provoke; incite; and the spread of false news (hoax), in which all of these actions are aimed to or can have an impact on the acts of discrimination, violence, loss of life, and / or social conflict. The policy in dealing with religious-hate speech on social media is carried out through preventive and repressive efforts.

Keywords: Religious-Hate Speech, social media, eradication

I. Introduction

The development of information technology that has been very sophisticated, fast and easy becomes a lifestyle for people around the world. As a result of such developments, then gradually, the information technology has also changed the behavior of people from human civilization globally [1]. Patterned communication using digital communication media can be said to have overridden the real conversation.

This phenomenon also occurs in Indonesia as an influence of the development of information technology in this era of globalization. One of the uses of information technology with the emergence of various kinds of social networking sites has spread to various users like children, students, housewives, entrepreneurs, upper economies to lower economies, and others who can use social networking sites for their individual needs. Social networking itself is part of social media that is increasingly growing and

developing.

Social media is “forms of electronic communication (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos)” [2]. Social media is an online media interaction that includes blogs, forums, chat applications and social networks. The social media is used by internet users to express their opinions and activities to the public.

Nowadays, social media is used as a means of realizing the independence and freedom in expressing opinions. Etymologically, independence means freedom without pressure. The opinions are generally interpreted as ideas. Opinion means expressing ideas or issuing thoughts. Thus, freedom in expressing opinion is a condition that is free from pressure to convey ideas or thoughts, both in writing and unwritten [3]. Independence and freedom of opinion are the indicators of democratic countries, but that does not mean that they can be carried out indefinitely. The independence and freedom of opinion are limited by the rights of others to be treated properly and fairly. Everyone has the right to find a comfortable public space, without being treated discriminatively.

Hate speech becomes one of the important problems faced today. In the terms of law, hate speech is a word, behavior, writing, or performance that is prohibited because it can lead to acts of violence and prejudice whether from the perpetrator of the statement or the victim of the action. Websites that use or implement hate speech are called hate sites. Most of these sites use internet forums and news to reinforce a certain point of view [4].

The trends of hate speech are increasing along with the increasing number of social media users. All people can be the victims of the hate speech. The young and old people can be the easy targets for this case. According to ICTWatch.com, there are 90% of teenagers who have witnessed hate speech claimed that they do not care about it. Only 40% of them complain to their parents. As many as 42% of online teenagers admitted that they have experienced hate speech in the past few years. This number will continue to increase because of the increasing number of children and teenagers who are internet users. At least 69% of children today have an access to the internet through cellphones or computers. Of that amount, 80% are active on one or more social media. There are 10% of the cases indicated Hatespeech [5].

In its development, social media does not always have a positive impact on the internet users. It is used as a means of spreading hatred and hostility towards certain religious (hate speech). Religious hate speech occurs in various parts of the world. Religious pluralism, versus the defamation of religion and freedom of speech has become an increasing source of conflict in international politics and interreligious relations. Preachers of hate and activists in America, Europe, and many Muslim countries are

engaged in a culture war. Far right anti-immigrant and anti-Muslim political leaders and parties colored the United States of America and Europe to vote [6].

For extremists, the use of social media platforms such as Facebook means that they must adapt their practices to the platforms' terms of use. Consenting to Facebook's authentic identity policy and community standards implies that extremists can no longer post anonymously or upload explicit content, as was previously done on public websites. Victims of hate, also consenting to the platform's terms of use, may report content they consider harmful, but the platform unilaterally decides whether the reported content is considered hate speech and, accordingly, whether or not to remove it [7].

The National Police of the Republic of Indonesia succeeded in uncovering the case of the utterances of hate in cyberspace carried out by the Saracen group. This group is specifically paid to spread the utterances of hatred. This group that existed on Facebook and its websites has gotten the most spotlight since mid-2017. They uploaded the contents containing utterances of hatred and hoax aimed at certain groups. In fact, some of its posts offended the ethnic, religious, racial, and intergroup sentiments. In this case, the police assigned four Saracen officials as suspects. They are Mohammad Faisal Todong, Sri Rahayu Ningsih, Jasriadi, and Mahammad Abdullah Harsono. They are considered to spread the content of hate speech with ethnic, religious, racial, and intergroup backgrounds on social media according to order at a rate of 72 million rupiah. The media used to spread the contents included the Facebook Group Saracen News, the Saracen Cyber Team, the Saracennews.com site, and various other groups that attracted internet users to join. Until now, there are more than 800,000 accounts in the Saracen Group network. Two of the four perpetrators, Sri and Faisal, were arrested first for uploading similar content on their personal Facebook account. On his Facebook page, Sri insulted the President of the Republic of Indonesia, Jokowi and the government. Meanwhile, Faisal uploaded an image containing the accusation that Jokowi was a family of the Indonesian Communist Party (PKI). In addition, Faisal also mentioned the faction which supports and rejects parliamentary thresholds and calls to overthrow certain parties. There was also content containing insults to the National Police and the National Police Chief. In addition, several images and writings uploaded were considered to offend tribes, religions, races, and groups [8].

Religious-hate speech is a condition that seriously endangers the integrity of a nation. Especially for Indonesia whose people adhere to different religions. In the study of the prevention of religious-hate speech on social media, two issues will be discussed, namely the forms of religious-hate speech that can be punished according to the law in Indonesia and the policy of dealing with religious-hate speech on social media.

II. Result and Discussion

A. Forms of Religious-Hate Speech that Can Be Punished by Law in Indonesia

Religious-hate speech is a legal problem that is being faced by internet users. The increasing tendency of religious-hate speech is caused by a wrong understanding of social media. Social media is considered as a private space where everyone can express his opinions without restrictions. Eventhough it is a private space, social media is also a public space that can be accessed by other people, even by other people who are not known before.

Religious-hate speech starts from radical lectures which give the view that people with other religions are enemies. This understanding spreads very easily through cyberspace. Provocation is done by inviting users to fight against other people. The teachings of other religions are seen as an error. Even, a particular religion is identified as the terrorists. In its development, this war of doctrine was used by politicians to overthrow political opponents. Religious issues are raised to gain public sympathy. Choosing a political figure who is of the same religion is considered a religious order, while choosing political figures of different religions is seen as a sin.

In a report made by Walters et. al. (206), the researchers from the University of Sussex, utterances of hatred are said to be part of hate crime. This is formulated as an act of inciting others to hate certain parties, not only based on ethnicity, religion, race, and intergroup, but also based on their disability or sexual orientation. Walters et. al. mention the main factor motivating this condition is prejudice against certain people or groups. This prejudice can be formed from continuous socialization and internalization by family, school, friends, or people around the utterance of hate speech. Regardless the positive track record made by the object of the hate speech, the perpetrator will casually judge the person or group. Speeches of hatred perpetuated in an environment where a person lives can be understood as an effort to form social cohesion. The greater the level of conformity to express hatred, the greater the power to bring down certain groups [9].

In the view of law, the religious-hate speech is an act that violates the law. The legal basis that can be used as a guideline is as follows:

1. Criminal Code;
2. Law Number 39 of 1999 concerning Human Rights;
3. Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia;
4. Law Number 11 of 2005 concerning Ratification of the International Convention on Economic, Social and Cultural Rights;
5. Law Number 12 of 2005 concerning the Ratification of the International

Convention on Civil and Political Rights;

6. Law Number 11 of 2008 concerning Information and Electronic Transactions;
7. Law Number 40 of 2008 concerning the Elimination of Race and Ethnic Discrimination;
8. Law Number 7 of 2012 concerning Handling Social Conflict;
9. Regulation of the Head of the Indonesian National Police Number 8 of 2009 concerning the Implementation of Human Rights Principles and Standards in the Implementation of the Duties of the National Police of the Republic of Indonesia;
10. Regulation of the Head of the Republic of Indonesia National Police Number 8 of 2013 concerning Technical Management of Social Conflict.

In response to the increasing number of religious-hate speeches in cyberspace, the Chief of Police of the Republic of Indonesia issued a Circular Letter of the Chief of the Indonesian National Police Number SE / 06 / X / 2015 (Surat Edaran Kepala Kepolisian Republik Indonesia Nomor SE/06/X/2015). This regulation is made with the following considerations:

1. that the issue of hate speech has increasingly gotten the attention of the public both nationally and internationally along with the increasing concern for the protection of human rights (HAM);
2. that acts of hate speech have an impact that undermines human dignity and humanity as the incidents that happened in Rwanda, South Africa, or in Indonesia;
3. that from the history of humanity in the world and this nation, the utterances of hatred can encourage the occurrence of collective hatred, exclusion, discrimination, and even at the most terrible level, ethnic massacre or genocide against groups that are the target of speech hate;
4. that the issue of speech of hatred must be handled well because it can undermine the Indonesian principle, unity in diversity;
5. that understanding and knowledge of the forms of hate speech must be known by Polri personnel as the state officials who have the duty to maintain public security and order, enforcement and protection of law, protection and service to the community. Therefore, precautions can be taken as early as possible before the emergence of a criminal act as a result of the hatred speech;

In the provisions of law in Indonesia, speech of hatred is a discourse in criminal law. Mr. Wirjono Prodjodikoro explains that criminal law consists of material and formal criminal law as follows. The scope of criminal law is as follows:

1. Appointment and description of actions threatened with criminal law,
2. Appointment of general conditions that must be fulfilled so that an act is the act that the maker can be prosecuted with criminal law.
3. Appointment of a person or legal entity that can generally be sentenced to criminal law, and
4. Appointment of types of criminal penalties that can be imposed.

Criminal law is closely related to the holding of criminal law, therefore, is a series of regulations that contain the ways in which government bodies in power, namely the police, prosecutors, and courts must act in order to achieve the objectives of the State by establishing criminal law.” [10] According to Moeljatno, a criminal act is “an act prohibited by a legal rule which is accompanied by a threat (sanction) in the form of a certain crime, for anyone who violates the prohibition.” The term criminal act is more appropriate for the following reasons:

1. Prohibited acts are actions (human actions, namely an event or situation caused by the behavior of people), meaning that the prohibition is directed at the actions. Meanwhile, the criminal threat is aimed at the person.
2. Between the prohibitions (aimed at actions) with criminal threats (aimed at the person), there is a close relationship. Therefore, actions (in the form of circumstances or events caused by this person, violating the prohibition) with the person who caused the action, there is a close relationship too.
3. To express the existence of a close relationship, it is more appropriate to use the term criminal act, an abstract understanding that refers to two concrete circumstances, namely first, the existence of a certain event (deed); and second, there is a person who does or causes the incident [11].

Criminal law regulates actions which are formulated as criminal acts. In the provisions of the law in Indonesia, religious-hate speech can be in the form of a crime regulated in the Criminal Code (KUHP) and other criminal provisions outside the Criminal Code. In the Circular of the Chief of Police of the Republic of Indonesia Number SE / 06 / X / 2015 the forms of hate speech are determined as follows:

1. insult;
2. defamation;
3. humiliation;
4. objectionable acts;
5. provoke;
6. incite;

7. spread of false news;

and all of the above actions have a purpose or can have an impact on acts of discrimination, violence, loss of life, and / or social conflict.

Religious-hate speech is not only a crime but also an act that violates human rights. The tangent point in the speech of hatred within the human rights framework lies in two rights discourse, namely: a) freedom of religion or belief; and b) freedom of expression and opinion, c) racial and ethnic protection. Through the International Covenant on Civil and Political Rights and a number of other international documents, the global community has agreed on the boundaries of these two rights, so that restrictions on a right (expression and opinion) to protect certain rights (religious freedom) should not be seen in a dichotomous framework [12]. Therefore, religious-hate speech must be addressed through various approaches, both through penal and non-penal policies.

B. Policies in Overcoming Religious-Hate Speech on Social Media

Crime prevention policies or efforts are essentially an integral part of social protection efforts and efforts to achieve social welfare [13]. Overcoming religious-hate speech is a comprehensive effort carried out through non-penal and penal policies.

Non-penal policy is a preventive effort to prevent religious-hate speech. The preventive efforts can be made through the approach of citizenship and digital citizenship focusing on efforts to prepare information literate individuals and responsible citizens, through the study of rights, freedoms and responsibilities [14]. Digital literacy is needed to provide an understanding of de-radicalization to internet users.

Technically, the National Police of the Republic of Indonesia has regulated preventive measures undertaken by the police on religious-hate speech in the Circular Letter of the Indonesian National Police Chief Number SE / 06 / X / 2015. The steps needed to handle the acts of hate speech so that it does not give rise to the acts of discrimination, violence, loss of life, and / or widespread social conflict as follows:

a; Taking preventive actions as follows:

1. each member of the National Police has the knowledge and understanding of the forms of hate speech that arise in the community;
2. through understanding the forms of hate speech and its consequences, the policemen are expected to be more responsive or sensitive to the symptoms that arise in the community that have the potential to cause criminal acts of hate speech;
3. each member of the Indonesian National Police must conduct an analysis or study of the situation and conditions in their respective environment, especially those

relating to acts of hate speech;

4. each member of the Indonesian National Police must report to their respective leaders about the situation and conditions in their environment, especially those related to acts of hate speech;
5. to the Head of Regional Office to carry out activities:
 - making it effective and prioritizing the intelligence function to find out the real conditions in conflict-prone areas mainly due to incitement or provocation, then mapping is done as part of early warning and detection;
 - prioritizing the functions of binmas and polmas (community police) to carry out counseling or socialization to the public regarding the utterances of hatred and the negative impacts that will occur;
 - prioritizing the functions of binmas to conduct constructive cooperation with religious, community, and youth leaders, and also academics to optimize repressive actions against hate speech;
 - if it is found an action that has the potential to lead to criminal acts of hate speech, each member of the National Police must take action:
 1. monitoring and detecting as early as possible the conflict in the community;
 2. approaching those suspected of hate speech;
 3. bringing together parties suspected of committing hate speech with victims of hate speech;
 4. looking for solutions to peace between conflicted parties; and
 5. providing an understanding of the impacts that will arise from the utterances of hatred in the community;

If preventive actions have been carried out by members of the Indonesian National Police but do not resolve problems that arise as a result of acts of hate speech, then the settlement can be done through law enforcement. The law enforcement on the alleged occurrence of criminal acts of hate speech refers to the provisions determined as acts of religious-hate speech in the Circular of the Chief of the Indonesian National Police Number SE / O6 / X / 2015.

The form of religious-hate speech is an insult. Insult is attacking someone's honor and reputation. The object being attacked is usually embarrassed [15]. Humiliation is regulated in Article 310 of the Criminal Code.

(1) The person who intentionally harms someone's honor or reputation by charging him with a certain fact, with the obvious intent to give publicity thereof, shall,

being guilty of slander, be punished by a maximum imprisonment of nine months or a maximum fine of four thousand and five hundred rupiah.

(2) If this takes place by means of writings or portraits disseminated, openly demonstrated or put up, the principal shall, being guilty of libel, be punished with a maximum imprisonment of one year and four months or a maximum fine of four thousand five hundred rupiah.

(3) Neither slander nor libel shall exist as far as the principal obviously has acted in the general interest or for a necessary defense.

Religious-hate speech also includes acts of defamation as stipulated in Article 311 of the Criminal Code. In the provisions stated as follows:

(1) Any person who commits the crime of slander or libel in case proof of the truth of the charged fact is permitted, shall, if he does not produce said proof and the charge has been made against his better judgement, being guilty of calumny, be punished by a maximum imprisonment of four years.

(2) Deprivation of rights mentioned in Article 35 first to thirdly may be pronounced.

Along with the development of information technology, humiliation and defamation can be carried out on social media. Under these conditions, the arrangement also refers to Article 27 paragraph (3) of the Republic of Indonesia Law Number 11 of 2008 concerning Information and Electronic Transactions which states “Everyone intentionally and without rights distributes and / or transmits and / or makes accessible Electronic Information and / or Electronic Documents that have content of humiliation and / or defamation. “

According to Article 45 paragraph (3) of Law Number 19 of 2016 concerning Amendments to 11 of 2008 concerning Information and Electronic Transactions “Everyone who intentionally and without rights distributes and / or transmits and / or makes accessible Electronic Information and / or Electronic documents which have an insulting content and / or defamation as referred to in Article 27 paragraph (3) shall be punished with imprisonment for a maximum of 4 (four) years and / or a fine of a maximum of Rp. 750,000,000.00 (seven hundred fifty million rupiahs))

Religious-hate speech can be in the form of blasphemy. Blasphemy is regulated in general provisions, namely Article 156, 156a and 157 of the Criminal Code. The substance of the provisions are as follows:

Article 156

A maximum imprisonment of four years or a maximum fine of four thousand and

five hundred rupiah shall punish the person who publicly gives expression of feelings of hostility, hatred or contempt against one or more groups of the population of Indonesia.

By group in this and in the following Article shall be understood each part of the population of Indonesia that distinguishes itself from one or more other parts of that population by race, country of origin, religion, origin, descent, nationality or constitutional condition.

Article 156a

By a maximum imprisonment of five years shall be punished any person who deliberately in public gives expression to feelings or commits an act,

a. which principally have the character of being at enmity with abusing or staining a religion, adhered to in Indonesia.

b. with the intention to prevent a person to adhere to any religion based on the belief of the almighty God.

Article 157

(1) Anyone who broadcasts, displays or attaches writings or paintings in public, which contain statements of feelings of hostility, hatred or humiliation between or against the groups of the Indonesian people, with the intention that the contents are recognized or better known by the public, are punished by a maximum imprisonment of two years and six months or a maximum fine of four thousand and five hundred rupiahs.

(2) If the guilty person of committing the crime when carrying out his search and at the time, it has not been five years since his conviction became permanent due to such a crime, the person concerned may be prohibited from carrying out the search.

Provisions regarding unpleasant acts are governed substantially in Article 335 paragraph (1) point 1 of the Criminal Code which states that “anyone who violates the law forces other people to do, not do or allow something, by using violence, something else or not pleasant, or by using the threat of violence, something else or unpleasant treatment, both for the person himself and for others. The term “objectionable act” does not need to be included in the Circular Letter of the Chief of the National Police Number: SE / 6 / X / 2015 because the criminal act by the Constitutional Court Decision Number 1 / PUU-XI / 2013, dated January 16, 2014 has been declared contrary to the 1945 Constitution and has no binding legal force.

The spread of religious-hate speech is very easy because it matches the characteristics

in cyberspace that are easily accessible to everyone. Actors can provoke other internet users to participate in religious-hate speeches. Provoking means an action taken to arouse anger by inciting, provoking anger, irritation and making incited people have negative thoughts and emotions.

Provisions regarding the spread of hoaxes in cyberspace can be seen in the provisions and dissemination of hatred in the provisions in Article 28 of the Republic of Indonesia Law Number 11 of 2008 concerning Information and Electronic Transactions which states as follows:

- (1) Everyone intentionally and without rights spreads false and misleading news that results in consumer losses in Electronic Transactions.
- (2) Every person intentionally and without the right to disseminate information intended to generate hatred or hostility of certain individuals and / or groups based on ethnicity, religion, race and intergroup (SARA).

The criminal provisions for acts as described in Article 28 of the Republic of Indonesia Law Number 11 of 2008 concerning Information and Electronic Transactions are regulated in Article 45A of Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions. The provisions in Article 45A state the following:

- (1) Anyone who intentionally and without rights spreads false and misleading news that results in consumer losses in Electronic Transactions as referred to in Article 28 paragraph (1) shall be punished by a maximum imprisonment of 6 (six) years and / or a maximum fine of Rp1.000,000,000.00 (one billion rupiah).
- (2) Anyone who intentionally and without the right to disseminate information intended to cause hatred or hostility of certain individuals and / or groups based on ethnicity, religion, race and intergroup (SARA) as referred to in Article 28 paragraph (2) shall be punished by a maximum imprisonment of 6 (six) years and / or a maximum fine of Rp1,000,000,000.00 (one billion rupiah).

Other provisions that are also used for law enforcement against religious-hate speech are the provisions of Article 16 of the Law of the Republic of Indonesia Number 40 of 2008 concerning the Elimination of Racial and Ethnic Discrimination:

Article 16:

Any person who intentionally shows hatred or hatred towards others based on racial and ethnic discrimination as referred to in Article 4 letter b number 1, number 2, or number 3, shall be punished with a maximum imprisonment of 5 (five) years and / or

a maximum fine of Rp. 500,000,000.00 (five hundred million rupiah).

If there has been a social conflict against the background of the utterance of hate, in its handling, is still guided by the Law of the Republic of Indonesia Number 7 of 2012 concerning Handling Social Conflict; and Regulation of the Head of the Republic of Indonesia National Police Number 8 of 2013 concerning Technical Management of Social Conflict.

III. Conclusion

The forms of religious-hate speech that can be punished according to the law in Indonesia are guided by the Circular Letter of the Chief of the Indonesian National Police Number SE / 06 / X / 2015, namely insulting; defamation; humiliation; objectionable acts; provoke; incite; and the spread of false news. The policy of overcoming religious-hate speech on social media is carried out with preventive efforts and repressive efforts.

Acknowledgment

On this occasion I would like to express my gratitude to the Faculty of Law of Mahasaraswati Denpasar University, Made Trisnasari as a translator in this paper, and to all the seminar organizers and publishers.

References

- [1] Budi Suhariyanto, Tindak Pidana Teknologi Informasi (Cybercrime), Jakarta: PT. Raja Grafindo Persada: 2014, p. 2
- [2] Webster, Social Media, <https://www.merriam-webster.com/dictionary/social%20media>
- [3] Mahfud MD Moh, Demokrasi dan Konstitusi di Indonesia, Jakarta: PT Rineka Cipta, 2003, p. 5.
- [4] Sutan Remy Syahdeini, Kejahatan dan Tindak Pidana Komputer, Jakarta: Pustaka Utama Grafiti, 2009, p. 38.
- [5] Fathur Rohman, Analisis Meningkatnya Kejahatan Cyberbullying dan Hatespeech Menggunakan Berbagai Media Sosial dan Metode Pencegahannya, Seminar Nasional Ilmu Pengetahuan dan Teknologi Komputer Nusa Mandiri, 2016, p. 385-386.
- [6] John L. Esposito and Sheila B. Lalwani, Combating Religious Intolerance When Freedom of Speech Enables Hate Speech, Sep 06, 2011<https://www>.

huffingtonpost.com/john-l-esposito/combating-religious-intol_b_890537.html.

- [7] Anat Ben-David and Ariadna Matamoros-Fernández, “Hate Speech and Covert Discrimination on Social Media: Monitoring the Facebook Pages of Extreme-Right Political Parties in Spain,” *International Journal of Communication* Vol 10, 2016, p. 1168.
- [8] Ambaranie Nadia Kemala Movanita, “11 Kasus Ujaran Kebencian dan Hoaks yang Menonjol Selama 2017”, <https://nasional.kompas.com/read/2017/12/24/23245851/11-kasus-ujaran-kebencian-dan-hoaks-yang-menonjol-selama-2017?page=all>.
- [9] Patresia Kirnandita, “Mengapa Orang Membuat Ujaran Kebencian?” 15 Juni 2017, <https://tirto.id/mengapa-orang-membuat-ujaran-kebencian-cqJK>
- [10] Wirjono Prodjodikoro, *Hukum Acara Pidana Di Indonesia*, Bandung: Sumur, 1962, p. 13.
- [11] Adami Chazawi, *Pelajaran Hukum Pidana Bagian 1*, Jakarta: Raja Grafindo Persada, 2010, p. 71.
- [12] W. Cole Durham and Brett G. Scharffs, *Law and Religion: National, International, and Comparative Perspective*, New York: Aspen Publisher, 2010, p. 202.
- [13] Barda Nawawi Arief Bunga, *Rampai Kebijakan Hukum Pidana*, Jakarta: Prenada Media Group, 2010, p. 4.
- [14] Vibriza Juliswara, “Mengembangkan Model Literasi Media yang Berkebhinnekaan dalam Menganalisis Informasi Berita Palsu (Hoax) di Media Sosial”, *Jurnal Pemikiran Sosiologi*, Vol. 4 No. 2 , August 2017, p. 150.
- [15] R.Soesilo, *Kitab Undang-Undang Hukum Pidana serta Komentar lengkap Pasal demi Pasal*, Bogor: Politea, 1991, p. 225.

Multicultural In Geguritan Tuwan We And Its Function In The Art Show

I Made Suastika, Luh Putu Puspawati, Faculty of Humanities of Udayana University

<made.suastika57@yahoo.com>

Abstract. Geguritan Tuwan We, Balinese literary work is stored in the Singaraja Kirtya Building and a copy is in the Bali Cultural Documentation Center. This text contains about multicultural, which is the story of the characters that are based on Balinese, Javanese, and Chinese culture with various problems. This text is also used as a play on the Barong Landung art show in Ubung by changing the storyline for the play by interpreting the characters adapted to the names of local traditions, the character of Barong Landung.

Keywords: Geguritan, Tuwan We, Barong Landung, Tapakan, Chinese

1. Introduction

There are several influences of Chinese culture in Balinese culture, including in the food and performing arts, especially barong, language, temples, customs. In this section, it will be told more specifically on a Balinese literary text that has a strong Chinese influence, namely Geguritan Tuwan We. This Geguritan uses Pupuh Sinom-Ginada in Balinese language. In this text it is told that there are Chinese figures, Tuwan We, Balinese figures living side by side in a family with love stories and conflicts. At the end of the story, the crime of the character named Aji Samaun by inviting a Magical Shaman, to use Ni Jasiman as a female figure.

Geguritan identity of Ni Jasiman / Tuwan We have a collection of Gedong Kirtya from Banjar Tegal Singaraja, Num. Lontar 1650 IVd compiled / typed by Nyoman Mardika on March 12, 1990, geguritan text Tuwan We was made by Ketut Kajeng from Banjar Tegal Singaraja, 1939.

Initial Text

Ada nyanyi caritayang/ There are songs told

Tuwan We saking Betawi/ Tuwan We from Betawi

Ngelah somah kaliwat sayang/ Have a wife he loves

Ni Jasiman ngaran ipun/ Named Ni Jasiman

Anak sugih bangsa dagang/ Wealth people of trade

Jegeg bangket/ Very beautiful

Pianakne laki sanunggal/ Have a one son

2. The Contents of Geguritan Tuwan We

Geguritan Tuwan We is also called Geguritan Ni Jasiman according to the female character in the text. It is said that Ni Jasiman, a character in the text, waited very long for her husband, Mr. We who does not go to home from wander. To get rid of that anxiety, Ni Jasiman embroidered at her house.

Then one day in his longing with her husband, Ni Jasiman met and became acquainted with Aji Samaun, a wealthy merchant. Aji Samaun is interested in Ni Jasiman's beauty, even though she has a son. Aji Samaun revealed his heart that he was happy with Ni Jasiman, but he refused. Aji Samaun for the refusal felt offended and hurt and returned to his house in Tanjung Sekuta (area in the Madiun area).

Finally, Aji Samaun invited a magical shaman named Mak Duyung to use Ni Jasiman. The payment is expensive in the form of money, gold, houses and land. Then Mak Duyung begins witchcraft.

Tuwan We, Ni Jasiman's husband at the place where he was migrating, had a nightmare that his house was being flooded. This is a sign that what happened with his wife and his child at their home in Bekasi. When he returned he was surprised that his house was destroyed and grass was scattered. At that time, Tuwan We felt the strangeness of his wife's nature in a loud voice asking for divorce without cause and would marry Aji Samaun, the rich merchant. His wife left Tuwan We and his child.

Eventually because of fake love with witchcraft, the love finally faded and added to Aji Samaun's bad gambling habit but then continued to lose. One time, her marriage was destroyed; even Ni Jasiman wanted a reference back with Tuwan We. Because of angry, Ni Jasiman was entertained and invited to watch shadow puppets by Aji Samaun.

Finally, Aji Samaun sent the kidnapper and robbed Ni Jasiman, on the orders of Aji Samaun, so that Ni Jasiman was killed on the riverbank. But Ni Jasiman asked first to pray.

Ni Jasiman's son, named Jaya Muda, found out that his mother was murdered, finally reported to the police and then followed his mother to kill herself. Finally, because Jaya Muda was loyal, his mother came back to life and the robber was finally arrested by police and jailed.

3. The geguritan Tuwan We characters become the play of Barong Landung in Ubung Village

The Barong Landung play in Ubung Village uses the characters of Geguritan Tuwan We (Ni Jasiman) as the play. In Pedungan village, the performance of the barong landung show uses the story of Raja Jaya Pangus, Dewi Danu and Kan Cing We. This story signifies the influence of Chinese and Balinese culture as characters. There is Javanese culture Aji Samaun, with place names in various cities and regions in Java such as Bekasi area, Betawi (Jakarta), Tanjung Sukerta (Madiun).

When the characters are used in the barong landung show, there are only two figures as the main characters, namely barong landung lanang and barong landung wife. The existence of barong landung as a multicultural representation because of the combination of Chinese culture, namely Kan Cing We and Raja Jaya Pangus, represent the Balinese culture. But the anatomy of barong forms can be guessed like the body anatomy of Balinese and Chinese people. Barong landung lanang is tall, big, black, and hairy, has teeth, uses poleng cloth and carries a keris. The wife's barong landung is very slim using Chinese motifs, ivory / white yellow skin, like Chinese princess skin, slanted eyes, and uses lipstick.

The special show of the barong landung in Ubung, the text of Ni Jasiman / Tuwan We, is used as the basis of the show although it has been transformed (the play changed) into a very short form with a few episodes including:

1. Barong landung lanang and barong landung wife mingle.
2. Barong Landung Ratu Pranasi as Ni Jasiman is sad to think that Tuwan We did not go home from wandering.
3. Aji Samaun barong landung (Ratu Bagus Anom) and Pranasi (Ni Jasiman) Aji Samaun fell in love, and were angry because his love was rejected.
4. Aji Samaun calls Mak Duyung by sending witchcraft.
5. Mak Duyung (Tapakan Jro Luh) uses witchcraft.
6. Tuwan We (Ratu Bagus Anom), Ni Jasiman (Prakasi) asked for a divorce.
7. Jaya Muda (Tapakan Jaya Muda) forbade his mother to marry, but was beaten by Ni Jasiman and left.
8. Aji Samaun (Ratu Bagus Anom) and Tapakan Pranasi (Ni Jasiman) and Tapakan Ratu Ngurah Agung as police, arrested Aji Samaun (Ratu Bagus Anom) and Aji Samaun and robbers were jailed.



Figure 1. A Balinese figure with a large, black identity, long teeth and poleng cloth



Figure 2. Chinese princess with a yellow, slim, slender eyes, Chinese clothes

4. Conclusion

1. The geguritan Tuwan We text contains stories of multi ethnic families, that is Balinese, Javanese, and Chinese.
2. The geguritan Tuwan We text was used as the basis for the play in the barong landung show by replacing the role and name according to the name in the performance play.

BIBLIOGRAPHY

Lontar Tuwan We, 1990, UPD Bali Cultural Documentation Center.

Gadung, I Wayan, 2006, "Barong Landung di Desa Pedungan", Cultural Studies.

Yoga Segara, 2000, Mengenal Barong dan Rangda, Surabaya, Paramita

Prayoga, Putu, 2017, "Lakon Ni Jasiman dalam Sesolahan Barong Landung di Desa Pakraman Ubung", IHDN, Denpasar.

"Guru Dari Seberang" Film TV Antve which was broadcast on 11-11-2018, about Multiculturalism.

Suastika, I Made dan I Putu Eka Prayoga, 2017, Lakon Ni Jasiman sebagai Dasar Pertunjukan Barong Landung di Desa Ubung, Denpasar" ATL, Mataram.

Ulun Danu Beratan Development as a Spiritual Tourism Attraction: Strategy for Accelerating Regional Economic Development

Putu Krisna Adwitya Sanjaya¹, Made Heny Urmila Dewi², Ni Putu Martini Dewi³, Ida Ayu Sasmita Dewi⁴

^{1,4}Faculty of Economics, Hindu University of Indonesia, ^{2,3}Faculty of Economics and Business, Udayana University

<krisnasanjaya50@yahoo.co.id>

Abstract. Tourism is believed to support economic development as it has become a force in accelerating economy in some regions, including Bali. The rapid increase of tourism is in line with the advancement of technology and stakeholders. This development result in various tourism creations intended to provide additional value for the stakeholders, and accelerate economic growth of particular regions, one of which is spiritual tourism. Bali, known as a favorite international tourism destination, has many tourism attractions, especially spiritual tourism. Ulun Danu area, situated in Candikuning village, Tabanan, can suitably be developed as a spiritual tourism site, considering that there Ulun Danu Temple, one of nine Kahyangan Jagat temples surrounding Bali, is located here, and this has made it as an important temple for Hinduism society. The temple consists of five temple compounds and one stupa, namely Penataran Agung, Dalem Purwa, Taman Beji, Lingga Petak, Prajapati and Budha Stupa. They function as worship to the God manifested as the Tri Murti to pray for soil fertility, prosperity, welfare, and nature preservation. They have so high spiritual values that they are sacred, in which ceremonies to maintain the holiness of Temple and Lake such as Piodalan, Melasti, Ngabejiang, and Danu Kerthi are held. Spiritual tourism is a new mode of tourism as a manifestation of quality tourism development strategy as it produces historical value, organizes socio-cultural life with various idiosyncratic traditions as an accelerating economy instrument, and develops communities' quality of life at the same time. This is a strategic opportunity for regions to accelerate their economic development through spiritual tourism.

Keywords: Economy Building, Spiritual Tourism, Welfare and Ulun Danu Beratan

I. Introduction

Tourism sector has a very strategic role to support Indonesian economy, as can be seen from a statistics released by the Ministry of Tourism of the Republic of Indonesia (2018). It shows that in the past three years (2015-2017), there had been a foreign exchange earning increase from the tourism sector, at an average of USD 13.6 billion or about 10.22 percent. In 2015, foreign exchange earned from tourism sector was

USD 12.2 billion and it increased by USD 13.6 billion in 2016, and it increased again by 10.30 percent in 2017(USD 15 billion). In 2019, tourism sector is projected to draw 20 million tourists to Indonesia so that estimated foreign exchange of USD 20 billion is expected to earn. It is also expected that tourism sector can be a driving force in our national economy by contributing in forming Gross Domestic Product (GDP), regarding the fact that the current foreign exchange earned from tourism sector (USD 15 billion or about Rp 203 trillion) is the second highest after palm oil industry. Through the injection in foreign investment as well as tourist expenses, it is expected that tourism sector can create more job opportunities. Therefore, there will be acceleration in both economic growth and economic development.

Based on a study conducted by Indonesian Department of Culture and Tourism (2001) about Plan for Developing Special Interest Tourism, there has been a metamorphosis in adjustment of tourists' preferences when they do tourism activities. Accumulatively, the primary interests for tourist who visit Indonesia (especially foreign visitors) are to witness the real lives of local people (20 percent), to join ritual ceremony (15 percent), to see and explore local craft (12.5 percent), as well as to enjoy local food (10 percent). Implicitly, this study also strengthens the official publication from Bali Tourism Agency (2011) stating the high frequency of tourist's visit to Bali (71,17 percent for foreign tourist and 53,83 percent for local tourist) is caused by the tourist's will to enjoy Balinese traditional culture and customs.

Bali Island is one of the most favorite destination in the context of international tourism. Tourism sector has been a leading sector in driving and developing the economy of this island known as Thousand Temples Island. Tourism sector also plays an important role in creating Regional Domestic Product of Bali Province of 23.33 percent or about 29 442.82 (million Rupiah). This number has driven Bali's economic growth rate in the level of 5.59 percent (BPS, 2018). Behind its sparkling contribution in creating Regional Domestic Product, Bali tourism is apparently facing the complex situation of both global and domestic market. This is because there is a change in tourist's market interest as well as the forming of the so-called "10 New Bali" as new tourism destinations in Indonesia. Another cause is a shift in travelling orientation that aims more to special interest tourism, which focus more on enriching experience, uniqueness, originality, and respecting the environment as well as traditional culture and customs (Damanik, 2006). This trend has resulted in the increasing interest of tourist to visit places that offer local and rural tourist attraction. The shift that occurs in tourist's expectation requires a reorientation in tourism development. Empowerment and development of rural areas as tourism object are needed to be done, since it is a step to anticipating the current change in tourism trends. One of the proposed strategies as a way to anticipating the change in tourism orientation is by developing spiritual-based tourism, considering that Bali has a big potency to develop their spiritual tourism since they the island a lot of places that give peaceful vibes

(Ashrama, 2005).

Tabanan Regency is one of integral parts of Bali province, which is created based on the Law Number 69 Year 1958. Tabanan has an amazing region topography consists of mountains, lake, forest, valley, lowland, and sea. All these potentials have resulted to the development of tourism sector in that area, which has given a contribution of 21.91 percent in creating Regional Domestic Product. It has placed the tourism sector the second highest rank following agricultural sector that gives a contribution of 22.55 percent (BPS Tabanan, 2018). Tabanan Regency has a promising potential to be developed into a special interest tourism destination in the form of spiritual tourism. One of potential places that offer spiritual tourism is Beratan Lake in Candikuning village. Beratan is a lake that is believed as a source of livelihood for living things as well as source of water for some places in Bali. Moreover, subak in Bali believes that Lake Beratan along with Buyan Lake and Tamblingan Lake, which is located in Buleleng district, is the main source for rice field irrigation. The area around Beratan Lake is very sanctified by Hindu society in Bali. Besides, this area is very rich of sacred values that protect its natural resources. This is in line with the concept of *rwa bhineda*, *nyegara gunung*, and *purusa predana* (Camdrawan, 2015).

It is believed that spiritual tourism can arrange the social and cultural system of a society that has various customs (Sukadi, 2013). Candikuning village, which has Beratan Lake as its main tourism attraction, also has some special features, such as its cultural heterogeneity and fascinating panorama. It is a blessing from Sang Hyang Widhi Wasa that must be maintained and preserved. Developing spiritual tourism does not always mean a massive physical construction, but it can be an effort to empower the socio-cultural values that exist in the society. In this way, it is expected that there will be a linear correlation in tourism that can improve the society welfare, both materially or spiritually.

II. The Benefits of Water for Hindus

Water or *toya* cannot be separated from living things and life itself. It is the source of livelihood for every kind of living things with no exception, just like land that acts as their foothold as well as mother earth, which means a place for everything to return and merge, a place to wipe out all weariness on this earth, and a source of water. Therefore, water means a lot for living things, whether it is plant, animal, or human. They need water in their daily life. Moreover, their bodies have certain doses of water that should be fulfilled in order to make their organs function properly. Living things without water will suffer from dryness (Renawati, 2007).

For adherents of Hinduism, water means fertility in agricultural activities, a recovery in healing activities, purity in *ruwatan*, and an important medium in worship

activities. There are two kinds of water used in the worship: (a) water to clean mouth and hand, and (b) holy water called tirta. There are two kinds of tirta: the one that is made by praying to the Ida Sang Hyang Widhi Wasa and the one that is made by saying some words. Tirta has a function to clean one from dirt and negative thoughts. There are many kinds of tirta used in religious ceremony, they are: tirta pembersihan, tirta pengelukan, tirta wangsuhpada, tirta pemanah, tirta penembak, and tirta pengentas.

Water also means eternity for the Gods, water purification cycle, and prosperity in fulfilling family's needs as well as happiness. Those important meanings can come true if the water cycle that comes from kahyangan can be absorbed by the environment and gives fertility, so that flowers can bloom and plants produce fruits that give prosperity for its surrounding. Water flows and is finally united with other water in the ocean. The union of water from mountains and sea is a union of mountain and sea. The union of purusa and predana produces the essential water (amerta) with cupu amerta as its container (Rema, 2013).

III. The Protection of Danu in Hinduism Philosophy

According to Hinduism, one of the essence of danu (lake) protection can be referenced to some holy books. A real effort to protect the lake is by conducting Danu Kertih ceremony. The Danu Kertih ceremony is part of Sad Kertih, a concept to manifest the Tri Hita Karana local wisdom. This concept means keeping the balance between human's relation with God, human's relation with other fellow human beings, and human's relation with the universe.

The Danu Kertih ceremony is interpreted as a way to maintain the purity and the preservation of the lake along with everything in it. It is expected that this ceremony can provide a meaning for the society as well as improve their sradha bakti toward God. Another purpose of the ceremony is to create a strong bond among society and to grow their love toward the living environment. In the holy book of Manawa Dharmasastra IV. Sloka 52 and 56 state that one must not litter the river (toya). These two slokas are ample to be a law reference that Hinduism strictly prohibits any activity that tarnish and damage water, especially the source of water. The sloka is as follows:

Pratyagnim pratisuryam ca

Pratisomodaka dvijan

Pratigam prativatam

Ca prajna nasyati mehatah

(Manawa Dharmasatra. IV.52)

Meaning:

A man's intelligence will disappear when he urinates facing fire, sun, moon, when he urinates in running water, when he urinates facing Brahmana, cow, or points of the compass.

Napsu mutram purisam va

Sthivanam va samutsrjet

Amedhya liptam any

A dva lohitam vavisani va

(Manawa Dharmasastra .IV. 56)

Meaning:

He must not throw his urine or feces into the river, neither his spit, nor dirty words, nor dirt, nor others, nor blood, nor something venomous.

Additionally, the ceremony of Danu Kerthi can be interpreted as a way to maintain the purity and the preservation of fresh water sources, such as lake, river, and others. In Hinduism cosmic spatial structure, lake is the center of fresh water source. The infiltration of lake and underground lake will create water sources that flow and become rivers. In sekala way, danu kerthi is conducted by respecting and maintaining the preservation and the purity of the fresh water sources. It should be free from any pollution since it plays a role as an important natural element on this earth. In niskala way, danu kerthi is conducted by doing some rituals that aim to keep the purity and the preservation of those fresh water sources, as well as by preserving Beji Temples and Ulun Danu temple. The purpose of preserving the temples is to keep the positive vibes in the source of water.

IV. Spiritual Tourism and Economic Development

Spiritual tourism is a new strategy to develop tourism with good quality since it also offers historical values, which can help arranging the sociocultural life that has a lot of traditional customs. In this way, it can be an instrument to accelerate the economy as well as to improve the quality of life of the community. Spiritual tourism is actually a form of special interest tourism that has been there since long time ago. In the past, people take a trip to visit certain places that are assumed to have pure vibes and to see holy people. The khitah of these activities is to get an answer related with many problems, such as ritual, spirituality, and religion. This is their stimulus and their justification to do the trip (Maulana, 2014).

Along with the advancement of technology and information, spiritual tourism as a part of special interest tourism will not be out of date. On the contrary, it will be even

more popular in the future, considering that many people estimate that the future tourism will be more oriented on ethnic understanding, religion, and the way of life of other cultures (Vellas & Becherel, 2008). Spirituality can make people become more enthusiast toward anything sacred. It also gives a special meaning for each individual who performs social and cultural activities. Therefore, it can be interpreted subjectively since everyone has his own way to achieve their inner satisfaction.

Spiritual tourism is a manifestation of activity that is based on spiritual spirit. Nowadays, tourism is not only about experiencing physical things, but also experiencing spiritual things. Spiritual experience will be able to improve our quality of life as well as transform our life in general. Spiritual tourism is a real manifestation of a good quality tourism, since it has following characteristics: (1) give respect to the universe, minimize pollution, and the right usage of energy, since spiritual tourism concern more on someone's inner side, (2) give respect to the local culture, since the tourist who do this usually seek quietness, peace, and the originality of local culture, (3) most of the tourist who have interest in special tourism come from educated society and have high expense.

Tourism sector is one of the industries that can support the development of our national economy, concerning that it has given a lot of contribution for the development of local economy. The coherence between tourism and the development of economy is an essential thing, since tourism can give a huge benefit to improve the economy. Regional economic development is a plan that has been planned, systemized, and structured, in which the local government and the society manage the resources and form a partnership between the local government and private sector. The goal is to create new job opportunities and stimulate the development of economic activity in that region (Krisna, 2018).

United Nation (UN) has stated that the year of 2017 is The International Year of Sustainable Tourism for Development. Therefore, we hope that tourism sector can be the locomotive for national economy as well as contribute significantly to the development of culture, the environment preservation, the maintenance of social interaction, the protection of cultural heritage as well as world peace.

Referring to the data released by World Travel, Tourism Council and Travel Tourism Economic (2017), we can find a fact that in 2016, tourism sector directly contributed USD 2.30 trillion or 3.1 percent of world Gross Domestic Product (GDP). In average, it is estimated that the annual growth in the period of 2017-2027 period, the GDP can increase up to 4.0 percent. Meanwhile, the total earning from tourism sector in the same year (2016) is USD 7.61 trillion or 10.20 percent of world Gross Domestic Product. This number is projected to increase 3.9 percent become USD 11.51 trillion in the year of 2027. From the perspective of employment, this sector has successfully employed 292,000 people or about 9.6 percent of world labor. The number of investment in

tourism is USD 806 billion or about 4.4 percent from the world total investment.

This significant number of tourism sector's contribution in the growth and development of economy also makes us realize that it is necessary to pay attention on the availability of proper business environment, to make a regulation that encourage the development of thematic tourism such as cultural tourism, spiritual tourism, and others. These steps should be taken as a response toward the shift of tourist's orientation when travelling. In addition to this, it is also necessary to create interconnectivity between region that have similar characteristics of local culture. A more sustainable development, therefore, can be achieved, either seen from the economic perspective or sociocultural perspective (Setiyo, 2018).

V. The Development of Ulun Danu Beratan Area as a Apiritual Tourism Attraction: A Strategy to Accelerate the Development of Regional Economy

Strategy to Accelerate the Development of Regional Economy

Spiritual tourism is a type of spiritually meaningful tourism. Nowadays, tourism is not only related with experience that is material, but also related with spiritual experience. Hopefully, spiritual tourism can improve the quality of life of people who take the trip. Spiritual tourism is a good quality tourism. It is very potential to be developed, since in its practice, it puts a high respect on local culture, it teaches people to love nature and environment, and most of the tourist come from educated society (Pitana, 2012).

Administratively, the area of Ulun Danu Beratan is located in Candikuning village, Baturiti, Tabanan Regency, Bali. It can be reached by doing a road trip for more or less 70 minutes, with a distance of 50 kilometers to the North of Denpasar as the capital of Bali province. The area of Ulun Danu Beratan, which has been managed by local custom village along with its local government, has a fascinating panorama. It is surrounded by green hills and it has cool and fresh air. This area has been a landmark in the province. Therefore, local and foreign tourists always put this place in their bucket list. The number of tourist visit can be seen in the table 1:

Table 1. The Number of Domestic and Foreign Tourist Visit, Year 2013-2017

Type \ Year	2013	2014	2015	2016	2017
Domestic tourist	300,933	303,895	328,303	370,501	464,282
Foreign tourist	285,578	333,809	322,109	335,886	430,223
Total	586,511	637,704	650,412	706,387	894,505

Source: Operational Management of Ulun Danu Beratan, 2018 (the processed data)

Source : Operational Management of Uun Danu Beratan, 2018 (the processed data)

Table 1 indicates the number of domestic and foreign tourists in the past five years (2013-2017). On average, the tourist visit has increased 11.48 percent. The highest increase of tourist visit was in 2017, reaching 26.63 percent. This situation was supported by a number of factors: the stable economic condition at that time; innovations, such as the addition of supporting facilities and infrastructure (e.g. better parking area arrangement); the arrangement of Ulun Danu Beratan temple by building kurung temple and bentar temple; the expansion of parks in the temple and parks in the edge of the lake; the building of wantilan and children playground; the arrangement of flower park; and the planting of 6000 begonia seeds to beautify the park, which is often become a spot for taking selfie.

Belief system is a foundation actualized through religious activities. For the Hindus, the harmony between human and nature is actualized through the effort of human in performing religious activities. The offering rituals dedicated towards the Gods residing in the mountains and lake. Balinese Hindus believe that Danu Beratan is a sacred place. The sacredness of the lake is represented by the presence of temples around the lakes. The temples include Pura Ulun Danu Beratan, Pura Penataran Agung, Pura Lingga Petak, which is located on the edge of the lake, Pura Dalem Purwa, Pura Prajapati and Pura Taman Beji. The temples function as a worship place towards the majesty of God manifested by Dewa Tri Mukti in order to pray for fertility, prosperity, human welfare, and preservation of the universe. These temples have so high spiritual value that the area around the temples and lake are sacred by the Hindus. In order to maintain the sacredness of the lake, a ceremony of Upacara Danu Kerthi is held every 5 (five) years (Krisna, 2018).

Tourist attraction can be defined as a tourist spot that includes any moving or non-moving objects that has certain appeals and could be sold to tourist. There are two kinds of tourist attraction, which are (1) attraction that could be enjoyed through senses, for example, dance performance, local culinary, unique landmarks, farming or fruit picking activities, and (2) attraction that cannot be seen with naked eyes like, listening to a village bard telling the history of the village or listening to the myth of the origins of a certain place. Through listening, the tourist will gain information while doing tourism in the village.

Tourist attraction management is needed to put the development in order, preserve the environment as well as to acquire economic revenue for the local people, and, therefore, the tourist attraction will be well developed. Societies support and actively participate in tourist attraction development that is built upon the balance of nature. The main aspect that draws tourist to the destination is the presence of tourist attraction. In order to seize the tourist market, such appeal should be optimally managed and developed. The indicators of tourist attraction management are uniqueness, authenticity, and the diversity of offered attraction.

Spiritual tourism is a concrete form of quality tourism when taking into accounts its implementation on appreciating domestic culture, admiring the nature and environment as well as having tourist mostly coming from the educated middle to upper class people. Ulun Danu Beratan, which is located in Candikuning village, Tabanan is very suitable to be developed as a spiritual tourist attraction, regarding the presence of Pura Ulun Danu temple within it, which is one of the nine Pura Kahyangan Jagat temples surrounding the island of Bali, making it one of the significant temples in Hindu life. Pura Ulun Danu Beratan temple consists of five temple compounds and one stupa, namely Pura Penataran Agung, Pura Dalem Purwa, Pura Taman Beji, Pura Lingga Petak, Pura Prajapati and Stupa Budha. The potentials of spiritual tourist attraction that could be developed includes:

1. Nature-based Spiritual Tourism

Due to Candikuning Ulun Danu Beratan having enchanting scenery, beautiful village atmosphere, fresh air, forest as well as vast village krama plantation that is still verdant and pristine.

2. Art Performance from Village Satakan

Art performance from village satakan using traditional instruments. Candikuning village has four satakan. namely gebog pesatak Candikuning, gebok pesatak Bangah, gebok pesatak Antapan, and gebog pesatak Baturitu. Presenting art performance using traditional music such as gong, tetabuhan, or gamelan is a potential for music-based spiritual tourism, where the strain of traditional instruments (gong, gamelan, tabuh) can be listened to acquiring peace upon the melodious chanting of traditional instruments. There is also the tradition of ngoncang practiced by the middle-aged women. The act of ngoncang is an activity performed in groups consisting of six up to eight members, who will pound the pestle to a kentungan. Pounding the pestle will create an enchanting melody, as it is consecutively done according to the rule. The act of ngoncang is known as the symbol of coexistence and harmony between humans and god, humans among themselves, as well as humans and nature, which is a manifestation of the philosophy of Tri Hita Karana.

3. Physical activities-based Spiritual Tourism

The potential of spiritual tourism that is based on physical activities is usually tied to movement in performance in order to reach a certain spiritual level (Maulana, 2014) such as dance fragments, physical activities or yoga, Baris Rejang Rentes Dance performed during the pujawali in the temple.

4. Spiritual tourism based on creativity

The potential of creativity-based spiritual tourism includes the tradition of Mapeed and okokan. Mapeen is a unique tradition, in which women of all ages, including children and adults, walk together in unison to bring pajeggan. Pajeggan is a set of

fruit and various traditional snacks that is decorated with edema and put in order on a container called dulang. This ceremony is performed by Hinduism adherents as a form of gratitude for the grace of Sang Hyang Widi Wasa.

5. Spiritual activity-based spiritual tourism

The potential of spiritual tourism that is based on spiritual activities is identified from the religious practices and believers of Hinduism in Candikuning village, which is the presence of temple surrounding Beratan Lake such as Pura Penataran Agung, Pura Lingga Petak, Pura Dalem Purwa, Pura Prajapati, Pura Taman Beji, and Stupa Budha temples that are managed by the krama of the village. The temples act as a place of worshipping The Majesty of God as manifested in Dewa Tri Murti in order to pray for fertility, prosperity, welfare of mankind, and preservation of the universe.

6. Religious ceremony-based spiritual tourism

It can be identified by the majority of the krama in Candikuning village, who are adherents of Hinduism, who always perform sradha bhakti to the creator through the ceremony of Pujawali in Pura Ulun Danu Beratan temple every six month (210 days of Balinese calendar) precisely on anggara kliwon wuku juungwangi. Aside from the pujawali ceremony, the spiritual activities based on religious practices could also be done during certain days such as Purnama, Tilem, Galungan, and other Hindu holidays that are often practiced by doing join worship. Another practice often performed is the ceremony of Melasti or Ngabejiang aiming at cleansing the place of praying.

By encyclopedic meaning, those are the potentials owned by Desa Candikuning, District of Tabanan that could be expanded through inovations in order to have significant impact on the society as well as a strategic effort of one of the important soko in supporting regional economy.



a.The Dance of Rejang renteng, b. Melasti, c Nyuun gebogan, d. Development of Yoga location, e. Pura Ulun Danu Beratan, f. Ngoncang

The development of tourism sector in Ulun Danu Baratan is expected to stimulate the economic benefits for the society as well as regional government that includes

1. The growth of economic businesses related to tourism, such as culinary, handicraft, souvenirs, tour guide, and photography businesses.
2. The creation of access to job openings from service sector related to tourism, including those who directly correspond to tourism service business and those who are not directly correspond to tourism service business.
3. The achievement of regional government revenue through locally-generated revenue as well as the increase of traditional village and society revenue.

The thought contributed to manifest the benefits of tourism in accordance with Tabanan economic development is by establishing connection cross district and province, such as District of Badung who has the highest locally-generated revenue in Bali. Currently, on average the time of tourists staying in Badung in three days is able to contribute to the locally-generated revenue by Rp 5.5 trillion, compared to the average time of stay of domestic tourist who stays in Tabanan is 1.34 days, while for the foreign tourist it is 2,08 days, contribute to the locally-generated revenue of Tabanan by Rp 426 billion (BPS Kab. Tabanan, 2018). The data of the stay time of tourist in District of Tabanan can be seen in Figure 1.

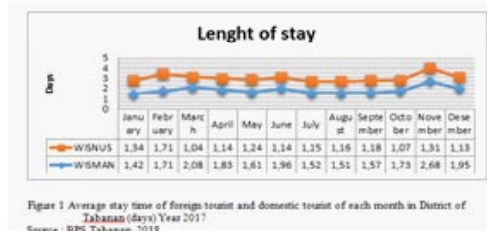


Figure 1 Average stay time of foreign tourist and domestic tourist of each month in District of Tabanan (days) Year 2017

Source : BPS Tabanan, 2018

Figure 1 indicates that partially the average stay time of foreign tourist is longer by 0.74 days compared to the stay time of domestic tourist. During the month of January to December 2017, the average time stay of tourist fluctuates, for foreign tourist the highest stay time was 2.68 days achieved in November and the lowest was in January by 1.42 days. For domestic tourist, the highest stay time was in February by 1.71 days and the lowest was 1.04 days in April. When inspected, the visualization in Figure 1 indicates that there should be a policy that is able to make the tourist comfortable, thus staying longer in the area, this is the critical point so that the tourist destination development in each area became an important and strategic thing to do. The development of special interest tourism such as spiritual tourism is an alternative

considering in the past two decades there was a shift on tourist orientation on tourism activities towards the concept of quality tourism oriented in preserving the nature and society's cultural values.

A prospective opportunity for District of Tabanan which positioned the tourism sector as one of the supporting pillars of regional economy, became a significant opportunity due to it having cultural, tradition, religious system, and local wisdom heterogeneity, to be developed structurally and integrated as a mean to accelerate the economic development. In this context, the development of tourism sector, especially spiritual tourism in the area of Ulun Danu Beratan needs to be well-planned in order for the development and utilization can give a significant contribution in implementing the role of tourism sector as a leading sector in economic development in the future, it is reflected in figure 2.

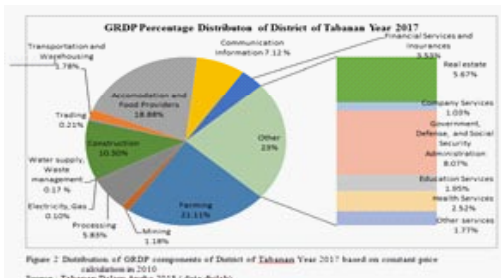


Figure 2 Distribution of GRDP components of District of Tabanan Year 2017 based on constant price calculation in 2010

Source : Tabanan Dalam Angka 2018 (data diolah)

Figure 1 shows the data on the forming sector of Gross Regional Domestic Product of District of Tabanan 2017. GRDP of Tabanan Regency was 12,111,208.67 million rupiahs, in other words, it raised 687,191.01 million rupiahs (5.11 percent) since 2016 which was 12,426,017.66 million rupiahs. The locally-generated revenue of District of Tabanan is still dominated by tertiary sector. Tertiary sector contributes to the GRDP by 60.36 percent which followed by primary sector by 23.99 percent and secondary sector by 15.65 percent. It can be concluded that the contribution of tertiary sector in forming GRDP is high meaning that there has been shift in components that contribute to GRD from primary sector to tertiary sector.

VI. Conclusion

Spiritual tourism is a new mean of quality tourism development strategy due to it being able to inflict historical values, managing socio-cultural life with various traditional idiosyncratic as a tool to accelerate the economy as well as an effort to improve the living quality of the society. It is a strategic opportunity for the local government to

accelerate its economic development through tourism oriented towards spiritual tourism.

Candikuning village in Regency of Tabanan with Ulun Danu Beratan as its tourist attraction is one of the center of economic development in Bali Province alongside regencies of Badung, Denpasar, and Gianyar, establishing the policy that tourism is one of the pillar icon supporting the economy and has promising tourism potential. One of the strategy is through developing the area of Ulun Danu Beratan as a spiritual tourism destination. This type of tourism in actuality shows huge appreciation of local tradition, preserving nature and environment. The spiritual tourist attraction does not only examine the religion, but in incline towards engaging people to discuss about spirituality, they seek peace and harmony in life, it is a strategic opportunity for District of Tabanan to improve the economic development through the mean of tourism that is based on spiritual tourism.

Acknowledgment

Om Awignam astu namo sidham Om sidhirastu tad astu astu swaha. I hope that positivity may be reflected upon every corner. First foremost, we would like to express our sincere gratitude towards Ida Sang Hyang Widi Wasa / God Almighty for Angayu Bagia his grace that this study could be completed. A sincere gratitude towards every party that has supported for the completion of this study. We would also like to thank the committee of the International Seminar on Interreligious and Intercultural Studies for the opportunity given us to participate in the seminar. We hope that this article may have a good contribution like a drop of water to the sea of knowledge. I wish you all Dumogi Setate Rahayu Rahajeng.

References

- [1] Augustyn,M., “National Strategies for Rural Tourism Development and Sustainability : The Polish Experience”, *Journal of Sustainable Tourism JST.6* (3) pp 191-(2018).
- [2] Ashrama,B. *Tri Hita Karana Tourism Awards and Accreditations*. Denpasar : Bali Travel News. (2005)
- [3] Badan Pusat Statistik Kabupaten Tabanan. *Tabanan Dalam Angka*. Tabanan. (2018)
- [4] Candrawan, Ida Bagus Gede. “Kosmologis Masyarakat Hindu Di Kawasan Tri Danu Dalam Pelestarian Lingkungan Hidup.” *Jurnal Ilmu Agama Dan Kebudayaan* 14.27 (2017).Pp: 22-34

- [5] Departemen Kebudayaan dan Pariwisata. Tingkat Pemahaman Masyarakat terhadap Pembangunan Kepariwisata di Indonesia. Jakarta : Departemen Kebudayaan dan Pariwisata. Jakarta, (2001).
- [6] Dewi, Made.H.U. Partisipasi Masyarakat Lokal Dalam Pengembangan Desa Wisata di Kabupaten Tabanan Bali. Lembaga Penelitian Universitas Udayana, Denpasar. (2014)
- [7] Dinas Pariwisata Bali. Statistik Pariwisata Bali. Dinas Pariwisata Bali, Denpasar, (2018).
- [8] Damanik, J, Weber, H. Perencanaan Ekowisata : Dari Teori ke Aplikasi, Andi Offset, Yogyakarta, (2006).
- [9] Kemenpar RI. Statistik Pariwisata Indonesia. Jakarta, (2018)
- [10] Maulana, Addin. Strategi Pengembangan Wisata Spiritual Di Kabupaten Badung Provinsi Bali. Jurnal Kepariwisata Indonesia. JPI 9 (2014) , pp; 119-143. (2014)
- [11] Manajemen DTW Ulun Danu Beratan. Data Kunjungan Wisatawan. Tabanan, (2018)
- [12] Sanjaya, Krisna. "HINDUCOMMUNITYCOSMOLOGYINTHEDEVELOPMENT OF LAKE BERATAN TOURIST DESTINATION IN TABANAN REGENCY, BALI." Prossiding International Bali Hinduism, Tradition, and Interreligious Studies (2018).
- [13] Sanjaya, Putu Krisna Adwitya. "ETIKA BISNIS DAN ENTREPRENEURSHIP DALAM PEMBANGUNAN EKONOMI BALI: Dalam Perspektif Hindu." JURNAL ILMU AGAMA DAN KEBUDAYAAN 1.18 (2018).
- [14] Sanjaya, Krisna. Metode Mudah Memahami Pengantar Ekonomi Makro. Penerbit Dharmastuti, Denpasar,(2018).
- [15] Setiyo. Development International and Macro Economy. <http://ajarekon.com> (diunduh tanggal 4 November 2018)
- [16] Rema, Nyoman., 2013, Makna Air Bagi Masyarakat Bali, Denpasar : Balai Arkeologi.
- [17] Subandi. Ekonomi Pembangunan. Penerbit Alfabeta, Bandung, (2014).
- [18] Sukadi, Utama, Sanjaya. Pengembangan Potensi Pariwisata Spiritual Berbasis Masyarakat Lokal Di Bali. Jurnal Ilmu Sosial dan Humaniora JISH, 2, No. 1, pp :150-157 (2013)
- [19] Pitana, I Gde. Desa Wisata Dan Pembangunan Pariwisata Berkelanjutan Berbasis Kerakyatan. Dalam I.G Pitana, Kepariwisata Bali Dalam Wacana

Otonomi Daerah (Hal.132-144) Jakarta: Puslitbang Kepariwisata, Depbudpar, (2006).

- [20] Pitana, G. 2012. Wisata Spiritual Potensial Dikembangkan. Kompas.com. <http://travel.kompas.com/read/2012/08/02/1923017/>. Diunduh pada hari Selasa Jumat 17 Agustus (2018).
- [21] Velas, F. And Becherel, L. Pemasaran Pariwisata Internasional : Sebuah Pendekatan Strategis. Penerbit Yayasan Obor Indonesia, Jakarta, (2008)
- [22] Wiana, Ketut. Veda Vakya Tuntunan Praktis Memahami Weda. Pustaka Bali Post, Denpasar, (2002).

Piper Betle L. in Bali : The Magic of Nutrition, Health, Inner Beauty, religious, and Low Cost

I Gusti Ayu Ari Agung*, **IGN Alit Wiswasta**, **I Made Tamba**, **IM Diarta**, **IB Ari Arjaya**, Mahasarawati Denpasar University, Bali, Indonesia

*<ayuariagung@gmail.com>

Abstract. Piper betle L. is glorified as evergreen and perennial plant that God designed and have given the shape of his own heart. The heart shaped of Piper betle leaves are initiate in ancient Sanskrit texts, include Charaka, Sushruta Samhita and Astanga Hradayam. Piper betle. L. leaf regard as “Green heart. The purpose of this study is to know about the aspect contained Piper Betle chewing, provides the magic of nutrition, health, inner beauty, religious and low cost in Bali. The method used in this research is the method of participatory observation with qualitative approach, while the data analysis technique used is qualitative data analysis technique using data collection technique of interview and observation. The results of the research note that in ancient Bali Piper betle leaves are considered auspicious and still extensively used as nutrition, health, medicine and during religious functions in Bali. Piper betle is one of the invaluable medicinal plants where its leaves have been used for many medicinal purposes, because rich in nutrients, minerals, vitamins, antioxidants, phytochemicals and low cost, to develop inner beauty. The fresh leaves of Piper betle leaves have been wrapped together with the areca nut, mineral slaked lime, catechu, flavoring substances and spices are chewed since the ancient time. The conclusion is Piper betle have aspect that are very important for the life on the community at the time, the aspects contained in Piper betle include nutrition, health, inner beauty, religious and low cost in Bali.

Keywords: Piper betle, low cost, nutritious, health, inner beauty, religious

Introduction

The habit ofchewing Piper betlehas been known by the people of Bali since the 6th century and carried from generation to generation. But now it is very rare that it still Piper betle, even though by sucking betel provides a miracle of health, and inner beauty (calmness, peace and happiness). Piper betleis blessed as evergreen and perennial plant, that has God created and have given the shape of his ownheart. The heart shaped Piper betle leaves are found in ancient Sanskrit texts, including charaka, sushrutaSamhita and AstangaHradayam (Pradhan et al., 2013). Piper betle has been referred to in Saktatantra as one of the means of achieving siddhi. It was believed that without Piper betle chewing and offering pan to Guru no siddhi can be gained (Sunil et al., 2016).

The fresh leaves of Piper betle have long been use in the Bali local system of medicine. In ancient Bali Piper betle leaves are considered auspicious and still extensively used during religious functions in Bali. Piper betle is one of the invaluable medicinal plants where its leaves have been used for many medicinal purposes. The fresh leaves of Piper betle leaves have been wrapped together with the areca nut, mineral slaked lime, catechu are chewed since the ancient time, this activity is famous for the term Nginang. The guest is welcome to chew betel and areca nut first. Because if not do chew betel can be considered not respect the host.

Result

Piper betle, a member of the Piperaceae, which is a large plant family, is also known Base in Bali. Piper betle is one of the invaluable medicinal plants where its leaves have been used for many medicinal purposes. Chewing Piper betle has been a culture for Balinese people since time immemorial. Nginang is a term for chewing Piper betle in Balinese, which requires other ingredients, such as areca nut, lime, catechu, and tobacco. This Nginang material is usually sold on the market in the form of a series called an Base lekesan.

The results of the research note that in ancient Bali Piper betle leaves are considered auspicious and still extensively used as medicine and during religious functions in Bali. Piper betle is one of the invaluable medicinal plants where its leaves have been used for many medicinal purposes. The fresh leaves of Piper betle leaves have been wrapped together with the areca nut, mineral slaked lime, catechu are chewed since the ancient time. A preliminary study has reported Piper betle leaves extract contains large numbers of bioactive molecules. Piper betle contains a wide variety of biologically active compounds whose concentration depends on the variety of the plant, season and climate. Pharmacological profile has shown antiplatelet, antiinflammatory effects as well as immunomodulatory, gastroprotective and antidiabetic activity, bad breath, boils and abscesses, conjunctivitis, constipation, headache, itches, mastitis, mastoiditis, leucorrhoea, rheumatism (Hossain et al., 2017; Shah et al., 2016).

It was reported that fresh leaves contains : calcium 230 mg, phosphorus 40 mg, iron 7 mg, ionisable iron 3.5 mg iodine 3,4 μ . (Chauchan et al., 2016). It also contains differen vitamins like vitamin-C, nicotinic acid, vitamin A, thiamine, riboflavin. They have a high content of potassium nitrate (0.26-0.42%). It also contains the enzyme like diastase and catalase. Piper betle leaves are earlier reported to possess anticancer potential (Chauhan et al., 2016; Hossain et al., 2017, Shah et al., 2016).

Discussion

It was reported that fresh leaves Piper betle builds inner beauty health, because they have a high content of potassium nitrate, vitamins like vitamin-C, nicotinic acid, vitamin A, thiamine, riboflavin. Besides that because it is quite a healthy and

calming mineral content as calcium, phosphorus, iron, ionisable iron, and iodine (Ari Agung, 2017; Chauchan et al., 2016; Hossain et al., 2017, Shah et al., 2016). Fresh Piper betle leaves contains vitamin C and antioxidant is high, so it can strengthen teeth and cure canker sores and toothache. Betel contains essential oils (the largest of chavicol and Rephenol) (Surono, 2016). General Piper betel leaf cures urticaria and as per ayurvedic medicine, it recovers the loss of equilibrium between the three “humours” namely, Vatha, Pitha and Kapha (Dwivedi et al., 2014). The Piper betle leaves has the great potency to act as natural antioxidant. The antioxidant property is correlated with different biological activities like hepatoprotective, antidiabetic, antiarthritis, antistroke and anticancer properties. The leaf poses the broad spectrum antimicrobial activity against various bacterial strains. Beside this, the leaves also poses the antifungal and antiprotozoal activity against pathogen, which causing typhoid, cholera, tuberculosis, etc. The leaf extract shows the gastroprotective activity by enhancing the mucus rather than decrease the acid production (Pradhan et al., 2013).

Nginang is a habit of eating Piper betle actually it does not merely cause pleasure, there is an interesting impact to be considered in people’s lives about the aspects and benefits contained in Nginang. Today’s generation does not understand the aspects of Nginang. In Nginang there is a real expression of the wisdom of the previous generation in living a harmonious life. These aspects are now not so much noticed because they are covered by other things that are already modern, and our Nginang habits are rarely encountered. Nginang activities are still found at Balinese social events such as the main treats and the honor of welcoming guests. Therefore researchers want to reveal what aspects are contained in Nginang which make this habit still survive. Nginang has become a habit in various layers of Balinese society, ngingang habits have a broad impact on people’s lives such as social culture, religion, medicine, beauty. So it is best natural substance and its rating as second most popular daily consummation item in Asia, which contribute the best oral hygiene to oral cavity.

Many of the health benefits bonded with Piper betle (locally known as Base) belongs to the Piperaceae or pepper family. It has been an important herb distributed throughout of world. Betle leaves are the most valued part of the plant, in the past were routinely used as a chewing agent to restrict offensive breath, and found various medicinal value, potential natural antioxidant, analgesic, antidepressant, anticholesterolic, Anti-adherence effect of dental plaque on saliva-coated glass surfaces, skin antiseptic, antidermatophytic, anti-platelet aggravating factor, antihyperglycemic, antidiigestive, appetizer, aromatic, expectorant, stimulant, antibacterial/dental plaque, euphoria-inducing, antiprotozoan, carminative, anti-fungal, aphrodisiac, and antifertility (Arambewela et al., 2014; Sharma et al., 2013). The leaves are also supposed to harden the gum, conserve the teeth and to prevent indigestion, bronchitis, constipation, congestion (Shah et al., 2016).

Piper betle is one of the invaluable medicinal plants where its leaves have been used for many medicinal purposes, because rich in nutrients, minerals, vitamins, antioxidants, phytochemicals and low cost. The fresh leaves of Piper betle leaves have been wrapped together with the areca nut, mineral slaked lime, catechu, are chewed since the ancient time. The conclusion is Piper betle have aspect that are very important for the life on the community at the time, the aspects contained in Piper betle include nutrition, health, inner beauty, religious and low cost in Bali.

Conclusion

1. Piper betle has great potential of nutrients, medicinal, inner beauty and religious value in Bali.
2. In ancient Bali Piper betle leaves are considered auspicious and still extensively used during religious functions in Bali.
3. Nginang is a habit of chewing Piper betle in Bali, there is a real expression of the wisdom of the previous generation in living a harmonious life. These aspects are now not so much noticed because they are covered by other things that are already modern, and our nginang habits are rarely encountered.

Reference

- Ari Agung IGA. 2017, *Nutrisi, Prana, Pranayama Membangun Kesehatan dan Inner Beauty*. Pelawa Sari. Denpasar.
- Bissa S., Songara D., Bohra A. 2007. "Traditions in oral hygiene: Chewing of betel (Piper betle L.) Leaves", *Current Science*, 92(1).
- Dwiwedi V., Tripathi S. 2014. Review Study on Potential Activity of Piper betle. *Journal of Pharmacognosy and Phytochemistry*, 3 (4).
- Hossain F, Anwar M, Akhtar S, Numan SM. 2017. Uses Impact of Betel Leaf (Piper betleL.) on Public Health 5 (6).
- Pradhan, D., Suri KA, Pradhan, DK., Biswasroy. 2013. Golden Heart of the Nature : PiperbetleL. *J. of Pharmacognosy and Phytochemistry* 1 (6)
- Shah SK, Garg G, Jhade D, Patel N. 2016. Piper betle phytochemical, Pharmacological and Nutritional Value in Health Management 38 (2).
- Surono A. 2016. *Rahasia Herbal, Keluarga Sehat*. PT Intisari Mediatama. Jakarta.
- Vandana, Dwivedi, Shalini, Tripat. 2014. *Journal of Pharmacognosy and Phytochemistry* 2014, 2 (4): 93-98

The Legality of Law Enforcement Against Illegal Levies Conducted by Customary Village in Bali

Dr. I Wayan Gde Wiryawan, S.H., M.H.^{a,1}

^a Faculty of Law, University of Mahasaraswati Denpasar, Jl. Kamboja No.11A, Dangin Puri Kangin, Denpasar and 80233, Indonesia

¹ gdewiryawan1976@gmail.com

* Dr. I Wayan Gde Wiryawan, S.H., M.H.

ABSTRACT

Illegal levies are criminological terms that refer to the imposition of fees in a place that is not supposed to be charged or collected. Eradication of illegal levies in various public sectors is a comprehensive effort carried out by the government in conducting clean and transparent governance. Efforts to eradicate illegal payments are increasingly being carried out since the issuance of the Republic of Indonesia's Presidential Regulation Number 87 of 2016 concerning the Task Force for Clean Sweep of Illegal Levies. Law enforcement on illegal fees is carried out from the central, regional, and village levels. Eradication of illegal levies is also carried out against illegal acts carried out by traditional villagers who collect money from the community. This thing has become a posture because until now there is no clear measure of the definition of donations and contributions made by traditional villages and which are included as illegal levies. In this study, two issues will be discussed, namely the authority of the customary village in collecting funds from the community and law enforcement against illegal levies carried out by customary villages. The customary villages have the authority to carry out legal actions as long as they are stipulated in *awig-awig* (customary village regulations) and *pararem* (the result of a customary village agreement to implement *awig-awig*). Illegal levies are criminal acts that can be fraud, extortion or corruption. Law enforcement on illegal levies carried out by customary villages can be carried out as long as it fulfills the elements of criminal acts.

Keywords: Illegal levies, law enforcement and customary village.

I. Introduction

Illegal levies or levies are the imposition of fees in a place that is not supposed to be charged or collected at the location or in those activities not in accordance with the provisions. Based on this understanding, it can be interpreted that illegal levies are as an activity to collect fees or request money forcibly by someone to another party and this is a practice of crime or criminal act. Illegal collection activities are not the new thing. Etymologically, illegal levies can be interpreted as activities that collect fees / request money by force. So illegal levies are a crime practice [1]. This activity forces other people to pay for what should not be paid or pay more than what should be paid for public services and facilities. According to Wijayanto, there are several factors that cause a person makes illegal levies, namely:

1. Abuse of authority, the disciplinary violations done by those who carry out illegal levies.
 2. Mental factors, character or behavior of someone in behaving and controlling himself.
 3. Economic factors, the income that is considered insufficient for the living needs and not comparable to the duties / positions carried out tend to make someone does extortion.
 4. Cultural and organizational factors. The culture formed in an institution that continuously conducts illegal levies and bribery can cause illegal levies are considered as a normal thing.
 5. Limited human resources.
 6. Weak system of control and supervision by the supervisor [2].
-

The practice of illegal levies can be seen in various kinds of public services such as making SIM (driving license), passports, administrative arrangements ranging from village level services, parking fees and so on. The illegal levies occur because of the interests of officers to earn more income or use the money for operating office activities that are not funded by the state. On the other hand, there is also the desire of the people to take care of things more quickly, without the need to fulfill all the requirements, so that people are willing to pay whatever the officers ask. This condition is for sure very worrying. The society lose their economic rights and rights as citizens to get the good public services. In responding to this, the Government of the Republic of Indonesia issued a Presidential Regulation of the Republic of Indonesia Number 87 of 2016 concerning the Task Force for Clean Sweep of Illegal Levies. The emergence of this rule can not be separated from the basic considerations, namely as follows:

1. That the practice of illegal levies has damaged the joints of life in the community, nation, and state so that assertive, integrated, effective, and efficient efforts of eradication are needed. Moreover, they must give the deterrent effects;
2. That in an effort to eradicate illegal levies, a task force needs to be formed to clean up the illegal levies;

The Presidential Regulation of the Republic of Indonesia Number 87 of 2016 Concerning the Clean Sweep Task Force for Illegal Levy is highly appreciated by the public. Public services are naturally provided free of charge because the community has paid taxes. The officer has also been given a salary in accordance with the rules, so there is no reason to ask for more fees to increase personal income. To support this government policy, various institutions have socialized the ban on illegal levies by posting banners, leaflets, billboards, circulating notification letters, or campaigns in cyberspace.

Law enforcement against illegal levies is one of the agendas for the law enforcement officials. This is because illegal levies themselves are a crime that disturbs the community. One of the targets in the law enforcement against illegal levies is illegal levies carried out by *Pakraman* village. The levies that occurred in *Pakraman* Village in Bali, received special attention from the Balinese Regional Police. Even in some villages, the police carried out strict actions against the perpetrators who were suspected of committing illegal acts of crime. 11 retribution officers at the entrance to Matahari Terbit Beach, Sanur, South Denpasar Subdistrict, Denpasar City, were arrested by Resmob Ditreskrim Bali Police, 1 November 2018. They were arrested for allegedly committing illegal levies crime. Levies for example in the form of levies on the cost of two-wheeled entry tickets for Rp.2 thousand, four-wheeled vehicles of Rp.5 thousand, vehicles for tourism buses of Rp20 thousand, and Elf vehicles for tourism amounting to Rp10 thousand. In addition, vehicles carrying pick up items amounting to Rp. 20 thousand, an ankle truck vehicle of Rp. 40 thousand, a large truck vehicle of Rp. 50 thousand, and a motorcycle vehicle carrying goods are charged Rp. 5 thousand [3].

Alleged cases of illegal levies handled by the Balinese Regional Police in the tourism area namely Pantai Matahari Terbit, Sanur Kaja Village, Denpasar and in Tampaksiring, Gianyar on the one hand are considered as law enforcers that do not only protect the community, but also protect Bali's image as a world tourist destination. On the other hand, law enforcement towards *Pakraman* village is considered as a weakening and harassment of the existence of *Pakraman* village in Bali. It is considered that the effort to weaken *Pakraman* village does not only about the penetration of social and cultural matters, but also has entered into the using of the state instruments [4]. The same opinion is also conveyed by Ida Bagus Wyasa Putra who states:

Pakraman village, which since the beginning of its existence has maintained the order and peace by maintaining the balance and harmony of various interests of people and its interests through the use of natural communal and socio-religious power structures and functions, must now face the harsh reality, withholding steps in full rights and authority in controlling its area, as a result of intrusion of the value of life of modern society, such as: liberalism in capitalism, individualism, democracy, and human rights that urge *Pakraman* village from all directions through various government policies, laws and especially technological intrusion [5].

The activities carried out by officers at the *Pakraman* village level have been based on the implementation of the *Awig-awig* and *Perarem* (implementing regulations resulting from the agreement of the villagers) of *Pakraman* Village, but currently also categorized as illegal. Therefore it is very interesting to compile a study on the "Legality of Law Enforcement Against Illegal Levies committed by *Pakraman* Village in Bali."

II. Discussion and Result

A. Law Enforcement of Illegal Levies

Law enforcement on illegal levies cannot be separated from the issuance of the Republic of Indonesia Presidential Regulation Number 87 of 2016 concerning the Task Force for Clean Sweep of Illegal Levies. In this provision, an official unit was formed to eradicate illegal fees. In Article 2 of the Republic of Indonesia's Presidential Regulation Number 87 of the Clean Sweep Task Force on Illegal Levies states "The Saber Pungli Task Force has the duty to eradicate illegal levies effectively and efficiently by optimizing the use of personnel, work units and infrastructure, both at the ministry / institution or regional government. "In Article 3 of the Republic of Indonesia's Presidential Regulation Number 87 of 2016 concerning the Clean Sweep Task Force Wild Levies states:

In carrying out the tasks as referred to in Article 2, The Saber Pungli Task Force carries out functions:

1. intelligence;
2. prevention;
3. enforcement; and
4. justification .

Article 4 of the Presidential Regulation of the Republic of Indonesia Number 87 of 2016 concerning the Clean Sweep Task Force on Illegal Levies states:

In carrying out the duties and functions as referred to in Article 2 and Article 3, the Clean Sweep Task Force on Illegal Levies has the authority:

1. establish a system of prevention and eradication of illegal levies;
2. collecting data and information from ministries / institutions and other parties related to the use of information technology;
3. coordinate, plan and carry out illegal levies operations;
4. carry out hand-catching operations;
5. provide recommendations to the leaders of ministries / institutions and heads of regional governments to impose sanctions on illegal levies in accordance with the provisions of the legislation;
6. provide recommendations for the establishment and implementation of the duties of the Saber Pungli unit in each agency providing public services to the heads of ministries / agencies and heads of regional governments; and
7. carry out evaluation of illegal levies eradication activities.

Law enforcement is the enforcement and justification function to eradicate illegal fees. Law enforcement lies on the activities of harmonizing the relationships of values outlined in solid rules and manifesting actions as a series of final stages of value description, to create, maintain and keep the peace of life [6]. Wayne La Favre explains that "law enforcement as a process is essentially an application of discretion that involves making decisions that are not strictly regulated by the rule of law, but which have an element of personal judgment." [7]. Law enforcement can be formulated as an effort to implement the law properly and if there is a violation to restore the violated law so that it can be re-enforced. Furthermore, by quoting Notohamidjojo's opinion it is said that there are four important norms in law enforcement namely humanity, justice, propriety and honesty [8].

In essence, law enforcement is a process of carrying out efforts to uphold or function legal norms as guidelines for behavior the legal relations in social and national life. For this reason, written legislation as Law in the books requires the role of law enforcement officers to make it as Law in actions [9]. According to Soerjono Soekanto, there are 5 factors that influence law enforcement, namely:

- 1) The legal factor itself, which in this study will be limited to the law only.
- 2) The factors in law enforcement, namely those who form or implement the law.
- 3) The factors for facilities that support law enforcement.
- 4) The community factors, namely the environment in which the law valid or applied.
- 5) The cultural factors, namely as a result of work, creativity, and taste based on human intention in life [10].

Illegal levies are a crime and violation. In the provisions of the Criminal Code, there are several formulations of criminal offenses that are in accordance with acts of illegal levies. Fraud and illegal levies are criminal acts in which there are same and interconnected elements, among others to benefit themselves or others unlawfully with a series of lies for or so that other people hand over goods or something to him. Illegal levies as a form of crime of extortion is a social phenomenon that is enduring so that it always colors the life side of the people in social life. Therefore, any form and effort are impossible because the crime is born due to multi-complex problems, especially human problems in fulfilling the perfect life needs and the interests of each individual who is different [11]. This action is regulated in Article 368 of the Criminal Code which states:

“Any person who, with intent to unlawfully benefit himself or another, by force or threat of force forces someone either to deliver a good that wholly or partially belongs to that person or to a third party or to negotiate a loan or to annual a debt, shall, being guilty of extortion, be punished by a maximum imprisonment of nine years.”

Illegal levies, beside being categorized as extortion, can also be in the form of fraud as stipulated in Article 378 of the Criminal Code. Article 378 of the Criminal Code formulates as follows:

"Any person who with intent to unlawfully benefit himself or another, either by assuming a false name or a false capacity, or by crafty artifices, or by a web of fictions, induces someone to deliver any property or to negotiate a loan or to annual a debt, shall, being guilty of fraud, he punished by a maximum imprisonment of four years."

Supreme Court Jurisprudence No. 1601.K / Pid / 1990 dated July 26, 1990 states "The main element of fraudulent delict (ex Article 378 of the Criminal Code) is located in the way / effort that has been used by the perpetrator of delict to move other people to submit something." R. Soesilo states the interpretation of Article 378 of the Criminal Code concerning fraud, namely as follows:

- a. Persuade = make an influence with cunning on someone, so that person obeys something that if he knows the real case, he will not do that.
- b. Give goods = items that do not need to be given (handed over) to the defendant himself, while those who submit it do not need to be the person who is persuaded himself, can be done by someone else.
- c. Profit yourself by fighting rights = benefiting yourself with no right.
- d. False name = name that is not his own name. The name "Saimin" is said to be "Zaimin" which is not a false name, but if written, it is considered a false name.
- e. False circumstances = for example confessing and acting as a police agent, notary, pastor, municipal employee, delivery of postal mail, etc.
- f. Intelligence or deception = a trick that is so cunning in which a normal minded person can be deceived. A trick deception is enough, as long as it's crafty enough.
- g. A series of false words: one false word is not enough, here must be used many false words arranged in such a way that one lie can be closed with another lie, so that the whole is a story of something that seems right.

- h. Regarding "goods" there are no restrictions, that the goods must belong to someone else. So persuading people to give up their own items, can also enter fraud, provided that other elements are fulfilled [12].

In the provisions of the Criminal Code, it is also regulated as illegal violations. There are several provisions related to the article, namely:

- Article 415 of the Criminal Code. "Any official or any other person continuously or temporarily in charge of a public service who deliberately embezzles money or securities which he in service has under his custody, or allow them to be taken away or embezzled by another, or thereby aids the other person as an accomplice, shall be punished by a maximum imprisonment of seven years."
- Article 418 of the Criminal Code. "Any official who accepts a gift or promise, knowing or having reason to believe that it is given to him with a view to a power or competence which is related to his office, or which is related to it in the opinion of the person who makes the gift or promise, shall be punished by a maximum imprisonment of six months or a maximum fine of four thousand five hundred rupiahs."
- Article 423 of the Criminal Code. "Any official who intent to unlawfully benefit himself or another by misuse of power, forces someone to give off something, to make a payment, to accept a withholding of payment, or to perform a personal service, shall be punished by a maximum imprisonment of six years."

B. Authority of the Village of Pakraman in Conducting Collection of Communities

Pakraman Village is a customary law community unit that still exists, grows and develops in the social environment in Bali. Historically, the recognition and protection of customary law communities can be seen from the time of the Dutch Colonial government through Inland Gemente Ordonantie (IGO) Stb. 1938 Number 681, which regulates village governance for Java and Madura and Inlands Gementie Ordonantie Buitengewesten (IGOB) Stb. 1938 Number 490 jo. STB 1938 Number 681, concerning village governance for outside Java and Madura. At that time, the Dutch East Indies Government continued allowing the customary law community as it is, both the system of government and its contents [13].

The protection of this customary law community is chronologically listed in Article 41 of the MPR Decree Number TAP XVII / MPR / 1998 concerning Human Rights, Article 6 of Law Number 39 of 1999 concerning Human Rights and in Article 18 B paragraph (2) and Article 28 I paragraph (3) of the 1945 Constitution of the Republic of Indonesia, the second amendment of 2000. In other words, the state vision of the Founding Fathers regarding the importance of respecting the spirit of the community which includes on the order of customary law community, in 1945 could be put into the positive legal instruments after over 53 years and after major shocks in political life and economic life [14].

In Article 18 B paragraph (2) it is stated "The State shall recognize and respect their traditional communities along with their traditional customary rights as long as these remain in existence and are in accordance with the societal development and the principles of the Unitary State of the Republic of Indonesia, and shall be further regulated by law." In Article 28 I paragraph (3) of the 1945 Constitution of the Republic of Indonesia is stated "The cultural identities and right of traditional communities shall be respected in accordance with the development of times and civilisations." Ter Haar defines customary law communities. According to him, customary law community is a collection of people who are regular in nature by having their own power, own wealth in the form of visible and invisible objects [15].

The rights of indigenous peoples can be divided into three namely: individual right as citizens, collective right as indigenous peoples and the right to development. The three rights can be explained as follows:

- a. Individual rights as citizens. As citizens, indigenous peoples have the same human rights as citizens of other countries.
- b. Collective rights as customary law communities. As an anthropological community, indigenous and tribal peoples have collective rights, which are needed both for their existence and cultural identity as well as for building and developing the human potential of their citizens to achieve a higher level of welfare, especially the right to communal rights.
- c. Right to development. The rights mentioned above are part of the right to development, which according to the UN Declaration on the Right to Development, 1986 and the 1989 ILO Convention on Minority Groups and Customary Law Communities in Independent States as a whole consists of:
 - 1) right of internal self determination.
 - 2) right of participation.
 - 3) right to food, health, habitat and economic security.
 - 4) right to education.
 - 5) right to work.
 - 6) right of children.
 - 7) right of workers.
 - 8) right of minorities and indigenous peoples.
 - 9) right to land.
 - 10) rights to equality.
 - 11) right to environmental protection.
 - 12) right to administrative due process.
 - 13) right of the rule of law [16].

Rights of the customary law communities can be granted as long as the community still exists. The indicators for the existence of indigenous peoples are:

- a. The existence of customary law communities that fulfill certain characteristics as subjects of customary rights.
- b. The existence of land / region with certain boundaries as lebensraum (scope) which is the object of customary rights.
- c. The authority of customary law communities to carry out actions relating to land, other natural resources, and legal actions [17].

Structurally, Pakraman village is a village government structure. Juridical recognition of the village can be seen in the Law of the Republic of Indonesia Number 6 of 2014 concerning Villages. In Article 1 number 1 of the Law of the Republic of Indonesia Number 6 of 2014 concerning Villages mentioned:

Villages are traditional villages and villages or what are called by other names, hereinafter referred to as Villages, are legal community units that have territorial limits that are authorized to regulate and manage government affairs, interests of local communities based on community initiatives, origin rights, and / or traditional rights which is recognized and respected in the system of government of the Unitary State of the Republic of Indonesia.

Villages can be interpreted as a wide area with certain boundaries including residential complexes, rice fields, moorings and strongholds (lodges). In a narrower sense, the village is the center of the residence of a community group called *krama desa* [18]. *Pakraman* Village is the name of a customary village in the Province of Bali. In the provisions of Article 1 point 4 of the Regional Regulation of Bali Province Number 3 of 2001 concerning *Pakraman* Village is stated that:

Pakraman Village is a customary law community unit in the Province of Bali that has a unified tradition and manners of social relations of the Hindu people from generation to generation in the bond of *kahyangan tiga* or *kahyangan desa* that have certain territories and their own assets and have the right to manage their own households.

Pakraman Village as a unit of customary law community in Bali based on its original rights has original autonomy so it has the right to regulate its own household [19]. Ketut Sukadana mentions the elements from *Pakraman* village as indigenous law communities as follows:

- a. Showing the form of a regional unity with village boundaries as an embodiment of traditional village territory.
- b. Realizing one kinship unit in the form of *krama desa* or villagers and gathered in the *banjar* as the smallest association of kinship, which is inseparable from traditional village activities.
- c. It is a worship unit of *Kahyangan Tiga*.
- d. As a manifestation of the unity of activities in the togetherness in the form of village support (duties and obligations as *krama desa*).
- e. It has a government structure that is characterized by the presence of *awig-awig* (regulations) or agreements that bind *krama desa* or citizens, *prajuru desa* or leaders (administrators) of village, *druwe desa* or belonging of the village in the form of facilities and village assets, have boundaries -between village settings, as the real *Pakraman* village area which borders the other *Pakraman* village areas [20].

With this autonomy, a village has authority in its territory. Article 18 of Law Number 6 of 2014 concerning Villages states "Village Authority includes authority in the field of implementation of Village Government, implementation of Village Development, Village community development, and empowerment of Village communities based on community initiatives, origin rights, and Village customs. In Article 19 mentioned:

Village authority includes:

- a. authority based on origin rights;
- b. village scale local authority;
- c. authority assigned by the Government, Provincial Government, or Regency / City Government; and
- d. other authorities assigned by the Government, Provincial Government, or Regency / City Regional Government in accordance with statutory provisions

Pakraman village has power over the disorder of order that occur in its territory. Law and power are in principle mutually binding. The law is used by the authorities to uphold universal justice that should not look at one's position, position or wealth. In line with the nature of the *Pakraman* village organization, the power of *Desa Pakraman* is divided into three namely:

- a. Power in the organizational field, namely the power to regulate village life as an organization, among others, involves the formation of administrators, rules, determination of village membership and others.
- b. Power in the socio-economic field which concerns the relationship between members and between members and community groups including the wealth of the village.
- c. Power in the religious field, which concerns traditional and religious life, such as arrangements for conducting ceremonies concerning the rights and obligations of citizens / villages in the village of worship [21].

A similar opinion regarding the power of the *Pakraman* village is also stated by I Made Widnyana. According to Widnyana, the power of *desa adat* includes three types of power, namely:

- a. Power to set rules to maintain organizational life in an orderly and peaceful manner. This power is held together at a village meeting.
- b. Power to organize the socio-religious organizations.

- c. Power to resolve disputes that indicate the existence of conflicts of interest between villagers or in the form of actions that deviate from established rules which can be considered as acts that disrupt community life, both through peace and by giving customary sanctions. [22]

Judging from the terminology of power, in principle, power shows several important things, namely:

- a. Every power must be accounted for.
- b. Every giving of power, must be considered the burden of responsibility for each recipient of power.
- c. Willingness to carry out responsibilities must be received inclusive when receiving power.
- d. Each power is determined by the limits of authority and at the same time the burden of responsibility.
- e. Authority and burden of responsibility are determined by the form and structure of the organization [23].

Authority is the overall rules relating to the acquisition and use of government authority by the subject of public law in public legal relations. H.D. Stoud divides into two elements contained in the concept of authority, namely the existence of legal rules and the nature of legal relations [24]. Authority of every power is in a person or group of people, who has support or gets recognition from the community [25]. The authority is divided into three: charismatic authority that is the authority based on charisma or special ability, traditional authority possessed by a person or group based on traditional provisions, and rational or legal authority that is authority based on the legal system in the community. The authority owned by *Pakraman* village is a traditional authority based on traditional provisions in *Pakraman* village namely *awig-awig* and *pararem*.

The head of the Gianyar District Prosecutor's Office began his presentation in the socialization of the legality of levies by *Pakraman* village, stating that *Pakraman* Village had the right to autonomy since the village of *Pakraman* was formed. The autonomy rights owned by *Pakraman* Village include:

1. Institutional autonomy: *Pakraman* village power in organizing the lives of its citizens;
2. Autonomy in the socio-economic field: regulating the wealth of the village;
3. Autonomy in the administration of religion: the management of the rights and obligations of its citizens in traditional and religious ceremonies [26].

The levies carried out by *Pakraman* village will be the income of *Pakraman* Village, so the levies must be based on the local village *awig-awig* in accordance with Article 10 paragraph (3) of Bali Provincial Regulation No. 3 of 2001 concerning *Pakraman* Village which states "The management and use of income in *Pakraman* village is referred to in paragraph (1) of this article regulated in *awig-awig*." The life order in traditional villages is regulated by legal instruments known as customary law. If in Bali, it is called *awig-awig* or *dresta*. There are written *awig-awig* and some are not written. As with legal objectives, *awig-awig* is made with the aim of realizing peace (*kesukertan*) in society, namely an atmosphere that is orderly (physically) and peaceful (inwardly) [27].

The arrangement of the household in *Pakraman* village is arranged in the *Awig-awig Pakraman* village which is made on the basis of consensus agreement. Therefore, *awig-awig* is also known by the name *tunggul*, namely, *pasikian pasubayan* / mutual agreement [28]. *Awig-awig* which applies to one traditional village (*Pakraman*), usually not the same as *awig-awig* which applies in other traditional villages [29]. In *awig-awig*, *Pakraman* village defines the source of income through levies on resources in its jurisdiction such as collection of tourist objects and collection to people living in the area to pay periodic fees, either daily, monthly or yearly. The collection carried out by *Pakraman* village is the income of the village. Article 72 paragraph (1) Law Number 6 Year 2014 concerning Villages regulates the source of village income. Village income comes from:

- a. village original income, consisting of business income, assets, self-help and participation, mutual cooperation, and other village income;
- b. allocation of the State Revenue and Expenditure Budget;

- c. part of the results of regional taxes and retributions of Regency / City area;
- d. village fund allocation which is part of the balance fund received by the Regency / City;
- e. financial assistance from the Provincial Regional Revenue and Expenditure Budget and Regency / City Regional Revenue and Expenditure Budget;
- f. grants and non-binding donations from third parties;
- g. legitimate village income.

Based on the provisions in Article 72 paragraph (1) of Law Number 6 of 2014 concerning Villages, the sources of village income above, if indeed the *Pakraman* village government collects funds from its community, then it is called self-financing and participation as village original income, not tax area and regional retribution. In this case, the government is allowed to receive village income from the community, but its nature is self-help and community participation.

According to the Head of the Gianyar District Prosecutor's Office, he began his presentation in the socialization of levies legality by *Pakraman* village, even though there are *awig-awig* that regulate the levies carried out by *Pakraman* village, the levies are not valid because they are in accordance with Article 11 paragraph (2) Region of Bali Province No. 3 of 2001 concerning *Pakraman* Village which states: "*awig-awig pakraman* village should not conflict with Religion, Pancasila, the 1945 Constitution and Human Rights". Thus, levies will be valid as long as the *awig-awig* which is a "local legal umbrella" does not conflict with positive law [30]. Therefore, if the collection carried out by *Pakraman* village is in conflict with Religion, Pancasila, the 1945 Constitution and Human Rights, then the action itself is an illegal levy. The normative problems that occur related to this are the vagueness of norms regarding boundaries contrary to Religion, Pancasila, the 1945 Constitution and Human Rights. Until now, there has been no firm measure on this matter, especially human rights restrictions.

III. Conclusion

Law enforcement on illegal levies is carried out based on the provisions in Article 368 of the Criminal Code concerning extortion, Article 378 of the Criminal Code concerning fraud, and violations as stipulated in Article 415 of the Criminal Code, Article 418 of the Criminal Code and Article 423 of the Criminal Code. *Pakraman* village can collect fees as a source of village income as long as it is regulated in *awig-awig* and *pararem*, but *awig-awig* of *pakraman* village should not conflict with Religion, Pancasila, the 1945 Constitution and Human Rights. If there is a criminal element in the collection carried out by *Pakraman* village, the party who collects it can be subject to criminal sanctions.

References

- [1] Lijan Poltak Sinambela, *Reformasi Pelayanan Publik: Teori, Kebijakan dan Implementasi*. Jakarta: Sinar Grafika Offset, 2006.
- [2] Wijayanto, dkk, *Korupsi Mengorupsi Indonesia: Sebab, Akibat, dan Prospek Pemberantasan*. Jakarta: PT. Gramedia Pustaka Utama, 2010.
- [3] San Edison, *Kasus Pungli, Lolak Minta Polisi Tak Dibenturkan dengan Desa Pakraman*, <http://www.balitribune.co.id/content/kasus-pungli-lolak-minta-polisi-tak-dibenturkan-dengan-desa-pakraman>
- [4] I Putu Suyatra (ED.), *Soal Pungli, Pasek Sebut Ada Upaya Pelemahan Desa Pakraman di Bali*, <https://Baliexpress.Jawapos.Com/Read/2018/11/08/102606/Soal-Pungli-Pasek-Sebut-Ada-Upaya-Pelemahan-Desa-Pakraman-Di-Bali>
- [5] Ida Bagus Wyasa Putra, "HAM Desa Pakraman Versus HAM Krama Desa Dalam Penerapan Sanksi Adat", I Ketut Sudantra dan AA Gede Oka Parwata (ed.), *Wicara Lan Pamidanda Pemberdayaan Desa Prakaman Dalam Penyelesaian Perkara di Luar Pengadilan*. Denpasar: Udayana Press, 2010,

- [6] Soerjono Soekanto, 1979, "Penegakan Hukum dan Kesadaran Hukum", Seminar Hukum Nasional ke IV, Jakarta.
- [7] Soerjono Soekanto, 2005, Sosiologi Suatu Pengantar. Jakarta: Rajawali Press, 2005.
- [8] Abdulkadir Muhammad, Etika Profesi Hukum, Bandung: Citra Aditya Bakti, 2006.
- [9] D. Andhi Nirwanto, Otonomi Daerah versus Desentralisasi Korupsi, Jakarta: Aneka Ilmu, Semarang, 2013.
- [10] Soerjono Soekanto, Faktor-faktor yang Mempengaruhi Penegakan Hukum, Jakarta: PT RajaGrafindo Persada, 2004.
- [11] Wahyu Ramadhani, Penegakan Hukum Dalam Menanggulangi Pungutan Liar Terhadap Pelayanan Publik, Jurnal Hukum Samudra Keadilan, vol. 12, Nomor 2, p. 266. Juli-Desember 2017 ,
- [12] R. Soesilo, KUHP Serta Komentar-komentarnya Lengkap pasal demi Pasal. Bogor: Politea, 1996.
- [13] Hendra Nurtjahjo dan Fokky Fuad, Legal Standing Kesatuan Masyarakat Hukum Adat Dalam Beperkara di Mahkamah Konstitusi, Jakarta: Salemba Humanika, 2010.
- [14] Komisi Nasional Hak Asasi Manusia, Mewujudkan Hak Konstitusional Masyarakat Hukum Adat, Komisi Nasional Hak Asasi Manusia. Jakarta, 2007.
- [15] Ter Haar, Azas-Azas dan Susunan Hukum Adat. Jakarta: Pradnya Paramita, 2001.
- [16] Komisi Nasional Hak Asasi Manusia, Mewujudkan Hak Konstitusional Masyarakat Hukum Adat, Komisi Nasional Hak Asasi Manusia. Jakarta, 2007.
- [17] Ade Saptono, 2010, Hukum & Kearifan Lokal Revitalisasi Hukum Adat Nusantara, Jakarta: Gramedia, 2010.
- [18] I Wayan Surpha, Eksistensi Desa Adat dan Desa Dinas di Bali Cetakan Pertama. Denpasar: PT Offset BP Denpasar, 2004.
- [19] I Nyoman Sirtha, Aspek Hukum Dalam Konflik Adat Bali. Denpasar: Udayana University, 2008.
- [20] I Ketut Sukadana, Pola Hubungan Desa Adat dengan Desa, Kertha Wicaksana Th VI No. 10 February 2000.
- [21] I Ketut Wirtha Griadhi, "Peranan Otonomi Desa Adat Dalam Pembangunan", I Wayan Surpha ed., Seputar Desa Pakraman dan Adat Bali, Denpasar: Pustaka Bali Post, 2012.
- [22] I Made Widnyana, Kapita Selekta Hukum Pidana Adat, Bandung: Eresco, 1993.
- [23] Ibrahim, "Status Hukum Internasional Perjanjian Internasional Dalam Hukum Nasional: Permasalahan Teoritik dan Praktek", Evaluasi UU No. 24 Tahun 2000 Tentang Perjanjian Internasional pada 18 Oktober 2009, Denpasar: Grup Riset Otonomi Daerah Universitas Udayana, 2010.
- [24] Ridwan HR, Hukum Administrasi Negara, Jakarta: Raja Grafindo, 2008.
- [25] Soerjono Soekanto, Sosiologi Suatu Pengantar, Jakarta: Rajawali Press, 2005.
- [26] Kejaksaan Negeri Gianyar, Bali, Indonesia, Sosialisasi Legalitas Pungutan Desa Pakraman, <http://www.kejari-gianyar.go.id/berita/sosialisasi-legalitas-pungutan-desa-pakraman.html>
- [27] Wayan P. Windia, Bali Mawacara Menuju Bali Santi, Pidato Pengenalan Jabatan Guru Besar Tetap dalam Bidang Ilmu Hukum Fakultas Hukum Universitas Udayana, 2010.
- [28] Wayan P. Windia, Danda Pacamil Catatan Populer Istilah Hukum Adat Bali, Denpasar: Upada Sastra, 2004.
- [29] Wayan P. Windia, Bali Mawacara Kesatuan Awig-awig, Hukum dan Pemerintahan di Bali. Denpasar: Udayana University Press, 2010.
- [30] Kejaksaan Negeri Gianyar, Bali, Indonesia, Sosialisasi Legalitas Pungutan Desa Pakraman, <http://www.kejari-gianyar.go.id/berita/sosialisasi-legalitas-pungutan-desa-pakraman.html>