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## **FOREWORD**

The progress of Science and Technology has become wider and no longer limited to certain fields, such as research and development (R&D), education, engineering, social, economics and business, law, medicine, agriculture and religion. With this in mind, the ICMAHEA brings up the central issue on "**Implementation of Research to Improve Social and Economic Welfare**". Drawing on this central theme, the conference develops several topic of interest: a. social science, b. Education, c. Engineering and Natural Science, and Economics and Business. As an academic forum, the great focus is in this proceeding as the center of publication for its presenters. It is aimed to maximize the value of the publication as the outcome of the conference. It is intended that the proceeding can be as a global publication. The quality of the proceedings as a means of publication in this year's edition should be improved. The committee has applied the system for abstract selection of which the criteria is the consistency with the conference's theme. Reviewers have the right to select the papers based on the abstract that have been submitted to the committee. Therefore, the selected papers to be presented in the conference reach 130.

The growing number of papers presented in this conference is indicating an increase in the need for publication of research findings. Therefore, ICMAHEA's conference proceedings are entrusted to be an academic forum to share thoughts, reflections, experiences related to academic works for teachers, lecturers, educators who continuously write, present, and publish their academic works.

Finally, we would like to deliver great appreciation to the organizers, presenters, participants, and all parties who have been contributing directly and indirectly to the publication of the proceedings.

**Palembang, November 2020**

**The Committee**

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# Collaborative Governance in Management of Green Open Space in North Luwu District

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**Abstract.** This study aims to determine collaborative governance in the management of green open spaces in North Luwu Regency. The research method used is a qualitative method with the type of phenomenology. Data sources, data collection is done through observation, interviews and documentation. The informant collection technique uses a purposive. Management of green open space as a form of implications for the development of environmentally sound regions. It should involve various parties, because in this case the government is no longer the only development actor but needs to collaborate with various relevant stakeholders in managing green open space in North Luwu Regency. Then the collaboration is through collaborative governance. Through the concept of collaboration, several stakeholders in managing green open space in North Luwu Regency will partner and collaborate by conducting face-to-face dialogue, building trust, commitment to the process and building shared goals as alternatives to solving problems and as a tool to achieve goals together namely the realization of green open space in North Luwu Regency.

**Keywords:** Collaborative Governance, Green Open Space

## 1. Introduction

Pursuant to Law Number 9 Year 2015 it is emphasized that one of the mandatory government affairs that is not related to basic services which is the authority of the regional government is the environmental matter. Currently the most important part of environmental management that has been widely applied by the government in various regions of Indonesia both provincial and regional levels is the management of green open space as a form of development based on the environment. North Luwu Regency in advancing development in its area contributes to the management of green open space (RTH). This is evidenced by the creation of normative products in terms of green open space management, namely the enactment of PERDA Kab. North Luwu Number 7 of 2016 concerning Management of Green Open Spaces Part of the Masamba Urban Area.

This research examines Collaborative Governance in managing green open space. Previously, research on the management of green open space was carried out by Muchlas. M and Zulfan N (2017), the research conducted aims to find out the development of dynamic governance capabilities in optimizing the management of green open land. Other research on the management of green open space was also carried out by Nurlina S and Risma H (2017), her research aimed to find out community participation in managing green open space in urban agriculture. The basis of this research is to describe the situation or events regarding social movements concerned with green space. Then this research has also been reviewed by Jovi A K and Retno S (2017) the purpose of the research conducted is to determine



the synergy between stakeholders in the management of green open spaces in city parks. In this study analyzed two stages of management namely maintenance and security.

However, different from the research conducted by the author at this time, the purpose of the research conducted is to find out collaborative governance in the management of green open space in North Luwu Regency. The specificity of this research also involves three sectors in the management of green open space, namely government, private / private and community that collaborate with each other. Collaboration indicators used in this study are 1) face to face dialogue, 2) trust building, 3) commitment to process, 4) shared understanding, 5) Intermediate outcomes

## **2. Research Methods**

The research method used in this study is a qualitative method with the type of phenomenology. The source of data from this study was from interviews with informants and from documents related to the research topic. Data collection is done through observation, interviews and documentation. The informant collection technique used a purposive technique namely the head of the environmental department, the head of the public works and spatial department, the head of the fire department, the head of the civil service police department and the head of the general section of the regional secretariat and CV Ashifa.

## **3. Discussion**

Previously, according to North Luwu Regency Regulation No. 7 of 2016, that green open space, hereinafter abbreviated as RTH, was part of a city where no buildings were built or as few as possible building elements, consisting of natural elements (including vegetation and water) and built-in elements others are city parks, green lanes, roadside protective trees, urban forests, nurseries, city pots, urban agricultural cemeteries that work to improve the quality of the environment. Besides that in the green space is also equipped with supporting facilities in accordance with the function of the green space. More than that, green space also has an aesthetic function (Hudan, 2009, in Arifiyanti, 2014) which is useful as a source of public recreation, that people can use green space as a place to spend leisure time with family, sports and other activities.

In accordance with the Regional Regulation on Management of Green Open Space, which states that the regional government is obliged to realize, increase awareness, and responsibility and partnership of all parties, both private and public, in efforts to manage Green Open Space. So the collaborative governance study is very relevant to be used in the management of green open spaces in the urban area of Masamba, North Luwu Regency, because in the administration of government, the government is no longer the only actor in the implementation of regional development but it requires good involvement and cooperation between various sectors, because in Basically collaborative government involves various stakeholders, or more easily involves three sectors namely government, private and community. According to Ansell and Gash (2007) also, there are a series of factors that are very important in the collaborative process itself. These factors include face-to-face dialogue, trust building, and the development of shared commitments and goals. That to build a good cycle of collaboration, it focuses on deepening trust, commitment and shared goals. Meanwhile, Innes and Booher (2010), developed the DIAD Network Dynamic model, which illustrates the existence of collaborative networks where there is diversity, interdependence and authentic dialogue in them.

Collaborating on a collaborative process model and DIAD Network Dynamic is a cycle (repetitive stage) in a collaborative process, because before a final consensus decision is reached, the process will continue to be repeated. The initial step is an authentic dialogue between collaborating stakeholders, which is based on communicative rational, each called face-to-face dialogue and authentic dialogue. The dialogue will bring about mutual, relationship, learning and creativity among the dialogue participants. This dialogue will only occur if there is interdependence and mutual trust between stakeholders.

An interactive dialogue emerged from an effort to build commitment for the ongoing collaborative process among the collaborating stakeholders. Building this commitment is done by mutually

recognizing each other's existence in accordance with their interests. In addition, commitment can be built through a sense of belonging to the process, an openness to explore shared benefits, and efforts to build shared value. After the commitment to the process is built, then build shared goals.

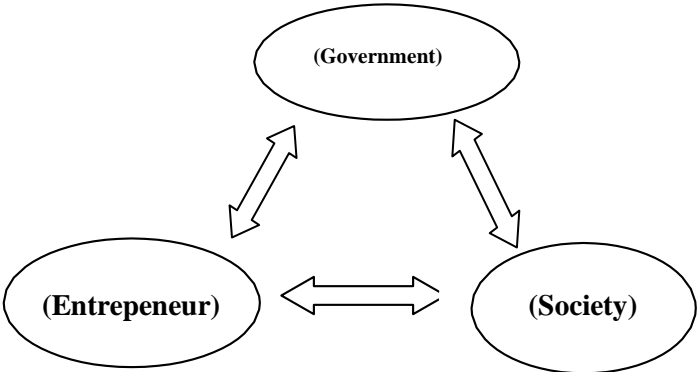
The goals that are built must be clear and can be understood by all stakeholders, even agreed. After the objectives of the collaborative process are established, it is expected that interim results will be obtained in the form of joint fact findings and findings agreed upon before finally reaching consensus. The last thing that can be obtained in this collaborative process is a change in the way he behaves and acts for the participants of the collaborative process, namely the existence of mutual respect, mutual listening among the participants of the collaborative process (new heuristic).

Collaboration between the three sectors is considered a form of unification. Later the three sectors involved will work together, coordinate in making a decision in order to find a solution to the public problem. Using the concept of Collaborative Governance is very useful for identifying governance problems as well as finding alternatives in solving problems in government. It is expected that with this concept three collaborating actors will be able to understand their respective duties and functions so that coordination is established in the management of green open spaces. With the concept of collaborative governance, the community as a development target is expected to be able to increase its role and participate in regional development.

Efforts are made in managing green open space in North Luwu Regency in the form of maintaining and increasing green open space. So as to realize this, collaboration and coordination between government agencies is carried out. The form of collaboration is indicated by the SK division of tasks in managing green open space. The agencies or agencies involved in managing green open space namely; a) Office of Public Works and Spatial Planning, b) Office of the Environment, c) Civil Service Police Unit and Fire Department, and d) General Section of the Regional Secretariat. The division of tasks and functions of each agency in the management of green open space in North Luwu Regency is intended to facilitate the course of collaboration, the division of tasks also provides clarity of responsibilities of each agency in carrying out its work so that there is no overlap in its work, and will form a work unit , so that the collaboration process will be directed towards the achievement of common goals. The private sector involved in the collaboration of green open space management is cv.as-zhifa 222 which has the task and function of physical maintenance of green open space in North Luwu Regency.

The management pattern in this case the maintenance of green open space in North Luwu Regency is carried out in accordance with the decree on the determination of the tasks and functions of the regional apparatus in maintaining public green open space. Based on the decree, the management of green open space is done by; physical maintenance, maintaining the cleanliness and beauty of green open spaces, maintaining the safety of public green open spaces, and maintaining green open space lighting facilities.

in general collaborative governance describes a cooperative relationship by various parties. In this case it leads to collaboration as equality and balance between the government, entrepreneurs, and the community. So the picture of collaborative governance is as follows



Based on PU PERMEN NO 5 / PRT / M / 2008 on guidelines for providing green open space in urban areas, it is explained that the proportion of green open space in urban areas is at least 30% consisting of 20% public green open space and 10% private green open space. So that the government of North Luwu Regency must meet this proportion. But the facts on the ground, on the way there have been many green open space parks that were damaged and not maintained anymore.

This can be seen from some park facilities that have been damaged and are no longer suitable to be used, untreated plants left lush and security officers who are very rarely present in park security posts. This shows that the tasks and functions of the regional apparatus in maintaining green open space are still not running well and optimally. From the results of a short interview in the field, there is still a lack of face-to-face dialogue between related sectors. For example, to hold a meeting to discuss the maintenance of green open space is still very rarely done.

If the above problems are related to collaborative governance theory developed by Anshell and Gash that in the collaborative governance process there is a cooperative and coordinating relationship between the sectors involved. For cooperation and coordination to work well, it is necessary to go through a process of face to face dialogue, trust building, commitment to process, shared understanding and intermediate outcomes. Seeing this it can be said that stakeholders involved in managing green open spaces are still weak in face-to-face dialogue, as well as building trust is still weak, commitment to process is still weak, shared understanding is also still weak, and the final results of collaboration (intermediate outcomes) are still weak.

The lack of face-to-face dialogue will affect other inducers not going well in the collaborative governance process. Because basically face to face dialogue is the core of the trust building process, commitment to process, shared understanding and intermediate outcomes (Novita, 2018)

#### **4. Conclusions**

Management of green open space as a form of implications for the development of environmentally sound regions. It should involve various parties, because in this case the government is no longer the only development actor but needs to collaborate with various relevant stakeholders in the management of green open space in Luwu North. Then the form of cooperation is called collaborative governance. Through the collaboration of several stakeholders in the management of green open space in North Luwu Regency based on observations and interviews in the field shows that what is expected through North Luwu Regency Regional Regulation Number 7 of 2016 on Management of Green Open Space in the Masamba Urban Area is not in accordance with the facts in the field, this shows the gap between expectations and reality

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# The Strategy of Local Government in Structuring The Street Vendors of Makassar

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**Abstract.** This study aimed to describe the strategy of the local government in dealing with street vendors on the Pantai Losari Makassar. This research approach was using descriptive qualitative. Data collection techniques through observation, interviews, and documentation. Informants in this study were 10 people who were selected purposively. The data analysis technique used an interactive miles model. "The results of this study indicate that the strategy of the Makassar local government in dealing with street vendors." Through 3 stages, namely: 1) Determining the destination or location of the place to sell permanently by designating the Metro Tanjung Bunga area as the place to sell. 2) Conducting the coordination between district officials and the Association" Appatangkasa PK5 at the Anjungan Pantai Losari.

**Keywords:** Strategy Government In Arranging Street Vendors

## 1. Preliminary

Development is a process change from something lack condition either for the better or development is a process change from a national condition to another must considered better than the previous situation. The development contains various meanings both from an economic, social, political, and cultural perspective, all of which contain their respective meanings.

Likewise, development in each region or region, within the territory of the Negara Kesatuan Republik Indonesia, development is carried out in a structured manner, both from city centers to rural areas, all of which aim to improve the dignity of people's lives in a better direction. According to Sedarmayanti (2010), the implementation of good development in each region is also inseparable from the performance of civil servants, the better the performance of civil servants in each region, the development in that area will be more advanced and developing, where performance is defined as a record of output, generated from a certain activity,

Makassar is the city center which is located between Gowa and Maros Regencies with a population of as many as 1,339 people based on the census of the Central Statistics Agency of South Sulawesi in 2019 Makassar as Other city centers are the centers of a variety of community activities, either as a place of residence, government, economy, politics, religion, and culture. Various ways conducted by the people of Makassar City to survive in the middle of the onslaught competition and the times, narrowing of employment opportunities, as well as transforming skilled resources become a machine. The existing diversity becomes a heterogeneous portrait of the city, including in terms of earning a living, which is reflected through phenomena existence of street vendors at the Anjungan Pantai Losari is one of the important elements in attracting street vendors to sell in Anjungan Pantai Losari to sell their wares, were

always crowded with community visits, of course, this is one of the reasons for street vendors to sell Pantai Losari.

The existence of street vendors at Anjungan Pantai Losari that is not in line with spatial planning has become a burden to space. Street vendors are active in public spaces without paying attention to public interests, resulting in distortion of the function of the space. In the end, the suitability of the physical order of the mass and space of an area in creating environmental harmony is often not in line, causing congestion. Also, indirectly the presence of street vendors at Anjungan Pantai Losari is the reason for a large amount of garbage scattered which creates a dirty impression on this Makassar city icon. The existence of street vendors in Makassar City is not without reason, the increasing number of street vendors selling their wares is in line with the development of the urban human population which is increasing without being matched by the availability of jobs or other sources of livelihood.

Likewise in the field of community economic development, the community is also expected to participate in urban and regional development through community socio-economic institutions, and strive to improve the level of community life as in Makassar City, especially at Anjungan Pantai Losari, which is usually an Appatangkasa street vendor. With the growing number of social-economic movements, in various corners of community life as well as in the business sector, especially street vendors or the informal sector. The problem of street vendors themselves has not been resolved in every region in Indonesia, especially the street vendors at Anjungan Pantai Losari, Makassar.

Based on Law Number 32 the Year 2004 concerning Regional Government, the widest possible autonomy for district governments is both an opportunity and a challenge. Opportunities here are for local governments that have sufficient natural resource potential to manage this potential by themselves, while for local governments that have inadequate natural resources it is a challenge. Small businesses in the explanation of Law no. 23 of 2014 is that the regional government carries out government affairs according to the principle of autonomy and assistance tasks with the broadest possible autonomy principle following the system of Negara Kesatuan Republik Indonesia.

Number 5 of 2009 aims to prevent street vendors from occupying locations that can interfere with urban order and layout. The Regional Government aims to realize the allocation of proper business places to provide business opportunities for traders and create a beautiful and clean environment, but can also empower the existence of street vendors to support the regional economy.

Efforts to arrange Appatangkasa street vendors in empowering street vendors. The presence of street vendors in a city is not planned so that it creates problems for a city because it is not neatly organized. To restore order to a city, an arrangement idea emerged. Relocation is an effort to place a certain activity back on land following its designation (J. Salusu 2016: 48) explains that there are four indicators of government strategy that are taken into consideration in determining the arrangement of the relocation of street vendors for Appatangkasa, namely:

1. The government's goal-setting determines selling locations for street vendors to occupy the land that has been provided by the government.
2. Achieving the goal of controlling controlled street vendors and creating comfort by providing an understanding to street vendors and the public regarding the orderliness and beauty of the environment.
3. Decision-making a process that must be carried out by the government to obtain decisions that can solve problems per existing environmental conditions. Decision making can be done in various ways, one of which is a discussion with street vendors to determine a decision to be important because it must be able to accommodate all the aspirations and expectations of all parties in making decisions.
4. Resources and the environment use less productive land to become a location to sell street vendors.

A street vendor is a business that requires relatively little capital, doing business in the fields of production and sales to meet the needs of certain consumer groups. The business is carried out in places that are considered strategic in an informal environment. Street vendors according to An-nat (2003: 30) that the term street vendor is a legacy from the British colonial era. This term is taken from the width of the sidewalk, which was calculated in feet (feet), which is 31 cm less, while the sidewalk width at that

time was five feet or about 1.5 meters less. So people selling on the sidewalk are then called street vendors (PKL).

Hax and Majluf try to offer a comprehensive formula for the following strategies:

1. Being a pattern of decisions that are consistent, unified, and integral
2. Defining and present organizational goals in terms of long-term goals, program activities, and resource allocation priorities
3. Selecting the field that the organization will work on; trying to get a long-lasting advantage, by responding appropriately

The definition of strategy according to Chandler is a tool to achieve company goals concerning long-term goals, follow-up programs, and resource allocation priorities.

*Fuchs and his colleagues* stated that "The key dimensions of effective strategy development and implementation as orchestrating all the elements of strategy around a powerful core theme and alignment of coherent product market focus are supported by operating capabilities and resources. In the journal, it is explained that the key dimensions of building and implementing an effective strategy such as composing all the elements around a strong core theme and a sequential focus of product marketing relationships are supported by the ability to operate.

*According to Conu Pumpin (2008)*, The science of strategy comes from the book "The Art of War" written by Sun Tzu. He is a Chinese general who lived 2500 years ago. Many generals followed the strategy knowledge taught by Sun Tzu to win battles, and generally many were successful. This led to Sun's martial arts principles *Tzu* widely used by generals until now. Each expert defines strategy differently, but on the point is the same as described in the meaning of the strategy.

*Lawrence R. Jauch and William F. Glueck* defining strategy are: "strategy is a unified, broad and integrated plan that connects corporate excellence with environmental challenges as well as designed to ensure that the main objectives of the company can be achieved through implementation right by the organization. Meanwhile, according to J. Salusu who quoted from Mc. Nichols is: "strategy is the art of using the skills and resources of an organization to achieve its goals through effective relationships with the environment in the most favorable conditions".

*According to Chandler (2015)*, a strategy is a tool for achieving company goals with long-term goals, follow-up programs, and resource allocation priorities. Meanwhile, according to Porter (2013) strategy is a very important tool to achieve competitive advantage. According to Stephanie K. Marrus, the strategy is defined as a process of determination top leaders' plans that focus on long-term goals organization, accompanied by the preparation of a method or effort on how to achieve goals that can be achieved. Also, there are more specific definitions, for example, strategists, *Hameland Prahalad (2010)*, which elevates the core potential as a matter urgent. They both define a strategy that translates as follows: "Strategy is an action that is incremental (always increasing) and continuously, and done from what customers expect in the future. Thus, strategy always starts with what can happen and not what happens. The occurrence of new market innovation speeds and changing consumer patterns requires core competencies. Companies need to find the core potential in the business they are doing.

Meanwhile, Karafir (2007: 4) argues that street vendors are traders who sell in public places such as roadsides, parks, storefronts, and markets without a business permit from the government. From the two opinions, it can be concluded that the street vendors are those who do business in public places without or having permission from the government. Broadly speaking the characteristics of street vendors (Ismawan: 2002), are described as follows:

1. Informality. Most of the PKL work outside the existing legal and regulatory framework, so their existence is not recognized by the local government.
2. Mobility. The informality aspect of street vendors also brings a consequence that there is no guarantee of the sustainability of the activities undertaken so that this business is a sector that is relatively easy to enter and leave. If there is an opportunity, with many actors participating, on the contrary, if there is a change, the opportunity is negative, the perpetrator will decrease.

3. Independence. Generally, traders seek their capital without getting help from the government. Local financial institutions with various regulations and principles of prudence limit the possibility of dealing with street vendors because they do not have any guarantees.

Correlation with the formal sector, although their presence is not recognized, their role in helping the formal sector is very large,

Problems and advantages that arise from the presence of street vendors for urban areas (Soegijoko: 200 especially in terms of distributing goods to consumers Ramli (2003: 58) sees the characteristics of street vendors from their trading patterns, namely:

1. Most street vendors sell their merchandise at a sliding price system.
2. There is a bidding process that reflects approximate pricing only and without strict bookkeeping.
3. Trying to get as much profit as possible from the sale and purchase made and not to find a permanent subscription.

There is a debt-owing mechanism to wholesalers or creditors. Besides, according to Kurniadi and Tangkilisan (2003), the characteristics of street vendors are more detailed

1. This group is traders who sometimes also mean producers at once;
2. Street vendors that give the connotation that they generally sell merchandise on mats on the roadside, or in front of a shop that is considered strategic
3. Street vendors generally have a small capital they are often only a "tool" for capital owners by getting a commission as a reward for their hard work..
4. In general, the quality of goods traded by street vendors who specialize in selling defective goods is few at much lower prices.
5. The turnover of street vendors is generally not large.
6. Buyers are generally buyers who have low purchasing power (derived from what are called lower-income pockets).
7. Cases in which street vendors succeed economically, to eventually climb the ladder in the successful merchant hierarchy, are rather rare.
8. In general, the street vendors' business is a family enterprise or even a one-man enterprise.
9. The goods offered by street vendors are usually non-standard, and shifting of the types of goods traded by traders often occurs.
10. Bargaining between traders and buyers is a characteristic of the street vendor trading business.

Dewanto (2004) in his thesis describe its problems generated by street vendors, namely:

1. Lowering the physical quality of a certain area because it is not organized,
2. Interfering with the circulation of people's movements
3. Creates a slum impression,
4. Parking is disturbed because it is used as business land by street vendors.
5. Use of sidewalks according to their intended function
6. The presence of street vendors creates a lot of waste every day.

According to Fred R. David (2007), the types of strategies are divided into

1. Forward integration, namely obtaining ownership or increasing returns to distributors or retailers.
2. Backward integration is a strategy that attracts greater ownership or control than the supply company. This strategy is especially appropriate when the current supply company is unreliable, too expensive, or unable to meet their needs.
3. Horizontal integration refers to the strategy of seeking ownership of or greater control over or competing companies. One of the most significant trends in strategic management today is the increasing use of horizontal integration as a growth factor.

Thomas R. dye (Winarno, 2012). Dy defines public policy as *whatever the government chooses to do or not to do* (whatever the government chooses to do or not to do). Dye said that if the government chooses to do something, there must be a purpose and the State's policy must cover all government actions, not merely a statement of the government's wishes or government officials. Even something that is not implemented by the government is a State policy. Because this will have the same influence or impact as something done by the government (Agustino, 2006) Policy is a series of goals and objectives of



government programs, which according to Edward III and Sharkansky can be clearly defined in statutory regulations or the form of regulation by top government officials or the form of programs and actions carried out by the government. State policies are policies developed by government agencies and officials (Agustino, 2006).

According to David Easton in Winarno (2012) defines policy as a result of government activity (the impact of government activity). Carl I. Friedrich in Agustino (2006) defines it as a series of actions proposed by a person, group, or government in a certain environment, with the existing threats and opportunities. The proposed policy is aimed at exploiting the potential as well as overcoming existing obstacles to achieve certain goals. To define a policy problem, we must refer to the definition of public policy itself as described above. The policy problem is a gap in the implementation of a policy in society.

Ardhiansyah (2003) explains that several factors influence the location of street vendors' trading activities, namely:

1. Location crowd factor.
2. The likelihood of consumers shopping high.
3. Comfort and safety
4. A street vendor trading location that is considered safe and comfortable, which is a location free from disturbing threats. Like policing or harassment from thugs.

According to Van Meter and Van Horn in Abdul Wahab (2005, p. 55), the implementation of the policy is the actions taken by individuals, government, and the private sector which are directed to achieve the goals set out in previous policy decisions. Meanwhile, Abdul Wahab (2005, p.65) follows Mazmanian and Sebatier's view that the policy implementation process is not only about the behavior of administrative agencies responsible for implementing the program and creating order in the target group but also regarding the network. Political, economic, social, which can directly or indirectly influence the behavior of all parties involved,(Maulana: 2004), namely:

1. Providing policies that protect the existence of street vendors,
2. Utilizing less productive land as a location to sell street vendors,
3. Relocating places to sell street vendors,
4. Conducting counseling and training carried out by the government, to develop the skills of street vendors.

The term informal sector was first coined by Keith Hart (1971) by describing the informal sector as a part of the urban labor force that is outside the organized labor market. These informal activities are ways of doing something that is characterized by, easy to insert; Rely on local resources; Owned business; Operations on a small scale; It is labor-intensive and the technology is adaptive; Skills can be acquired outside the formal. school system, and Not directly affected by the Regulation and the market is competitive.

Soedjana (2005) specifically what is meant by street vendors is a group of people who offer goods and services for sale on the sidewalk or the side of the road, around shopping centers/shops, recreation or entertainment centers, office centers and educational centers. Either permanently or not permanently, has an informal or semi-official status and is carried out either morning, afternoon, evening, or night.

Further research by Dewi and Yunuardi (2013) on the implementation of the policy of structuring street vendors in the Malioboro area, there are still some very basic weaknesses, including incomplete regulatory supporting instruments, problems regarding the location of street vendors' business, the number of street vendors who commit related violations. the width and height of the merchandise, the granting of a street vendor's license that has been suspended for the last 2 years, violations of street vendors in Malioboro are still considered quite high. Supporting factors for the implementation of the arrangement of street vendors, namely adequate human resources and budgetary resources, and the existence of a positive attitude of support for policy implementers and bureaucratic efficiency. Sometimes the existence of the street vendor causes inconvenience to the surrounding traffic. The local government in this case has the authority to regulate these problems to realize Good Government based on the principles of implementing Good Governance (Erlinda, et al. 2014).

Triwulan Research (Student majoring in Government Science, Faculty Social and Political Sciences, Universitas Muhammadiyah Malang) conducted in 2018 under the title of the thesis, namely "implementation of Perda No.5 of 2005 concerning Control of Street Vendors in the City Mojokerto." The results of Click Triwulan's research are almost the same as previous researchers, it's just that the research conducted is more on controlling street vendors and government barriers to relocating. While the focus of researchers on a strategy to improve the welfare of street vendors based on culinary tourism in Blitar City.

## 2. Research Methods

According to Sugiyono (2013), the research method was a scientific way to obtain data with specific purposes and uses. This research was conducted at Anjungan Pantai Losari. The type of research to be carried out was qualitative research, meaning that it is a type of research that seeks to explain with an overview of the various kinds of data that have been collected from research objects related to the Regional Government's Strategy in structuring street vendors on Anjungan Pantai Losari. In principle, the policy objective is to intervene. Therefore, policy implementation is actually an action of the intervention itself. The success of a public policy implementation is determined by the level of policy implementability itself, which consists of the content of the policy and the context of policy. Content of policy according to Grindle is: (a) Interest affected (influencing interests), (b) Type of benefit (c) Extent of change environment (degree of change to be achieved), (d) Site of decision making (location of decision making), (e) Program implementer (program implementation), (f) committed resource (resources used). The context of Policy according to Grindle is (a) Power, Interest and Strategy of the actor involved (power, interests, and strategies of the interests involved), (b) Institution and regime characteristics (characteristics of the institutions and regime in power), (c) Compliance and Responsiveness (level of compliance and the response from the implementer). (Nugroho 2009). (a) Interest affected (interests that affect), (b) Type of benefit (a type of benefit), (c) Extent of change environment (degree of change to be achieved), (d) Site of decision making (location decision making), (e) Program implementer (program implementation), (f) committed resources (resources used). The context of Policy according to Grindle is (a) Power, Interest and Strategy of the actor involved (power, interests, and strategies of the interests involved), (b) Institution and regime characteristics (characteristics of the institutions and regime in power), (c) Compliance and Responsiveness (level of compliance and the response from the implementer). (Nugroho 2009). (a) Interest affected (interests that affect), (b) Type of benefit (c) Extent of change environment (degree of change to be achieved), (d) Site of decision making (location decision making), (e) Program implementer (program implementation), (f) committed resources (resources used). The context of Policy according to Grindle is (a) Power, Interest and Strategy of the actor involved (power, interests, and strategies of the interests involved), (b) Institution and regime characteristics (characteristics of the institutions and regime in power), (c) Compliance and Responsiveness (level of compliance and the response from the implementer). (Nugroho 2009). (c) Extent of change environment (degree of change to be achieved), (d) Site of decision making (location of decision making), (e) Program implementer (program implementation), (f) committed resource (resources used). The context of Policy according to Grindle is (a) Power, Interest and Strategy of the actor involved (power, interests, and strategies of the interests involved), (b) Institution and regime characteristics (characteristics of the institutions and regime in power), (c) Compliance and Responsiveness (level of compliance and the response from the implementer). (Nugroho 2009). (c) Extent of change environment (degree of change to be achieved), (d) Site of decision making (location of decision making), (e) Program implementer (program implementation), (f) committed resource (resources used). The context of Policy according to Grindle is (a) Power, Interest and Strategy of the actor involved (power, interests, and strategies of the interests involved), (b) Institution and regime characteristics (characteristics of the institutions and regime in power), (c) Compliance and Responsiveness (level of compliance and the response from the implementer). (Nugroho 2009). Interest and strategy of the actor involved (power, interests, and strategies of the interests involved), (b) Institution and regime characteristic (characteristics of the institutions and

regime in power), (c) Compliance and Responsiveness (level of compliance and presence response from executor). (Nugroho 2009). Interest and strategy of the actor involved (power, interests, and strategies of the interests involved), (b) Institution and regime characteristic (characteristics of the institutions and regime in power), (c) Compliance and Responsiveness (level of compliance and presence response from executor). (Nugroho 2009). Street vendors are also known as illegal traders or retailers, namely traders who sell on the sides of roads, overhangs of shops, in the yard of market buildings, open fields, and other places that are temporary and have not received official permission from the government. According to Karafir (2007), street vendors are traders who sell in public places such as roadsides, parks, shop houses, and markets without or having a business license from the government. Then according to the Regional Regulation of Makassar City Number 5 of 2009 concerning the Arrangement and Development of Street Vendors, what is meant by street vendors is people who carry out trading and / or service businesses in public places, namely the edges of public roads, the field and other places on the land determined by the Mayor of Makassar. The arrangement of street vendors in the Regional Regulation has two very important roles, one side is protection and recognition of the existence of street vendors in Makassar City, while on the other hand the regional regulations This is a strong legal basis for local governments to determine goals / achieve goals, make decisions on street vendors. The strategy is a tool to achieve company goals concerning long-term goals. The two cannot be separated because one depends on the other and vice versa (Soekanto, 2009). Levinson in Soekanto (2009) states that strategy includes three things, including: (1) The strategy of a consistent pattern of decisions is integrated, and integral (2) define and present organizational goals in terms of long-term goals, program activities, and resource allocation priorities. (3) selecting the field that the organization will be involved in or will be involved in; trying to get a long-lasting advantage, by responding appropriately

The data collection technique is an important element in conducting research. The techniques used in the field were as follows, Observation, Interview, Documentation

previous research such as research Muhammad Nur, Abdul Yuli Andi Gani, and M. Saleh Soeidy with the title Implementation of City Government Policies in Controlling Street Vendors (StudY at Makassar Civil Service Police Unit Office). Where the research focused on the problem and the purpose of the research being carried out. The analysis review in this study uses the A Framework for Implementation Analysis policy implementation model by Daniel Mazmanian and Paul A. Sebatier by analyzing three major categories, namely:

- (1) Easy or not the problem to control.
- (2) Policy's ability to properly structure implementation.

Variables outside the policy that influence the implementation process. The results showed that the description and analysis of the implementation of Government policies in controlling street vendors in Makassar did not work well as the objectives and intentions of policy implementation. The existing policies have not been able to solve the problem because the substance of the existing policies is less relevant to the complexity of the problem of handling street vendors. There is a

- (3) need for policies that can provide comprehensive solutions to PKL problems, especially solutions to the existence of street vendors in Makassar.

### **3. Research Results and Discussion**

Local Government Strategy in Arranging Street Vendors in Makassar elaborate on several points, namely:

#### **1. Goal Setting Strategy**

Determination of destination or location of places to sell permanently by designating the Metro Tanjung Bunga area as a place to sell, street vendors "Appatangkasa" in front of the Anjungan Pantai Losari. In arranging the street vendors, the local government makes efforts to control the street vendors by providing a place to sell, starting at 5 am-10 am if there are street vendors doing buying and selling activities, the local government will give the warning to change the warning against street vendors who Still selling. 'According to Tiori J. Alusu about the goal-setting strategy

shows that the strategy in setting goals has been going well where the local government provides a policy in the form of a location for selling places to street vendors.

2. Achievement of objectives

Conducting coordination between Department of Industry and Association with the PK5 "Appatangkasa" Association Metro, the local government Before relocating street vendors at the Anjungan Pantai Losari, the local government held a meeting and socialization to traders about the arrangement of business premises so that traders would not feel disadvantaged because of the arrangement. The Regional Government, in this case, Makassar Industry and Trade Office, guides street vendors by providing socialization on the placement and grouping of traders based on the type of sale they sell. The grouping was carried out to facilitate supervision and make the Anjungan Pantai Losari area well organized. According to "Dewanto" regarding the strategy for achieving goals, it shows that the strategy carried out by the Department of Industry and Trade for street vendors "Appatangkasa has been going well, where the government and street vendors coordinate with each other in the arrangement of places to sell so that no party is disadvantaged by a policy.

3. Decision-making

Decision making is in the form of sanctioning the revocation of business permits for street vendors (PK5) who sell in locations that have been determined by the local government and have implemented the arrangement of street vendors following existing regulations, but there is still a lack of public understanding in this case street vendors These regulations make it not uncommon for traders to make any efforts to defend their business premises which are prohibited locations to sell. Of course, these problems cannot be separated from the good enforcement of regulations carried out by the Civil Service Police Unit as an assistant to the Regional Government in the field of peace. The Civil Service Police Unit is obliged to make arrangements for street vendors who violate these regulations.

According to "Ramli" regarding the Decision Making strategy, it shows that the strategy in decision-making carried out by the local government in structuring street vendors has gone well, where the government has taken a firm stance against street vendors in the form of imposing sanctions, namely revoking the business permits of street vendors who violate them.

**4. Conclusion**

- a. The goal in setting strategy. Showing that the strategy in setting goals has worked well where the local government provides a policy in the form of a place to sell for street vendors. By controlling the street vendors by granting a place for selling permits to street vendors "Appatangkasa" with a time limit starting from 5 am to 10 am
- b. The strategy for achieving objectives shows that the strategy carried out by the Department of Industry and Trade for street vendors "Appatangkasa has been going well where the government and street vendors coordinate with each other in the arrangement of places to sell so that no party is disadvantaged by a policy.
- c. Decision Making Strategy  
It shows that the strategy in decision-making carried out by the local government in structuring street vendors has gone well, where the government is taking a firm stance against street vendors in the form of imposing sanctions, namely revoking the business license of street vendors who violate them.

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- [37] UU no. 23 of 2014 is that the regional government carries out government affairs according to the principle of autonomy and assistance tasks with the broadest possible autonomy principle in accordance with the system of Negara Kesatuan Republik Indonesia.

# Organizational Correlation Pattern Between Organizations in The Implementation of Program Bantuan Rumah Swadaya (Self Help Housing Assistance Programs) in Bulukumba Regency

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**Abstract.** Regulation of the Minister of Public Works and Housing of the Republic of Indonesia Policy Number: 07 / PRT / M / 2018 concerning Amendments to the Regulation of the Minister of Public Housing Number 2018 concerning Assistance for Self-Help Housing (BSPS) in 2019 and Decree of the Minister of Public Works and Housing of the Republic of Indonesia No. 158 / KPTS / M / 2019 concerning the Value and Location of BSPS determined Bulukumba Regency as the beneficiary of self-help housing assistance. This study aimed to improve the quality of housing and slum settlements to make an inhabitable house for habitation into habitable houses, however, in its implementation, not all regional apparatus organizations involved have carried out their roles optimally.; This research was a qualitative descriptive study. Data collection used interviews, observation, and documentation. The types of data were divided into two, namely primary data and secondary data. The selection of informants was done purposively, which then developed with the snowball technique. The data analysis process was carried out with a qualitative data analysis approach. The theory in this study is the theory of policy implementation from Winter C. Soren from the aspect of Behavioral correlation between organizations. The results of this study indicate which organizations are involved in the implementation of the Self-Help Housing Assistance Program and their roles and organizational behavior patterns between organizations are still dominated by implementing agencies, in this case, the Housing and Land Service.

**Keyword:** Organizational correlation pattern between organizations, implementation of self-help housing assistance programs, Self-Help Housing,

## 1. Introduction

Housing and settlements are basic rights for every Indonesian citizen as mandated in the 1945 Constitution of the Republic of Indonesia Article 28 H paragraph (1) that: everyone has the right to live in physical and spiritual prosperity, to have a place to live, and to have a good environment. healthy and entitled to health services. Furthermore, Article 40 of Law No. 39/1999 on Human Rights states that everyone has the right to live in and have a decent life. As the fundamental right and at the same time a prerequisite for everyone to survive and enjoy a life of dignity, peace, security, and comfort, hence the provision of housing and settlements that meet the principles of being feasible and affordable for all people has become a global commitment as outlined in the Habitat Agenda (The Habitat Agenda, Istanbul Declaration on Human Settlements) and the Millennium Development Goals (MDGs). For this

reason, the Government is responsible for helping the community to live in as well as protecting and improving the quality of their settlements and environment. In line with the above mandate, the National Long-Term Development Plan 2005-2025 stipulates that the main target of long-term housing and settlement development is the fulfillment of livable and affordable houses equipped with adequate environmental infrastructure and facilities supported by a long-term sustainable financing system. , efficient, and accountable for realizing a great city. The form of government accountability in implementing housing and residential areas has been regulated in Law Number 1 of 2011 concerning Housing and Settlement Areas. In the implementation of housing and settlements regulated in Law Number 1 the Year 2011, the Government mandates the implementation of self-help housing. This is specifically in the context of fulfilling houses for low-income people (MBR). As a logical consequence of the constitutional mandate, the government is obliged to respect, protect, enforce, and promote housing by creating a conducive climate for all Indonesian people, especially for low-income people (MBR) in a sustainable manner.

The direction of housing development policy based on the 2015-2019 RPJMN is to increase low-income people's access to decent, safe, and affordable housing and is supported by the provision of adequate infrastructure, facilities, and utilities. In line with the Vision of the Ministry of Public Works and Public Housing for 2015 - 2019 and the direction of housing development policies in support of self help housing for the people of Indonesia through the fulfillment of low-income people's access to decent housing, the Directorate General of Housing Provision sets a vision, namely: Indonesian people/families/households occupy a livable house. Achieving this vision requires commitment from all stakeholders in the housing sector given the intensity and complexity of the problems that must be addressed. The Directorate General of Housing Provision as one of the stakeholders in achieving this vision has the authority to act as a regulator, facilitator, and implementer of housing development so that the need for livable housing for every Indonesian family is coming true. Therefore, the government as the representative of the State must be present as a form of its responsibility to fulfill basic rights in the form of a decent home or place to live in a healthy and safe environment by running a self-help housing assistance program for low-income people.

Homeownership is closely related to the social and economic environment of its residents through identity, security, and stimulus (Turner & Fichter, 1972). Fulfilling housing needs for the poor is a complicated problem, due to the ability to finance and the absence of participation in housing provision for them (Budiharjo, 2006). In general, the income of the poor is below average so that it is difficult to access housing credit from banks (Panudju, 1999). Apart from the problem of limited costs, the provision of housing for the poor is considered less attractive because it does not provide benefits for entrepreneurs (Arimurty & Manaf, 2013; Ram & Needham, 2016).

The housing problem in Indonesia that occurred up to 2015 is referred to as the shortage of houses, especially for low-income people (MBR) (Bramantyo, 2012). 2015 data shows that housing shortages reached +/- 13.6 million houses. , including 30% of houses that severely damaged uninhabitable/uninhabitable. Meanwhile, houses that are not suitable for habitation (RTLH) reach +/- 7.6 million houses. This RTLH is inhabited and built by the poor and/or MBR on their own or other people's land. The practice of building houses in Indonesia shows that almost 85% of the houses are built by the owners themselves. That means only 15% is built through the hands of other people, or third parties (developers). Other than that, that the budget for house construction which is done independently by the owner is much cheaper than what is done by a third party (developer) it is also much cheaper than what the government does. This generosity reaches a minimum of 35%. The limitations of low-income communities in accessing proper housing have resulted in independent housing procurement as one of their options. Also, the feasibility of a house is not only physical, but also environmental problems such as pollution, contamination, mislocation, and its too natural disasters (Putra & Manaf, 2014), including the legality of land ownership is a consideration in housing procurement (Tunas & Peresthu, 2010). This generosity reaches a minimum of 35%.

Other problems in providing housing for the poor are the imbalance between the number of poor people and the needs that must be provided, the absence of access to substandard basic infrastructure



and facilities, as well as irregular livelihoods (Sarimah, 2016). Therefore, to accelerate the fulfillment of basic rights to housing, the construction of houses that are carried out by the owners themselves needs to be continuously encouraged by the government. The government must prioritize self-help housing programs in the development of housing and settlement areas in Indonesia. Moreover, in a situation of limited APBN budget or in the context of saving APBN budget, included preventing corruption, the self-help housing program is the solution to the problem to what extent the understanding of the work unit apparatus for the provision of central and regional housing, especially the head of the work unit (KASATKER) and officials commitment unit ( PPK) on the implementation of self-help housing.

The total number in Indonesia on March 2019 is 730.29 thousand people or around 7.26% of the total population while the number of houses that are uninhabitable for habitation (RTLH) in Indonesia currently reaches 43 million units spread across 514 districts/cities throughout Indonesia, (Ministry Public Housing Public Works, 2019) said that in Bulukumba Regency itself, the poverty line in 2019 reached approximately 30 thousand of the total population of 418,326 people (BPS Bulukumba Regency 2019).

**Table 1.** Poverty Line, Amount and Percentage of Poor Population in Bulukumba Regency 2016-2019

Year	Line of poverty Rupiah / capita / month	Number of Poor Population (thousand)	% Poor Population
2016	274,318	33.25	8,06
2017	284,108	33.10	8.00
2018	310,753	31.25	7.48
2019	330,161	30.39	7,26

*Source: BPS of Bulukumba Regency 2020*

The allocation of the BRS program in Bulukumba Regency had been carried out in the last two years: 2018 and 2019, so the researchers focused their research on the implementation of the Regulation of the Minister of Public Works and Public Housing of the Republic of Indonesia Number: 07 / PRT / M / 2018 concerning Amendments to the Regulation of the Minister of Housing People Number 6 of 2013 concerning Self-Help Housing Stimulant Assistance (BSPS), which has been regulated in the procedures for implementing the self help housing assistance program and the requirements for recipients.

In implementing the self-help housing assistance program, the regulation rules the implementation of this program with the concept of inherent in BRS activities require that beneficiary communities be able to familiarize themselves with developing their own abilities in groups to complete the house construction work. So that in the BRS program a KPB (the group of beneficiaries) was formed consisting of 10 or up to 20 people in each KPB. In other words, the construction of self-help houses also helps build a culture of cooperation in the community so that it will return to strength. However, due to the lack of assistance from facilitators and supervision from the village technical team, it resulted in the community no longer carrying out improvements in the quality of houses in groups. Therefore, The researcher seeks to see the success rate of the Implementation of the Self-Help Housing (BRS) Policy in Bulukumba Regency based on the contents of the policy contained in the Regulation of the Minister of Public Works and Public Housing of the Republic of Indonesia Number: 07 / PRT / M / 2018 concerning Amendments to the Regulation of the Minister of Public Housing Number 2018 Regarding Self-Help Housing Assistance (BSPS) in 2019, so that assistance is exactly hit on the target before being designated as a recipient of assistance, verification is carried out by adjusting field conditions to determine the priorities of the community that will be proposed as recipients. The determination of recipients is regulated in the Bulukumba Decree, which in 2019 is regulated based on the Bulukumba Regent Decree Number: 49 / III.17 / HK / 2018 with the number of recipients as many as 185 KK or heads of families with a large amount of assistance of Rp. 17,500,000, - (Seventeen Million Five Hundred Rupiah) for each. However, just like a policy that is inseparable from problems at the implementation stage, the problems that occur in determining the recipients for this are budget constraints, the people who can be proposed as beneficiaries of assistance are not proportional to the number of target communities that exist, causing bias in their submissions. proposal and verification. Apart from the limited amount of the budget, the lack of human resources (staff) means that field

supervision cannot be carried out optimally, this is because the number of personnel is not proportional to the area that must be handled. Therefore, through the delegation of authority to sub-districts and sub-districts, it is expected that the supervisory function will run better because supervision in policy implementation is a very crucial factor. As stated by Purwanto (2012), many failures in the implementation of a policy are partly due to weak monitoring mechanisms.

According to the theory of Winter C. Soner (2003), 3 variables determine the success of policy implementation. One of the variables is the behavior of organizational correlation patterns between organizations. The large number of government elements involved in the implementation of the development of the Neapolitan area causes separate obstacles from the institutional aspect, namely the lack of coherence and coordination between stakeholders in managing the self-help housing assistance program. This is similar to Subarsono (2015) which states that a bureaucratic structure that is too long tends to weaken supervision and cause red recording (complicated and complex bureaucratic procedures), therefore an effective and efficient bureaucratic structure is needed. Stakeholders' attitudes and perceptions also influence the success rate of Minapolitan area development. The egosectoral mindset still affects the perceptions of the stakeholders so that each SKPD / institution is still fragmented by its work programs in each agency. This is certainly an obstacle in itself for understanding and implementing the roles of stakeholders in implementing the self-help housing assistance program in Bulukumba district.

According to Nugroho (2014, p. 16-17) stakeholders in a development program can be classified based on their roles, namely:

- a. Policy creators, stakeholders who act as decision-makers, and determinants of policy.
- b. Coordinator, stakeholders whose role is to coordinate other involved stakeholders.
- c. Facilitator, stakeholders whose role is to facilitate and fulfill what the target group needs.
- d. Implementers, stakeholders implementers of policies that include the target group.
- e. Accelerators, stakeholders who play a role in accelerating and contributing so that a program can run according to targets or even faster than its deadline.

## **2. Method**

### **2.1. Research design**

Based on research on program implementation, the research design in this study was a descriptive research design with a qualitative approach.

### **2.2. Place and time of research**

This research was conducted in Bulukumba Regency.

### **2.3. Research Subjects**

The selection of informants was carried out purposively, which then developed with the snowball technique.

### **2.4. Data Sources and Types**

Primary data obtained by direct interviews and direct observations of research subjects. Meanwhile, secondary data was obtained through documentation related to the implementation of the Self-Help Housing Assistance Program in Bulukumba Regency.

### **2.5. Research Instruments**

The instrument in this study was the researcher himself or it can be said that the researcher is the main data collection. Meanwhile, what is tested in this study is the data.

### **2.6. Data collection technique**

1. Observation

In this study, researchers used systematic observation techniques. Observations were made to observe the implementation of the self-help housing assistance program in Bulukumba Regency.

## 2. Interview

In this study, the interviews conducted were semi-structured. The form of the interview was an interview guide or using the main question main. An interview is a meeting of two people to exchange information and ideas through question and answer, so that meaning can be constructed in a particular topic (Sugiyono, 2009: 175).

## 3. Literature Study

In this study, data collection techniques with a literature study were carried out to complement the data. A literature study is a data collection technique by obtaining information from books, literature, references, magazines, articles, the internet, and other reading sources related to the problem under study (Sugiyono, 2009: 175)

### **2.7. Data Validity Check Techniques**

This study used triangulation techniques to check the validity of the data

### **2.8. Data analysis technique**

The data analysis technique used in this study used data analysis techniques from Miles Huberman (in Sugiyono, 2012: 246).

## **3. Results and Discussion**

### **3.1. The role of stakeholders in implementing the policy of self-help housing**

In the implementation of the independent housing assistance program policy from planning to the implementation stage, there are several agencies involved, including the Regional Development Planning Agency, the Department of Housing and Land Affairs, the Financial Management Agency, sub-district government, urban villages and the private sector (bank). All these related institutions have their respective roles. According to Nugroho (2014, p. 16-17) stakeholders in a development program can be classified based on their roles, namely:

- a. Policy creator, stakeholders who act as decision-makers, and determinants of policy. The agency that acts as a policy creator in implementing the self-help housing assistance program in Bulukumba Regency is the Housing, Settlement and Land Service as a technical agency under the auspices of the ministry of public housing and public works. The housing office is the initiator, organizer, and proposer for the plan for self-help housing assistance activities.
- b. Coordinator, stakeholders whose role is to coordinate other involved stakeholders. The agency that plays a role in this is the Bappeda of Bulukumba Regency where this Bappeda acts as an agency that executes all the proposed plans of technical agencies, includes them in planning regional government activities, identify the objectives, coordinates with other related agencies, and conducts program evaluation by holding meetings. quarterly evaluation.
- c. Facilitator, stakeholders whose role is to facilitate and fulfill what the target group needs. In this case, the agency that acts as a facilitator is the sub-district and sub-district government, this agency that provides the data needed by the technical office, namely the housing office, including data on houses that are inhabitable for habitation and other data about conditions for the distribution of assistance along with the team. The other technical personnel conduct verification of prospective recipients of self help housing assistance.
- d. Implementers and stakeholders are the implementers of policies that include the target group. In this case, the implementor includes a group of field facilitators to assist the community at the location, coordinating and coaching the target group community, assisting potential beneficiaries in the preparation and submission of proposals, assisting beneficiaries in preparing accountability reports, and compiling activity reports.
- e. Accelerators, stakeholders in accelerating, and contributing so that a program can run according to targets or even faster. In this case, which is included in the accelerator agency are the regional

financial management agency and regional assets and the Bank where BPKAD and Bank MitraPemda as regional managers are in charge of channeling funds to the accounts of beneficiaries to use them to buy materials for home improvement.

### **3.2. The behavior of organizational correlation between organizations (stakeholders) in implementing the policy of self-help housing assistance programs**

Based on the author's provisional observations in the implementation level of the Self-Help Housing Assistance (BRS) program in Loka sub-district, Bulukumba Regency, the problems are not based on the provisions contained in the implementation instructions, including:

1. Inadequate MBR (low-income community) resources;  
Low-income communities who are members of the KPB do not implement the existing provisions, such as in making house repairs not carried out in groups but carried out individually and tend not to want to do a self-help system but only rely on government assistance so that government programs that want to make houses inhabitable into a habitable house is not optimal and even create new slums.
2. The role of the executors are not maximal in supervising and providing technical guidance to BRS recipient communities; Facilitators are executors who are appointed by PPK as facilitators of BRS program recipients who in charge and responsible for providing technical guidance to KPB in carrying out the purchase of building materials and implementing construction. Also, the Facilitator makes work progress reports starting at 0%, 30%, and 100%. However, during the distribution of building materials and the implementation of repairs to houses for MBR, the facilitators are no longer active in the location of the activity, so that their duties and functions are not optimal.
3. The absence of direct involvement of sub-district government as part of the technical team in overseeing BRS activities causing poor coordination and communication channels with technical agencies.

Apart from the problems above, the activity of housing assistance inhabitable for habitation has not been transformed openly to the target group and has stopped at the scope of implementing the policy. According to Edwards III in Winarno (2014) states that information must be transmitted both to the implementer and to the target group. A key requirement for effective policy implementation is that those implementing decisions must know what their duties and responsibilities are. Likewise, policies issued must be immediately socialized to target groups. In addition to reinforcing the above opinion, Purwanto (2012) states that many policies have failed due to weak socialization to the target group. In other words, policies that are not well transmitted to implementers or target groups will become obstacles to the success of the program. Therefore, from those problems, the existence in the implementation of the program policy, it becomes the foundation for research on the implementation of the policy for the uninhabitable housing assistance program in Bulukumba Regency.

The implementation of the policy for the self-help housing assistance program in Loka Village, Bulukumba Regency, which is the main implementer of this policy is the Housing and Land Service of Bulukumba Regency and main in charge to carry out housing and land affairs. The success in achieving the goals of this regional apparatus organization is inseparable from the existence of various factors such as good communication and coordination between work units. It is also expected that this will be a determining factor in the program of Self-Help Housing assistance in Bulukumba Regency.

Broadly speaking, Winter suggests 3 (three) variables that influence the success of the implementation process. One of these variables is Organizational and inter-organizational behavior. The dimensions are commitment and coordination between organizations. The commitment of related agencies is clear: to improve the quality of housing and slum settlements or to create habitable houses. This commitment is very much needed to support the success of program activities besides coordination between the Housing and Settlement Services and the District Government.

#### 4. Conclusion

Based on the results, the researchers concluded that the influence of organizational correlation behavior between organizations in the implementation of the self-help housing assistance program in Bulukumba regency is still dominated by the Housing and Land Service Agency as the main activity controlling agency while other agencies involved in these activities do not assist. Self-help housing stimulants in Loka Village, Bulukumba Regency have not been effective, it can be seen from several aspects:

1. The agencies involved in the implementation of the self-help housing assistance program include the Housing and Land Affairs Office, the Regional Finance and Asset Agency, the Head of the Sub-District, the Village Head, and the Bank Sulselbar.
2. The behavior pattern of organizational correlation between organizations in implementing the self-help housing assistance program is still fairly rigid, this is because the more dominant agency in these activities is the technical agency, in this case, the housing and land service, while other agencies have not been directly involved so that in the implementation of this program, misunderstandings often occur and several challenges.

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# Women's Participation In The Implementation Of Harapan Keluarga Program In Bulukumba Regency

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**Abstract.** The Regulation of the Minister of Social Affairs Policy of the Republic of Indonesia Number: 1 of 2018 concerning the Program Keluarga Harapan (PKH) to improve the quality of life of the Poor through Increasing Accessibility to Health, Education and Social Welfare services, a planned, targeted and sustainable Social Protection Program is needed. The Government of the Republic of Indonesia through the Indonesian Ministry of Social Affairs has appointed Bulukumba Regency as a recipient of assistance from the Program Keluarga Harapan (PKH). The results of this study aim to determine the form and level of women's participation in reducing numbers and breaking the chain of poverty, improving the quality of human resources, and changing behavior, supporting the improvement of welfare of the poorest group. This social protection program is the provision of non-cash fund to Beneficiary Families (KPM). Those who are entitled to PKH Assistance are those who have pregnant / postpartum / breastfeeding mothers, and have toddlers or children aged 0-6 who have not yet entered elementary school, at the elementary, junior and high school age children aged 15-18 years who have not completed their education, PKH participants will receive assistance if they send their children to school with a certain level of attendance, have health checks and / or pay attention to nutritional adequacy and healthy lifestyles of children and pregnant women. Such programs are known internationally as the Conditional Cash Transfers Program or the Conditional Cash Transfer Program. And the concern of this Assistance Program is that women who become administrators or as beneficiaries of Bantua on the grounds that women are more capable of managing family finances so that they can be properly used and utilized according to family needs and pay more attention to the Quality of Education and Family Health so that their children are healthy and smart and able to break the chain of poverty through their generation of hope. To support the success of this program, the Indonesian Ministry of Social Affairs recruits Human Resources (HR) through Social Assistance that is in charge to provide Education and Motivation to Beneficiary Families in collaboration with the District Social Service and all relevant stakeholders and all District, Village and Village Governments for the purpose of this program based on the expectations of the Government. The research method used was descriptive research with a qualitative approach. With the data analysis technique used in this study was data analysis techniques from Miles Huberman (in Sugiyono, 2012: 246).

**Keyword:** Women's Participation, Policy Implementation

## 1. Introduction

Social welfare is the main goal of every country in the world. One of the obstacles to achieving prosperity is poverty. Poverty is a global problem experienced by all countries in the world. The problem of poverty does not only occur in developing and underdeveloped countries, but also experienced by developing countries although the numbers are not large. Poverty is a very complex problem so that a country cannot

have the ability to eradicate poverty alone. This poverty problem is very complex and multidimensional in nature because it relates to social, economic, cultural and other aspects.

Poverty continues to be a phenomenal problem in parts of the world, especially Indonesia, which is a developing country. The problem of poverty in Indonesia is a social problem that is always relevant to be studied on an ongoing basis (Suharto, 2009: 131). This is not only because the problem of poverty has existed for a long time and is still present in our midst today, but because these symptoms are increasing along with the multidimensional crisis that is still facing by Indonesian nation. This is also because Indonesia is one of the countries, the level of welfare of its people is still far below the level of welfare of developing countries.

Poverty has limited people's rights to proper education, guaranteed health, decent work and poverty are the reasons for the low Indonesian Human Development Index. As a country that has the fourth largest population in the world with a population of more than 255 million, and with a variety of cultures and social classes (BPS: 2015), makes Indonesia vulnerable to economic problems that have a direct impact on poverty. The poverty rate in Indonesia reaches 25.14 million people, which means around 10.21 percent of Indonesia's population as a whole in March 2019 (BPS: 2019).

One of the mandates of the 1995 Constitution of the Republic of Indonesia is to create welfare for all Indonesian people. In order to minimize welfare problems in Indonesia, the government through the Ministry of Social Affairs uses various programs and stimulate to overcome poverty problems. One of the special programs issued by the government in order to accelerate poverty reduction is the Conditional Cash Assistance Program known as the Program Keluarga Harapan (PKH). This program is implemented by the Social Service, which is one of the government agencies in the Social Sector.

The Program Keluarga Harapan (PKH) is one of the social protection programs provided by the government to reach underprivileged people from lower economic classes. This program is implemented by providing cash assistance to Beneficiary Families (KPM) (Ministry of Social Affairs: 2013). The Family Hope Program (PKH) is directed to help very poor groups in fulfilling education and health needs, in addition to providing the ability for families to increase consumption expenditure. The general objectives of PKH are to reduce numbers and break the chain of poverty, improve the quality of human resources (HR), and change the behavior of KPM which is relatively less supportive of increasing welfare.

This program provides non-cash assistance to Beneficiary Families (KPM) provided that they follow the required requirements. This association is related to improving the quality of education and health. With the existence of PKH it is expected to be able to encourage changes in the behavior of PKH recipients to go to school and access health facilities.

The Family Hope Program (PKH) is an assistance program in which participants or recipients are the majority or dominant mothers or women, where they are expected to be able to manage family finances well.

State representation must exist as their responsibility to fulfill basic rights in the form of a decent home or place to live in a healthy and safe environment by running self-help housing assistance programs for low-income people.

First implementation was in Latin American and Caribbean countries such as Mexico, Brazil, Colombia, Honduras, Jamaica, and Nicaragua, which is known as the Conditional Cash Transfer (CCT) program. This program is classified as successful in reducing poverty rates because this program seeks to change the lives of Beneficiary Families (KPM) by providing cash assistance to finance their needs. However, it requires recipients to carry out health checks at posyandu or health services for pregnant women and children under five, and to increase school attendance regularly for KPM children who are in SD-SMP and SMA age.

In Indonesia, the Program Keluarga Harapan (PKH) was first implemented in 2007 in 7 provinces and 48 districts / cities. The pilot areas are DKI Jakarta, East Java, West Java, North Sulawesi, East Nusa Tenggara and also South Sulawesi, it was expected that this program will be sustainable. The purpose of this trial for the Program Keluarga Harapan (PKH) to test various instruments needed in PKH implementation, including targets, validation of data, verification of requirements, payment mechanisms,



and public complaints. Furthermore, starting in 2010 the Ministry of Social Affairs increased the number of provinces that received the Program Keluarga Harapan (PKH).

the Program Keluarga Harapan (PKH) was then implemented in all regions in the Republic of Indonesia in 2013. This program focuses on two components related to improving the quality of human resources, namely in the fields of health and education. Health is an important aspect because in a healthy body has strong inner being. With guaranteed health, education can also run well, and with proper education, automatically the quality of human resources will also increase. These two components have a close relationship with poverty.

Like the implementation of government policies and programs in general, the Program Keluarga Harapan (PKH) has a special feature because the recipients or participants are women or housewives who are expected to be able to support the smooth running of this program because women are capable of managing family finances. both in terms of expenditures in the field of Education, Health and Nutrition Needs in the Family.

As one of the programs implemented nationally since 2017, the Program Keluarga Harapan (PKH) is also implemented in South Sulawesi province by distributing 24 districts / cities. One district that has received the PKH program is Bulukumba Regency. Including one of several districts included in the category of disadvantaged areas. This regency is located in the eastern region of South Sulawesi Province and is a mountainous and archipelago area with sufficient access and limited areas with roads and transportation that are still very difficult. This causes are limited access to knowledge and implementation of programs carried out by the government.

By accepting the Program Keluarga Harapan (PKH) it is expected to encourage changes in the behavior of PKH recipients to go to school and access health facilities, but so far from policy makers do not require PKH recipients to use PKH assistance money for access to education or health. This is not in line with the original purpose of providing PKH assistance. So it is necessary to do research on the accuracy of PKH assistance targeting, which means whether the assistance received by the Beneficiary Family (KPM) is used for things that support PKH goals. What is interesting is that the conditions applied in this program are a form of intervention to target welfare issues and gender disparities in everyday life. So it is not surprising that in the PKH program design, PKH cash assistance is given to mothers or adult women (grandmothers, aunts or older sisters) who are commonly referred to as Family Administrators.

There are two main objectives of PKH that can be identified, namely: First, as a conditional cash transfer (CCT), PKH is a form of direct, periodic and predictable cash payment to help poor families increase income. Everywhere, every CCT program that is born aims to, first and foremost, prevent negative effects caused by economic pressures that arise due to changes in policy and economic dynamics, both occurring domestically and at the global level. So CCT is expected to be useful in maintaining the standard of living of each household and also encouraging the promotion of wealth creation, and also minimizing the effects of social pressure (compare DFID, 2011). In very technical terms, the CCT program seeks to “correct market failures related to non-internalized positive externalities”, whereby assistance is used to (a) reinforce specific attitudes towards safe positive externalities such as encouraging consumption of goods, such as health and education; (b) the targets are vulnerable groups who are unable to get good needs due to the negative effects of income caused by the bankruptcy and / or outside shocks.

Second, PKH aims to provide more space for the role of women in improving the welfare of their household (see Arief, et al, 2011). This is built on the assumption that women are the social group that is potentially the most vulnerable in the midst of economic pressures and shocks, because of their traditional position in existing gender relations. Another reason is that women are considered to be more effective in managing household finances, so that the quality of health and education for beneficiaries can be improved. The important thing to underline is that many studies have been carried out on the successful implementation of PKH in ensuring the standard of living of RTSM is maintained in the midst of economic shock. and existing findings conducted by the World Bank (2011) confirm that PKH provides a positive impact in improving the quality of life of cash transfer recipient families. PKH recipients take advantage of the excess cash they have to buy better food and to support their health. The

deviation in the use of allocations for unproductive things, such as buying cigarettes or alcohol, is not significant. The study even found a “spill-over effect” of PKH recipient households to non-PKH recipient households like to buy cigarettes or alcohol is not significant enough.

Unfortunately, however, not many studies have attempted to see the impact of PKH on gender relations (gender impact studies). In fact, as previously explained, the CCT program seriously places women as important subjects in managing it in the household. A preliminary study on intra-household gender relations was conducted by the SMERU Research Institute (Arif, et al, 2011). This study shows that gender relations within households after receiving PKH cash assistance do not always work as expected by policy makers. Women, both in rural and urban areas, still only support their husbands in terms of family income, although they can determine family financial allocations. The traditional role is still dominant: there is a separation of the public-private sphere and the double burden of women. Men determine the amount of allocation, while women as executors. Note, women's opportunities will be more dominant if they earn their own income. In the SMERU study it was found, in general, that PKH was beneficial for all parties in the household even though the value of money is more useful in rural areas than in urban areas. However, when viewed from the existing gender relations, there was no clear difference between recipient and non-recipient households PKH. Women who receive money, however, not all of them fully understand their responsibilities. The traditional role is still active in PKH recipient households, namely: big money for men, while small money for women and husbands is still dominant in determining the allocation. areas. Although the good news is PKH does not spark conflict between husband and wife.

## **2. Method**

### **2.1. Research design**

Based on research on program implementation, the research design in this study was a descriptive research design with a qualitative approach.

### **2.2. Place and time of research**

This research was conducted in Bulukumba Regency, in May 2020 to August 2020.

### **2.3. Research Subjects**

The selection of informants was carried out purposively, which then developed with the snowball technique.

### **2.4. Data Sources and Types**

Primary data obtained by direct interviews and direct observations of research subjects. Meanwhile, secondary data was obtained through documentation related to the implementation of the Program Keluarga Harapan (PKH) in Bulukumba regency

### **2.5. Research Instruments**

The instrument in this study was the researcher himself or it can be said that the researcher is the main data collection tool. Meanwhile, what is tested in this study is the data.

### **2.6. Data collection technique**

#### **1. Observation**

In this study, researchers used systematic observation techniques. Observations were made to observe the implementation of the Program Keluarga Harapan (PKH) in Bulukumba Regency.

#### **2. Interview**

In this study, the interviews conducted were semi-structured. Where is the form of an interview using an interview guide or using question mains. An interview is a meeting of two people to exchange information and ideas through question and answer

### 3. Literature Study

In this study, data collection techniques with literature study were carried out to complete the data. Literature study is a data collection technique by obtaining information from books, literature, references, magazines, articles, the internet, and other reading sources related to the problem under study (Sugiyono, 2009: 175)

### 2.7. Data Validity Check Techniques

This study used triangulation techniques to check the validity of the data

### 2.8. Data analysis technique

The data analysis technique used in this study used data analysis techniques from Miles Huberman (in Sugiyono, 2012: 246).

## 3. Results And Discussion

### 3.1. Family Hope Program in Gantarang District, Bulukumba Regency

Since 2007 the Government of Indonesia has implemented the Conditional Cash Transfer Program (BTB) or known as the the Program Keluarga Harapan (PKH). And since 2013 PKH has been in Gantarang District, PKH is not a continuation of the Direct Cash Subsidy program that has been going on so far in order to help poor households maintain their purchasing power when the government adjusts fuel prices. PKH is intended more as an effort to build a social protection system for the poor in order to improve the social welfare of the poor as well as an effort to break the chain of poverty that has occurred so far. PKH is a social assistance and protection program that is included in cluster I of poverty reduction strategies in Indonesia related to education, health and basic provisions for the elderly and people with severe disabilities. PKH implementation also supports the achievement of the Millennium Development goals. Five components of the Millennium Development Goals (MDGs) that PKH will help include: reducing the poor and hunger, basic education, gender equality, reducing infant and under-five mortality, reducing maternal mortality (TNP2K General Guide, 2017).

The general objective of the Program Keluarga Harapan (PKH) is to reduce the poverty rate and cut the poverty chain, improve the quality of human resources, and change the behavior of poor families who are relatively less supportive of improving welfare, especially among poor families. PKH's specific objectives include four things, they are:

- a. Improve the socioeconomic status of KPM.
- b. Improve the health and nutritional status of pregnant women, post-partum mothers, and children under five and children aged 5-7 years at pre-primary school.
- c. Improve access and quality of education and health services, especially for RTM children.
- d. Improve the level of education and health of KPM children (TNP2K General Guide, 2017).

Assistance payments are made in two to four stages during the year which are scheduled to be made in March – June– September – November. This is a provision from the central government. The payment schedule in each sub-district is decided by the Regency / Unit Penanganan Program Keluarga Harapan (UPPKH) after coordinating with the Payment Institution. The first payment for a new participant is not required to verify PKH Participant compliance.

Cash Assistance Funds are paid directly to PKH Participants through a bank account / money order / online giro (GOL) PKH Participant Management at the Paying Institution and taken directly by PKH Participants. At the time of payment, the companion must ensure the conformity between the PKH Participant Card and the Identity Card (KTP) and collect proof of payment (RS2B or withdrawal slip). In order for the RTM to receive their rights, each RTM must carry out its obligations as a PKH participant. If participants do not fulfill their commitments within three months, the amount of assistance received will be reduced with the following details:

- a. If PKH participants do not fulfill their commitments within one month, the assistance will be suspended -
- b. The above provisions apply jointly and severally to all family members who receive PKH assistance.

**Table 1.** Number of Beneficiary Families of the Program Keluarga Harapan (PKH) in Gantarang District, Bulukumba Regency

VILLAGE NAME	AMOUNT PER YEAR		
	2018	2019	2020
Barombong	40	36	34
Gattareng fort	81	80	81
Malang fortress	70	65	66
Bialo	45	44	45
Bonto macinna	74	71	70
Bonto really	50	49	49
Bonto masila	90	88	102
Bonto smirked	55	58	59
Bonto king	69	68	70
Hill of hope	40	40	41
High hill	80	80	82
Easy	108	105	107
Gattareng	79	76	74
Jalanjang	188	181	180
Matekko	145	143	142
Mario rennu	160	160	162
Padang	48	48	48
Paenre skip	78	78	79
Palambarae	149	148	149
Polewali	108	106	113
Taccorong	72	72	74
<b>Total</b>	<b>1829</b>	<b>1796</b>	<b>1827</b>

### 3.2. Behavior of organizational correlation between organizations (stakeholders) in the implementation of the Program Keluarga Harapan (PKH) Assistance Policy

Based on the author's provisional observations that at the level of implementation in the field of the Program Keluarga Harapan (PKH) in Gantarang District, Bulukumba Regency, there are problems that are not in line with the provisions contained in the implementation instructions, including:

1. Poor people in general, who do not have adequate income every month, often use this assistance program for other needs compared to the needs of education and health in their families. Therefore, KPM children still often lack of school equipment and are lazy to visit health facilities.
2. The roles of the implementers, namely the Facilitators and the Social Service, are not maximal in supervising and providing education and guidance to Beneficiary Families (KPM) who receive the Program Keluarga Harapan (PKH) assistance; PKH Facilitators are Social Assistants who are appointed by the Ministry of Social Affairs of the Republic of Indonesia as assistants who accompany PKH recipient communities who are in charge and responsible for providing guidance education to KPM in utilizing their assistance, spending their assistance according to their designation so that the assistance provided can be useful.
3. The absence of direct involvement. The role of the sub-district and village governments as part of the technical team in overseeing PKH activities has caused poor coordination and communication channels with technical agencies.

Apart from the problems above, the Program Keluarga Harapan (PKH) has not been transformed openly to the target group and has stopped at the scope of implementing the policy, namely the Social Service. According to Edwards III in Winarno (2014) states that information must be transmitted both to the implementer and to the target group. A key requirement for effective policy implementation is that those implementing decisions must know what their duties and responsibilities are. Likewise, policies issued must be immediately socialized to target groups. In addition to reinforcing the above opinion, Purwanto (2012) states that many policies have failed due to weak socialization to the target group. In other words, policies that are not well transmitted to implementers or target groups will become

obstacles to the success of the program. Therefore, from the many problems that exist in the implementation of the program policy, it becomes the basis for research on the implementation of the Family Hope Program Assistance policy in Bulukumba Regency.

The implementation of the Program Keluarga Harapan (PKH) in Gantarang Subdistrict, Bulukumba Regency, which is the main implementer of this policy is the Bulukumba Regency Social Service which in charge and function to Organize the the Program Keluarga Harapan (PKH). The success in achieving the goals of this regional apparatus organization is inseparable from the existence of various factors such as good communication and coordination between work units. It is also expected that this will become a determining factor in the assistance of the Program Keluarga Harapan (PKH) in Bulukumba mba Regency.

Broadly speaking, Winter suggests 3 (three) variables that influence the success of the implementation process. One of these variables is Organizational and interorganizational behavior. The dimensions are commitment and coordination between organizations. The commitment of related agencies is clear, namely to improve the quality of housing and slum settlements or to create habitable houses. This commitment is very much needed to support the success of program activities besides coordination between the District Government Social Services.

#### **4. Conclusion**

Based on the results of the research conducted, the researchers concluded that the influence of organizational relationship behavior between organizations in the implementation of the PKH program home assistance in Bulukumba district was still dominated by the Social Service as the activity controlling agency, while other agencies involved in these activities had not provided assistance to the PKH Program. Gantarang District, Bulukumba Regency has not been effective, it can be seen from several aspects:

- a. The agencies involve in the implementation of the PKH assistance program include the Social Service, Education Agency, Civil Register Agency, the Health Office and the Ministry of Religion, the Head of Sub-District, Head of Villages.
- b. The pattern of organizational correlation behavior between organizations in implementing PKH program assistance is more dominant in these activities is the technical agency, in this case the Social Service, while other agencies have not been directly involved so that in the implementation of this program, misunderstandings and problems often occur.

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# Concept Religious Moderation in Islamic Movements

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**Abstract.** Religious is an activity related to religion and also an element of comprehensive unity makes a person as a religious person and not just claiming to have religion. In the view of Muslims, of the many religions, ideologies, and philosophies that have emerged in the world, only Islam will be able to withstand the challenges of the times. This view is even for some of them to be a belief. Islam actually has the principles of moderation that is very capable, including justice, balance and tolerance. Islam has always been moderate in addressing every problem, even this principle of moderation is characteristic of Islam in responding to all problems.

**Keywords:** Moderation, Religion, Islam

## 1. Introduction

Moderation in Islam is the main capital in forming a united community and tolerance in daily life towards a better direction as recommended in the Qur'an and Hadith as the main reference in the religion of Islam.

Religious is an activity related to religion and also an element of comprehensive unity, which makes a person referred to as a religious person and not merely claims to have a religion. The important thing in religion is to have faith. Faith itself has a lot of elements; the most important element is the commitment to keep the heart to always be in the truth. Practically, this is realized by carrying out all the commands and avoiding all the prohibitions of Allah and His Messenger. A religious person will reflect on his religious knowledge in a religious act, perform worship and develop commendable behavior.

The religious soul or religious awareness refers to the spiritual aspects of the individual which are related to the faith in God that is reflected in worshipping Him, both *hablumminallah* and *hablumminannas*. Humans in their lives always long for happiness. In fact, happiness does not originate from a free lifestyle like a bird, but rather is obtained through a lifestyle that consistently follows a certain rule, namely religion.

As a first step in the search for happiness, humans must realize the meaning of its existence in this world. The role of religion is as an impetus or mobilizer and control of the actions of members of the community to continue to run in accordance with cultural values and religious teachings, so as to create social order. Religious teachings by adherents are considered as the norm and as social control so that in this case religion can function as social supervisors individually or in groups.

## 2. Understanding Of Moderation

The sources of Islamic teachings are the Qur'an and the Hadith of the Prophet Muhammad. The most important reference in Islamic teachings is the word of God revealed to the Prophet Muhammad to be conveyed to mankind. The essence of the descent of the Qur'an is to be a universal moral reference for mankind in solving social problems that arise in the midst of society. That is why the thematic interpretation method of the Koran is actually presented to answer various actual problems faced by society in accordance with the context and dynamics of history.

In the view of Muslims of the many religions, ideologies, and philosophies that have emerged in the world, only Islam will be able to withstand the challenges of the times. This view is even for some of them to be a belief. This view is based on an indisputable reality that only Islam as a religion has a universal and comprehensive nature. It is this quality which then necessitates a number of features inherent in Islam and not in other religions.

The era of information and communication technology that has come inevitably has left a challenge

for money that we must face together. These challenges are nothing but changes in an aspect of life. The spirit of globalization has cut the vast globe into a narrow form of the village of the world. As a result, the pace of information and communication is not only difficult to filter what else is dammed, but at the same time obscure human values in the institutions of daily religious life.

It is like the last celestial religion revealed by Allah SWT through the Prophet Muhammad, Islam is perceived to contain moderate teachings in it which are often known as the Moderation of Islam. In the structure of its teachings, Islam always combines two points of opposing extremes. For example, the teachings of Islam not only contain esoteric matters of divinity, but also other matters concerning humanity with their implications in daily life.

So, as such as actualizing religious values and noble culture, personal life, family, community, nation and state through formal, informal, and non-formal education. Thus it is, so that in a practical level does not occur collision, injustice, arbitrariness, inconvenience and others.

Moderation of Islam in Arabic is called *al-Wasathiyyah al-Islamiyyah*. Al-Qardawi mentions a number of vocabularies that are similar in meaning to him including *Katan Tawazun*, *I'tidal*, *Ta'adul* and *Istiqamah*. While in English as *Islamic Moderation*. Islamic moderation is a view or attitude that always tries to take the middle position of two opposing and excessive attitudes so that one of the two attitudes meant does not dominate in one's mind and attitude. In other words, a moderate Muslim is a Muslim who gives each value or aspect opposite a certain portion not more than the proper portion.

The term moderation according to Khaled Abou el Fadl in *The Great Theft* is the understanding that takes the middle way, namely understanding that is neither extreme right nor extreme left.

KH Abdurrahman Wahid also formulated that moderation must always encourage efforts to realize social justice which in religion is known as *al-maslahah al-'ammah*. However this should be used as the foundation of public policy, because in this way it really translates the essence of religion in the public sphere. And every leader has a high moral responsibility to translate it in real life that is truly felt by the public.

Islam is always moderate in addressing every problem, even the principle of moderation is characteristic of Islam in responding to problems. In the context of balance, the Prophet also forbade his people not to overdo it even in practicing religion. He would prefer if it was done properly without any coercion from excessive.

In the reality of real life, humans cannot avoid contradictory matters. Therefore *al-Wasathiyyah Islamiyyah* appreciates the elements of *rabbaniyyah* (divinity) and *Insaniyyah* (humanity), combining *Maddiyyah* (materialism) and *ruhiyyah* (spiritualism), combining revelation (revelation) and reason (reason), between *maslahah ammah* (*al-jamā'iyyah*) and individual *maslahah* (*al-fardiyyah*).

Bewhat is this balance picture commonly known as "moderation". The word moderation itself comes from the English language, moderation, which means it is a medium attitude or moderation. If it is said that the person is moderate means he is reasonable, mediocre, and not extreme.

### **3. Religious Moderation**

Islam actually has the principles of moderation that is very capable, including justice, balance and tolerance which is part of the understanding of *ahlus sunnah waljama'ah* formulated by Imam al-Hasan Asy'ari and Abu Mansyur al-Maturidi in the field of creed and following wrong one four four schools (Hanafi, Maliki, Shafi'i and Hambali) in the field of shari'ah and in the field of Sufism following al-Ghazali and al-Junaidi al-Baghdadi.

As for one of the characteristics of *ahlus sunnah waljama'ah* is to always be able to adapt to situations and conditions. Therefore, *ahlus sunnah waljama'ah* is not old-fashioned, not rigid, neither exclusive nor elitist, nor extreme. Conversely *ahlus sunnah waljama'ah* can develop and at the same time it is possible to break down the already conducive famine. Of course these changes must still refer to the paradigm and principle of *as-salih wal-aslah*, because it is an implementation of the rules of *al-muhafazah 'alal-qadim as-salih wal-akhzu bi-jadid al-aslah*, including efforts to equalize the steps in accordance with conditions that develop in the present and the future.

Aswaja with the values contained in it such as justice, balance and tolerance can appear as a teaching that is flexible, moderate and flexible. From such flexible and flexible attitudes may be able to deliver this understanding accepted by the majority of Muslims in Indonesia.

In the view of the Egyptian cleric, Yusuf al-Qardawi. Muslims should take the middle way



(moderation). Such a view makes Muslims easy and practice their religion. Because in essence, Islam is a religion that makes it easy for people to carry out the commands of Allah and His Messenger.

#### **4. Moderation In Islamic Models**

##### **4.1. Moderation in the Aqeedah**

Aqeedah is a total system of the servant's faith in the form of the creator of the set of teachings which he passed down. This is an esoteric dimension (Aqeedah) which contains the most basic rules regarding one's belief system and belief in the entity of Allah SWT as the creator of the universe. More than that, the meaning of faith correctly and sincerely in Islam is intended to be able to stimulate the most basic religious spiritualism in the form of servitude and devotion as a whole to Allah SWT.

For that we must know that Akidah comes from the Arabic root I'tiqad which means belief or belief. Aqeedah withit contains the device of faith and belief in the existence of a Creator in the universe with absolute power that he has. Aqeedah can also be translated into four terms, namely the Aqeedah, the Prophetic Aqeedah, the Spiritual Aqeedah and the Magician Aqibah.

The aqidah referred to here, as explained by Mahmud Syaltut is something that demands faith accompanied by doubt and disgust, which was first charged by the Messenger of Allah and is the material of preaching of every apostle. The moderation of Islamic creed is a reality that is recognized by many parties.

Islamic creed has moderate teachings. the characteristics that appear are that the Islamic creed is compatible with nature and reason, easy and clear, there is no ambiguity and paradoxical element, eternal and not contrary to science. The moderation of his teachings is seen in his presentation of the main points of faith such as divinity, prophecy, angels and scriptures. His presentation is in the middle between the two extreme poles of the Jewish creed and the Christian creed. This clearly proves that Islamic creed is a teaching that truly originates from Allah SWT.

##### **4.2. Moderation in Shari'ah**

The word Shari'ah contains various meanings in terms of etymology and terminology. The etymology meaning of Shari'a is where water flows or a path to a water source. Meanwhile, according to its broad terminology, Shari'a can be identified with ad-din (Islam) itself. Shari'a is a legal guide, both concerning the servant's relationship with God and human relations in daily social interaction.

Syariah is divided into two kinds, namely sharia in the broad meaning and sharia in the narrow meaning. Sharia in the broadest sense, includes aspects of the aqeedah, morals, and amaliah, which includes all the norms of the Islamic religion which includes all aspects of doctrinal and practical aspects. As for sharia in the strict sense refers to the practical aspects (amaliah) of Islamic teachings, which consist of norms that regulate concrete human behavior such as worship, marriage, buying and selling, litigating in court and others.

Then, how we know that human faith can increase and can decrease at any time. In addition, faith also varies in terms of quality in terms of its effect on daily life. Increasing the faith and improving its quality continuously is one of the secrets of faith in obedience. Only with faith or faith can humans understand the existence of Allah and His power.

##### **4.3. Moderation in Morals**

In the context of Indonesian pluralistic life, not all of our friends are from the same religion. Sometimes he comes from other religions. In this case, Islam outlines the character of associating with non-Muslim friends. Religion can not be forced on others. Everyone has the right to choose religion according to their beliefs.

Moral here not only applies to friends of different religions, but also to friends of different groups, sects, or certain groups. In this context we are still encouraged to be tolerant of them.

In terms of religion, Muslims occupy the majority position in Indonesia. Nevertheless, they cannot be separated from the need to interact with followers of other religions recognized in Indonesia.

So, as a Muslim, we must understand our position and the position of adherents of religion outside of us. We are sure to believe that Islam is the truest religion in the sight of Allah. We also look at the provisions of God about the adherents of other religions. We also have to believe that God deliberately created humans in various religions. That is, the existence of followers of other religions is his will and law that cannot be contested. If only Allah had willed, He would have made humanity united in one

religion. But that was not what he wanted. He intends to create humans divided into many religions.

We can understand that it turns out that the diversity of religions that God wants contains a lot of wisdom. One of them is that God wants to test which of us is best at what he does. Therefore, God commands us to compete in goodness. Because, he is the only one who knows the absolute truth. Rejection of the provisions above, it is very clear to us that religious pluralism is God's law that is transformed in the universe, the diversity of religions that stretches from the eastern to the western hemisphere is a manifestation of its law. The purpose of pluralism itself is for people to know each other. With this diversity, God does not want humans to be involved in tension and conflict. A harmonious relationship is what religion wants to aim at.

#### **4.4. Ideology of Moderation in Islam**

Islam is a moderate religion in the sense that it does not teach extreme attitudes in its various aspects. The middle position makes the community members not take sides to the left and right, which takes human beings to be fair. That position also makes it possible to witness anyone and anywhere. Allah made Muslims in the middle position to be witnesses of human actions, namely other people.

Moderation invites Muslims to interact, dialogue and be open with all parties (religion, culture and civilization), because they cannot be witnesses or act fairly if they are closed or closed to the environment and global developments.

#### **5. Conclusion**

Moderation in Islam is the main capital in forming a united community and tolerance in daily life towards a better direction as recommended in the Qur'an and Hadith as the main reference in the religion of Islam. The sources of Islamic teachings are the Qur'an and the Hadith of the Prophet Muhammad. The most important reference in Islamic teachings is the word of God revealed to the Prophet Muhammad to be conveyed to mankind

Aqeedah is a total system of the servant's faith in the creator's form and the set of teachings which he has revealed. This is an esoteric dimension (Aqeedah) which contains the most basic rules regarding one's belief system and belief in the entity of Allah SWT as the creator of the universe. More than that, the meaning of faith correctly and sincerely in Islam is intended to be able to stimulate the most basic religious spiritualism in the form of servitude and total devotion to Allah SWT. Shari'a is a legal guide, both concerning the servant's relationship with God and human relations in daily social interaction. In the context of the pluralistic life of Indonesian people, not all of our friends are from the same religion. Sometimes he comes from other religions. In this case, Islam outlines the character of associating with non-Muslim friends. Religion can not be forced on others. Everyone has the right to choose religion according to their beliefs.

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# Quality of Visiting Services for the Open Prison in Jakarta

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**Abstract.** Visiting services in prisons are known to the public very poorly, both from the prison officials and from electronic and printed media news. Visiting services at the Jakarta Open Penitentiary still have many obstacles, namely related to the visiting service room which is still not wide enough, the condition of the building still needs expansion, employee discipline is still low, lack of various facilities both in the visiting room and in the service room, a shortage of officers in the field services, a small budget but it is required to implement the maximum service. The purpose of this study was to analyze the Visiting Services of the Open Penitentiary in Jakarta. This research method is descriptive using a qualitative approach, This research was conducted using observation, interview and documentation techniques. The theory used as a knife of analysis in this study is the theory by Parasuraman, Valarie A. Zeithaml, and Leonard L. Berry (1990: 42) which indicates the five indicators of service quality, namely: tangible, reliability, responsiveness. (responsiveness), guarantee / certainty (assurance), empathy / caring (empathy). In this study, source triangulation was used to check the validity of the research data. Data analysis in this study uses four components consisting of data collection, data reduction, data presentation, and drawing conclusions. The technique of selecting informants is purposive sampling consisting of three informants and incidental sampling consisting of five informants. The theory used as a knife of analysis in this study is the theory by Parasuraman, Valarie A. Zeithaml, and Leonard L. Berry (1990: 42) which indicates the five indicators of service quality, namely: tangible, reliability, responsiveness. (responsiveness), guarantee / certainty (assurance), empathy / caring (empathy). In this study, source triangulation was used to check the validity of the research data. Data analysis in this study uses four components consisting of data collection, data reduction, data presentation, and drawing conclusions. The technique of selecting informants is purposive sampling consisting of three informants and incidental sampling consisting of five informants. The theory used as a knife of analysis in this study is the theory by Parasuraman, Valarie A. Zeithaml, and Leonard L. Berry (1990: 42) which indicates the five indicators of service quality, namely: tangible, reliability, responsiveness. (responsiveness), guarantee / certainty (assurance), empathy / caring (empathy). In this study, source triangulation was used to check the validity of the research data. Data analysis in this study uses four components consisting of data collection, data reduction, data presentation, and drawing conclusions. The technique of selecting informants is purposive sampling consisting of three informants and incidental sampling consisting of five informants. and Leonard L. Berry (1990: 42) which indicates the five indicators of service quality, namely: tangible, reliability, responsiveness, assurance, empathy / caring (empathy). In this study, source triangulation was used to check the validity of the research data. Data analysis in this study uses four components consisting of data collection, data reduction, data presentation, and drawing conclusions. The technique of selecting informants is purposive sampling consisting of three informants and incidental sampling consisting of five informants. and Leonard L. Berry (1990: 42) which indicates the five indicators of service quality, namely: tangible, reliability, responsiveness, assurance, empathy / caring (empathy). In this study, source triangulation was used to check the validity of the research data. Data analysis in this study uses four components consisting of

data collection, data reduction, data presentation, and drawing conclusions. The technique of selecting informants is purposive sampling consisting of three informants and incidental sampling consisting of five informants. In this study, source triangulation was used to check the validity of the research data. Data analysis in this study uses four components consisting of data collection, data reduction, data presentation, and drawing conclusions. The technique of selecting informants is purposive sampling consisting of three informants and incidental sampling consisting of five informants. In this study, source triangulation was used to check the validity of the research data. Data analysis in this study uses four components consisting of data collection, data reduction, data presentation, and drawing conclusions. The technique of selecting informants is purposive sampling consisting of three informants and incidental sampling consisting of five informants. The results of research on the quality of services for visits to the open penitentiary in Jakarta, which include poor tangibles, less disciplined officers, mismatched clothes of officers, good buildings but not wide enough, incomplete visiting room facilities, lack of care for service support facilities. and awareness of officers in discipline is lacking, reliability is good, it is known from the accuracy and ability of officers, responsiveness is good but not optimal because it is constrained by the internet network, assurance (assurance / certainty) is good, empathy (concern) is good.

## **1. Introduction**

The Open Prison in Jakarta is an open penitentiary without iron bars and without being fenced or surrounded by high walls. Likewise, the amount of security in open prisons has a very minimum level of security, compared to closed prisons. From the number of employees that can be seen in each field there is only one person, in the field of prison assisted citizens there is only one person, seeing the condition that the number of employees is very minimal it can cause service delays, especially visiting services, because this visiting service is the first look of the Institution. The Jakarta Open Penitentiary. Not to mention the facilities and infrastructure that are deemed not optimal, such as only one trash can in the visiting room, and there is no trash that is in accordance with the standards. If we look more closely at the Jakarta Open Prison, there are very few employees, it can be seen from the number of security staff, which only amounts to four people in each guard team. Meanwhile, the number of people assisted by the correctional facilities here is not small and the environment of the Jakarta Open Penitentiary is very prone to escape. In addition, the back of this prison has been operating the Desari (Depok Antasari) toll road. Likewise with the number of employees in each field, there are some whose number of officers is only one person, you can imagine if the officer in that field is not present or is training or even is sick, permission, or on leave, their job will be choked up and will become a pending work.

Likewise with service officers if the number of officers on duty is only one person, then it is not in accordance with the required capacity, there will be a mismatch in the system, so when visitors / visitors come it turns out that the officer is not there or is in training or is even sick, permission , or on leave, there are no officers on guard, because the number of officers on guard at the visiting counter is only one person, so visitors will be very confused and they have to ask questions to everyone / officers around them.

It is different in closed prisons, it can be said that the number of officers there is large but this number is still very insufficient considering the number of prisoners assisted in closed prisons is also very large, reaching three thousand prisoners or even more. Even so, there are still less officers in closed prisons. The number of officers or human resources also greatly determines the creation of good service. So we need qualified officers, who can understand good, efficient, fast, precise, and safe service that will give satisfaction to both visitors and visitors' satisfaction. If the service officer does not match the required capacity, there will be a mismatch in the system.

If there is a shortage of officers, it will certainly hinder a job and will cause data invalidity. If this happens frequently, there will be overlaps in terms of the main tasks and functions performed by each employee. Lack of technology and information to accommodate services is also inadequate, computers and equipment for visiting and information services are still arguably not good because errors often

occur while being operated. Often what happens is that the visiting / visiting data entry cannot be recorded in the visit database every day, so that data confusion will occur when the officer makes the visit / visit report so that the data on the report becomes invalid.

The problem of environmental cleanliness in the Open Prison (Lapas) in Jakarta is no less important, if the environment is not clean it will inconvenience visitors when visiting the Open Prison (Lapas) in Jakarta, as well as the place where the service officers on guard are still not comfortable. The absence of air conditioning where the officers are on duty makes the officers feel uncomfortable in carrying out their duties, so that officers often leave the room just to breathe fresh air. In addition, public opinion that still complains about visiting services provided by government officials is still too convoluted, rigid and the behavior of individual officers who are sometimes less friendly makes the services of the residents in the correctional institutions feel less good or uncomfortable. Of all the problems raised, problems regarding the budget can be said to be the cause of the emergence of various kinds of crucial problems in the management of the Jakarta Open Penitentiary, so that it affects the existing facilities and infrastructure in the Jakarta Open Penitentiary which are felt to be not good, so it still needs to improve. . From the various empirical facts above, it is necessary to further study the quality of visiting services at the Jakarta Open Penitentiary. so that the impact on the existing facilities and infrastructure in the Jakarta Open Penitentiary is not considered good, so it still needs to improve itself. From the various empirical facts above, it is necessary to further study the quality of visiting services at the Jakarta Open Penitentiary. so that the impact on the existing facilities and infrastructure in the Jakarta Open Penitentiary is not considered good, so it still needs to improve itself. From the various empirical facts above, it is necessary to further study the quality of visiting services at the Jakarta Open Penitentiary.

## **2. Experimental Theory**

According to zeithaml [1]states that service quality can be measured from 5 dimensions, namely: Tangible, Reliability, Responsiveness, Assurance, and Emphaty (Empathy). Each dimension has the following indicators:

- a. For the Tangible dimension, with parameters: Appearance of officers / apparatus in serving customers, comfort of the place to perform services, Discipline of officers / apparatus in performing services, Ease of processing and service access, Use of tools in service.
- b. For the Reliability dimension, with parameters: Accuracy of officers in serving customers, Having clear service standards, Ability of officers / officers to use tools in the service process, Expertise of officers in using tools in the service process.
- c. For the Responsiveness dimension, it consists of indicators: Responding to every customer / applicant who wants to get service, officers / apparatus perform services quickly and precisely, officers / apparatus perform services carefully, all customer complaints are responded to by officers.
- d. For the dimension of Assurance (Guarantee), it consists of indicators: Officers provide guarantees on time in services, Officers provide guarantees of legality in services, Officers guarantee certainty of costs in services.
- e. For the Emphaty dimension (Empathy), it consists of indicators: Putting the interests of the applicant / customer first, the officer serving with a friendly attitude, the officer serving with courtesy, the officer serving non-discriminatory (discriminate), the clerk serves and appreciates each customer.

The nature of the SERVQUAL model involves multi-dimensional considerations which require identification of priorities for each dimension according to the judgment of the decision makers.[2]

Quality of Service: customer / citizen focused is everyone's business, valued and recognized, respecting diversity of business, customers and stakeholders, measured by standards, achieved through continuous learning and continuous improvement, requires ongoing commitment. [3] Service quality is defined as the quality of the service level in a system that is assessed by users based on the evaluation of services received against the expectations of service users. [4]

### 3. Methodology

The research used in this research is descriptive qualitative. Qualitative methodology is a research process that produces descriptive data in the form of written or spoken words from people and observable behavior.[5]The techniques used to collect data in this study were interviews, observation and documentation. The data analysis technique used in this research is data analysis techniques, namely: Data Collection, Data Reduction, Data Presentation and Conclusion / Verification.[6] The technique of checking the validity of the data used in this study is the triangulation technique. [5]

### 4. Results and Discussion

#### 4.1. Tangible Dimensions

Based on observations related to the tangible dimension, it is known that the shape of the Jakarta Open Penitentiary when visitors first visit will definitely be surprised, because the shape of the Open Penitentiary in Jakarta is very different from other prisons in general. From the beginning of entering the prison area, we will be treated to an open natural view decorated by trees and quite cool air, coupled with the front view of the prison which is very reminiscent of tourist attractions such as villas and you can see the desri toll road in the back area of the prison. For Visiting Services at the Jakarta Open Penitentiary based on the results of observations when conducting research, that in carrying out their duties, visiting service officers regarding appearance, it is known that some officers still have not shown a good appearance, there are still officers who only wear flip-flops and t-shirts. This is of course an unfavorable sight especially for government agencies, which ideally use uniforms and complete attributes and wear shoes when providing services. In addition, there are also many other officers passing by using flip-flops, some even doing services with flip-flops. . This is an unfavorable sight because as service officers, especially in government agencies, ideally, using shoes when providing services. Physical appearance, in this case wearing official daily clothes, is regulated in the regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 26 of 2018 concerning official clothing and attributes for employees within the Ministry of Law and Human Rights. The facilities in the visiting service room and information are actually not optimal, the reality in the field the facilities provided by the Jakarta Open Prison are still inadequate, it can be seen that the visiting service room has no air conditioning, the visiting service computer for data entry looks outdated era and the absence of a printer as a tool for officers in carrying out their duties, the conditions of the clerk's desk are not neat, and dirty makes service officers not carry out their duties optimally. For the parking lot for four-wheeled vehicles, all are parked on the shoulder of the road along the road to the prison, it is also seen that the parking space for two-wheeled vehicles is very minimal and cannot accommodate many two-wheeled vehicles. This is because the location of an open prison is located under the bpsdm area which is separated by a river, so the existence of the Jakarta Open Penitentiary is in the DKI Jakarta area, while BPSDM is in the West Java region. That way, the parking lot for the Jakarta Open Prison is in the BPSDM area. This is because the location of an open prison is located under the bpsdm area which is separated by a river, so the existence of the Jakarta Open Penitentiary is in the DKI Jakarta area, while BPSDM is in the West Java region. That way, the parking lot for the Jakarta Open Prison is in the BPSDM area. This is because the location of an open prison is located under the bpsdm area which is separated by a river, so the existence of the Jakarta Open Penitentiary is in the DKI Jakarta area, while BPSDM is in the West Java region. That way, the parking lot for the Jakarta Open Prison is in the BPSDM area.

Based on the results of interviews and observations, data tringulation was carried out by looking at one of the theories put forward by Moenir, 2010: 119 that facilities and infrastructure can accelerate the process of implementing services, increase productivity of both goods or services, better product quality and can cause a sense of comfort for people it may concern. The condition of facilities and infrastructure on the tangible indicators in the facilities and infrastructure is said to be bad for supporting services, the visiting service room has no air conditioning so that it creates a feeling of inconvenience for users and service officers, plus the condition of the parking area is not optimal so that the comfort for visitors is slightly reduced. and also officers.

#### **4.2. Reliability dimension**

From the results of the interviews with the informants above, it can be seen that the officers carried out their duties properly, they gave a sense of security and comfort to each of the assisted residents who were transferred to this open prison in Jakarta. This can be seen from the comfort of visitors when they come to visit and can be seen from the faces of the assisted residents who look bright when they get a visit from their family. Based on the results of observations and interviews with informants and also physical evidence, for this dimension of reliability, data triangulation was carried out by comparing the theory by Sutrisno: 2011) that no matter how advanced technology, information development, availability of capital and adequate materials, if without human resources is difficult for the organization to achieve its goals,

This condition can be seen from the three aspects of the reliability dimension that have been described, namely the maximum accuracy of service officers, as conveyed by the informants that there are no obstacles in the services provided by service officers, because service officers are already considered experts and professionals in their jobs. persevere. The conclusion is the dimension of reliability (reliability) through the accuracy of employees in serving service users, the existence of service standards, and the ability of employees to use tools in an effort to find out the maximum quality of service visits if there are obstacles it can still be resolved.

#### **4.3. Responsiveness Dimensions**

Jakarta's open prison officers have provided quite good service, of course by giving good responses to visitors. Based on the results of observations made in the field, it is known that service officers have responded responsively to visitors who come to the hospital. Starting from the guard at the main door, who can be said to be the front officer who handles visitors for the first time, starting from the initial entry to directing visitors to the visiting service place and information for registration / registration of visits.

It is clear that when the visitors come and communicate directly with the front guard, the intimacy is shown by the officers with a polite attitude towards visitors, until the visitors are directed to the place of service. In responding to complaints felt by visitors to open prisons, Jakarta provides a means of complaints, namely the availability of a suggestion box that is usually used for complaints and suggestions for better open prisons. Thus, visitor participation is very important to improve the quality of services provided by Jakarta's open prisons, so in the responsiveness dimension regarding the response of officers to service users, in this case visitors, it is found that service officers in Jakarta's open prisons have done their job well. This can be seen from the attention of officers in responding to visitors' complaints. Likewise, the speed and accuracy in visiting services are also constrained by the internet network, so that it often delays the visitor data storage process. This disturbance can be in the form of not being connected to the internet that is not good (server disturbance) resulting in disconnection of the data communication network with the data center.

Based on the results of observations and interviews and documentation in the form of images, data triangulation is carried out with the theory put forward by Davidou (in Suwada, 2001) that Responsiveness is a service that can enhance customer satisfaction, meaning that two indicators of the responsiveness dimension are response to visitor complaints and speed and accuracy. in this visiting service is an aspect of supporting the satisfaction of visiting services and information available in the open air area of Jakarta. So it is said that the responsiveness dimension of visiting services in open prisons in Jakarta is good, because it is indicated by the answers of the informants being responded well by the officers and the speed and accuracy provided by the visiting and information service officers, but for internet network facilities it is still bad.

#### **4.4. Assurance Dimension**

From the results of field observations, it is known that in the registration of the visit there are no fees charged by visitors. It is also interesting to find that to socialize to the community that in carrying out their duties as prison staff there is no cost whatsoever and also to prevent the practice of extortion by

officers. Based on the results of observations and interviews and supported by documentation, data triangulation was carried out on the informants' acknowledgment that the service quality in the assurance dimension was fairly good, this was indicated by the timeliness of service and the absence of illegal fees. As in the following picture which explains extortion:

Law 23 of 2014 clearly emphasizes that sanctions against perpetrators of extortion in the service process will carry a very serious risk. So that with that service officers respond very well by not practicing illegal levies to the public or the public, and also publishing stop extortion writing through banners on the walls as an appeal to service users not to support the process of extortion by giving rewards to service officers. . The conclusion from the dimension of assurance consists of indicators of guarantee on time in service and certainty of costs in visiting open prison services in Jakarta is good.

#### **4.5. Dimensions of Empathy**

Based on the results of observations in the field for service officers who have provided friendly and courteous service to visitors, this can be seen from the comfort of visitors when chatting with officers, chat that looks relaxed can be implied by the look on the visitors' faces. Based on the results of observations and interviews, it is known that the visit and information services carried out by visiting service officers in the aspects of hospitality and politeness have been maximized, as conveyed by the informants. Designated as implementing public services, the aspect of prioritizing public interests is a must in service. This means that service users who come to visit certainly bring their respective interests, including service users who come with the interests of administering the assisted citizens,

From the results of interviews and observations, and supported by documentation, data triangulation was carried out with the opinion of the informants that the service quality in the empathy dimension could be said to be good. The visit and information service for the open prison in Jakarta has succeeded in providing good service in the aspects of friendliness and courtesy of service personnel, as well as on the aspect of prioritizing the interests of service users over personal interests. It's just that what makes the service bad is discriminatory practices that prioritize the interests of known service users.

With the existence of emotional and social relationships in the form of kinship, kinship, ethnicity, race and others, it is easy for service officers to prioritize their interests. This condition then creates a bad image of service quality. Conclusion To find out the quality of service visits and information on the empathy dimension, it can be seen from several aspects, namely the level of friendliness and courtesy of officers in service, service officers prioritizing the interests of service users, there is no discriminatory practice of services, all are served regardless of ethnicity or personal.

#### **5. Conclusion**

The quality of visiting services at the Jakarta Open Prison, if viewed from five dimensions, namely not optimal or not good, in detail, it can be seen:

- a. In the Tangible dimension (form / appearance), this is indicated by the mismatch of the clothes of the officers when on duty, the supporting facilities for visiting services that are still very minimal and constrained by the limitations of assistive devices, lack of care for service support facilities and the awareness of officers in the discipline is still low.
- b. In the Reliability dimension, it can be said to be good, it is known from the accuracy and ability of officers in using pre-service tools.
- c. The Responsiveness dimension is quite good but not optimal, as the response from service officers is already good to visitors, it's just that it is constrained by supporting facilities which can be said to be not optimal so it is not fast and precise this is due to problems with network disruptions (server) because the central server for the entire UPT (technical service unit).
- d. In the Assurance dimension, it is known that it is good in terms of transparency in the administrative process.
- e. The dimension of Empathy (Caring) is known that it is good. Among the five dimensions seen from the most problematic is the Tangible dimension.



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# Implementation of Strict Liability in The Settlement of Environmental Disputes Related to Land and Forest Burning in Indonesia

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**Abstract.** Environmental problems that occur in Indonesia that always recur every year are cases of forest and land burning. The government feels it is necessary to enact a special legal instrument for controlling air pollution that originates from forest and land fires due to activities that convert land and forest areas into plantations and agriculture that have an impact: First, the emergence of acute respiratory infections for the community. Second, socially and economically the community is disadvantaged because of reduced work efficiency, offices and schools are closed and transportation links are disrupted. Third, immaterial and material losses to local people even cause transboundary haze pollution to neighboring countries such as Singapore, Malaysia and Brunei Darussalam. The type of research used in compiling this paper is normative juridical. Normative jurisdiction is a study conducted on behavioral law by paying attention to primary and secondary legal materials. The basis of the author's thought raised the theme of environmental law enforcement in the application of the principle of liability without errors (strict liability) in resolving environmental legal disputes related to forest and land burning that occurred in Indonesia is based on the principles contained in the Rio Declaration on the Environment and Development referred to as the Earth Charter which is an important element of the concept of sustainable development which is required by UUPPLH No. 39 of 2009 article 88 which is more 'forcing' corporate or individual actors to compensate and be dealt with through court mechanisms. Although the resolution of pollution and environmental damage disputes can also be pursued through alternative dispute resolution (ADR). Enforcement of environmental law and the application of strict liability in the resolution of environmental law disputes, especially in the burning of forests and land that occurred in Indonesia has been implied in UUPPLH no. 39 of 2009 in article 88, but not in the case of forest and land burning because in Law No. 41 of 1999 concerning Forestry Article 50 paragraph 3, burning of the forest is subject to a maximum sentence of 15 years imprisonment and / or a maximum fine of Rp 15 billion. Article 78 paragraph 4 is subject to a maximum fine of 5 years imprisonment and / or a maximum fine of Rp 1.5 billion. And Government Regulation No. 4 of 2001 concerning Control of Environmental Damage and Pollution. In the PP, there is a prohibition on forest and land burning, only the ban is only subject to administrative sanctions. This is very unfortunate considering that every case of forest and land burning has a significant impact on damaging health and ecosystems. It is hoped that the judge will not hesitate to use this doctrine in the future.

**Keywords:** doctrine of strict liability, burning of forests and land, Law No.32 of 2009 concerning Environmental Protection and Management

## 1. Introduction

An environmental awareness and environmental concern marked by first Environment Conference 1972 in Stockholm, and twenty years later re-implement a conference in Rio de Janeiro, Brazil on Environment and development. The Rio Conference then produced various agreements including the Climate Change Convention, the Convention on Biological Diversity, and the Principles on Forests.[1] Likewise the Tokyo Protocol, which is known for its greenhouse gas convention. One of the highlights of the Conference's study was related to the issue of *sustainable development*. According to the World Commission on Environment and Development, sustainable development is an attempt of obstruction of mankind to manage necessity of life present generation without compromising the needs of future generations. This idea was born because of changes in the way of thinking of the law in environmental management which was originally oriented towards use only (*use oriented law*) to become more *environmentally oriented (law oriented)*.

Environmental problems that occur in Indonesia that always repeated every year are cases of forest and land burning, where allegations of failure to save the environment are part of the government's failure to be very reasonable. Isn't environmental management the responsibility of the government. Isn't it also the government that is capable of "criminalizing" as well as "equating" these irresponsible environmental resource takers. Look at the role of the government, it can not be denied law environment is a unique combination of administrative law (*bestuursrecht*), criminal law and civil law as well.

The first severe fires that were the result of a combination of improper forest management and the El Nino climate phenomenon destroyed 3.2 million hectares, of which 2.7 million hectares were tropical forests (Schindler et al, 1989). The big fires occurred again in 1997- 1998 according to the Forum for the Environment (WALHI) estimated that 13 million hectares of forest and land were affected by this fire. Meanwhile, according to the National Development Planning Agency (BAPPENAS) together with the Asian Development Bank (ADB) the estimate is 9.75 million hectares (BBC Indonesia 2015). Furthermore, large fires occurred in 2015, according to data from the Ministry of Environment and Forestry, showing a total forest fire area of 2.61 million hectares (Kontan.co.id, 2016).[2]

The direct impacts of forest fires are as follows : *First*, the emergence of acute respiratory infections in the community. *Second*, socially and economically the community is disadvantaged because of lack of work efficiency, offices and schools are closed and transportation links are disrupted. *Third*, immaterial and material losses to the local community and even cause *transboundary haze pollution* to the territory of neighboring countries such as Singapore, Malaysia and Brunei Darussalam.[3]

Environmental Protection and Management Law No. 32/2009 Article 14 states instruments for preventing and damaging the environment which are basically also instruments for environmental management which are also intended to prevent and overcome problems of environmental pollution and damage.[4]

Meanwhile, as a resolution of environmental disputes, UUPPLH adopts the provisions in UULH 1997. Environmental Dispute Resolution in UUPPLH is regulated in Article 87 - Article 93. According to UUPPLH, environmental dispute resolution can be pursued through two options, namely the court process mechanism and the outside court mechanism.[5]. In writing this journal, the author will limit the problem of absolute liability (*strict liability*) that should be applied to perpetrators of forest and land fires, both by individuals and corporations (business entities), either through court mechanisms or ADR.

In the previous author's journal entitled "Application of *Absolute Liability* in Enforcement of Environmental Laws in Indonesia" it has been stated that environmental pollution actors who deliberately pollute must be criminalized and pay compensation to the community absolutely without having to prove "having been careful. heart before" but refers more to the result it causes. [6] The last research by Erdiansyah entitled Implementation of Corporal Liability for Forest and Land Burning Corporations in Riau Province, the results of this study show the reluctance of the criminal court to impose criminal liability on corporations, the obstacles include the lack of simplicity of legal instruments and legislation, professionalism of environmental law enforcement officers and legal awareness of the community and the means that support law enforcement [7]

### 1.1. Problem Formulation

1. How is environmental law enforcement and application of the principle of liability without error (*strict liability*) in resolving environmental legal disputes related to forest and land fires that occurred in Indonesia ?
2. How is the application of the principle of liability without error (*strict liability*) to corporate and individual actors based on Law No. 32 of 2009?

### 1.2. Research Objectives

The purposes of the author in conducting this research are:

1. Analyze environmental law enforcement on the application of the principle of liability without error (*strict liability*) in resolving environmental legal disputes related to forest and land fires that occur in Indonesia.
2. Analyze the application of the principle of liability without fault (*strict liability*) against the perpetrators of the corporation and the individual under the Act No. 32 of 2009

## 2. Literature Review

The basis for the author's thoughts on the theme of environmental law enforcement on the application of the principle of liability without error (*strict liability*) in resolving environmental legal disputes related to forest and land fires that occur in Indonesia is based on the principles contained in the Rio Declaration on the Environment. and Development known as *the Earth Charter* which is an important element of the concept of sustainable development, namely as follows:

#### a. the principle of state sovereignty and responsibility

The principle of sovereignty and state responsibility (*souverignty and responsibility*) is formulated in the second principle of the Rio Declaration which completely reads:

*States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and development policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other states or of areas beyond the limits of national jurisdiction.*

The principle of state sovereignty and responsibility implies that each state is recognized for its sovereignty to utilize natural resources and the environment within the territorial boundaries or jurisdiction of the country concerned. However, such sovereignty must be accompanied by responsibilities, namely that the use may not cause harm to other countries or territories outside the borders of that country's jurisdiction.

#### b. the polluter pays principle

The principle of polluter pays (polluter pays principles), which is called the Principle of Internalizing Costs, is formulated in the 16th principle of the Rio Declaration which reads:

*National authorities should endeavor to promote the internalization of environmental cost and the use of economic instruments, taking into account the approach that polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment*

The 16th principle implies that the governments of the Rio Conference participating countries must implement policies for the introduction of environmental costs and the use of economic instruments. Cost internalization means that every business actor must include environmental costs incurred by his business into production costs.

#### c. the principle of good neighborliness and international cooperation

The 18 Principles of the Rio Declaration read as follows:

*States shall immediately notify other states of any natural disasters or other emergencies that are likely to produce sudden harmful effects on the environment of those States. Every efforts shall be made by the international community to help states on afflicted*

Prinsip This implies that countries that mengetahui environmental disasters that potentially harm the environment h neighboring countries are obliged to memberitau neighbors about the disaster.

Environmental law is a source or branch of law which has a specificity which Drupsteen calls the functional law field (*functioneel rechtsgebied*), which contains elements of administrative law, criminal law and civil law.[8] therefore the enforcement of environmental law can be interpreted as the use or application of the instruments and sanctions in the field of administration law, criminal law and civil law with the aim of forcing the law's subjects that were targeted comply with laws and regulations of the environment.

In relation to efforts the prevent of environmental problems from arising, administrative environmental law has both a preventive and a corrective function, namely manifested in the form of supervision by authorized officials, who can impose administrative sanctions. From the provisions of Article 22 UULH 1997, Article 23, and Article 24, the Minister of the Environment has the authority to supervise, as a follow-up the Regional Head is appointed. In the 2009 UUPPLH, supervision is regulated in Articles 71-74. Lawsuits against state administrative officials are carried out through state administrative lawsuit procedures as regulated in Law Number 5 of 1986 as amended by Law Number 9 of 2004 concerning Amendments to Law Number 5 1986 concerning State Administrative Courts.

Meanwhile, environmental law enforcement is done through civil suit, according to Koeman[9] in essence it deals with four functions:

1. Law enforcement through civil law
2. Establishment of Additional Norms
3. A lawsuit to obtain compensation for damages
4. Additional Legal Protection

Meanwhile, criminal sanctions in environmental law include two activities, those are the act of polluting and the act of destroying the environment.

The government feels the need to enact a special legal instrument to control air pollution from forest and land fires because the conversion of land and forest areas into plantation and agricultural areas through burning has become a common phenomenon in recent years. The government has basically paid attention to the problem of forest and land fires, especially in the peat ecosystem. This is indicated by the existence of regulations that have regulated the use of the peat ecosystem, such as:

- a) Law Number 32 Year 2009 regarding "Environmental Protection and Management".
- b) Government Regulation Number 71 of 2014 concerning "Protection and Management of Peat Ecosystems.
- c) Regulation of the Minister of Agriculture No. 14/2009 concerning "Guidelines for Utilizing Peatlands for Oil Palm Cultivation".
- d) Law No. 41 of 1999 concerning Forestry which was later amended by Law no. 19 of 2004
- e). Government Regulation Number 41 of 1999 concerning Prevention, Control and Restoration of air quality
- f). PP number 4 of 2001 concerning Air Pollution Control

### **3. Research Methods**

#### **3.1. Research Type**

The type of research used in compiling this paper is normative juridical. Normative juridical, namely research conducted on behavioral law by paying attention to primary and secondary legal materials. Legal materials used are legal materials that are closely related to the title submitted by the author. The legal ingredients are:

1. Primary materials, namely materials obtained directly through field research by conducting library research by means of document studies of international conventions, international convention protocols, the laws that govern these in Indonesia, as well as studying the literature obtained. from books, legal journals, articles, websites, and supporting papers
2. Secondary materials, namely materials that provide instructions and explanations for primary materials.

### 3.2. Data Collection Methods

The data to be collected is obtained through document studies of existing library materials, articles, or journals as well as writings on sites (websites) that are related to writing, and other sources that can support this paper.

### 4. Discussion

In traditional communities burning forests is a practical method of clearing land. At first it was widely practiced by traditional cultivators or shifting cultivators. However, because the cost is very cheap, the practice of burning forests and land is widely adopted by forestry and plantation companies. The motive for burning forests and land by oil palm companies is because it is more effective than doing it using conventional methods of slashing and chemicals. In addition, burning it can increase the PH to 5-6 which is suitable for planting oil palms.

Fire and land burning (karhutla) which occurred in several areas in Jambi, the Regional Disaster Management Agency (BPBD) Jambi reported that there were as many as 102.52 hectares of land in Jambi burned. Based on the information provided by the Head of BPBD Jambi, Bachyudin Deliansyah, the burned land is land in forest areas, namely from peat land and mineral land, then the other areas of use (APL) which were also burned were peat land as well as mineral land. However, at present the hotspots can still be extinguished through data operations from each district. [10] Based on information from the Jambi BPBD, the forest and land fires occurred in Muaro Jambi District, with a burned forest area of 5.5 hectares and an APL area of one hectare. Then Batanghari Jambi Regency, with the APL area reaching 17.4 hectares. Then in West Tanjung Jabung Regency there are 2 hectares of burned forest, in East Tanjung Jabung Regency 4.48 hectares of APL land was burned, Sarolangun Regency 15.8 hectares of APL was burned, in Tebo Regency there were 3 hectares of burned forest with 8 hectares APL area, in Merangin Regency, 2 hectares of burned forest area, the remaining 20 hectares of APL area. As well as in Bungo District, there are 21 hectares of burned forest area and then 2 hectares of APL area. Now the team has done a blackout. Of the 102.52 hectares of burned land, it consists of a forest area of 29.52 hectares, then APL 73 hectares. Through hotspot monitoring (hotspots) from January to July 2019, there were 129 hotspots in Jambi in Muaro Jambi Regency 4 points, Batanghari Regency 4 points, Tanjabbar Regency 35 points, Tanjabtim Regency 15 points, Tebo Regency 14 points, Regency Sarolangun 23 points, Merangin Regency 19 points, Bungo Regency 12 points, Kerinci Regency 3 points, and Sungai Penuh City 3 points. Meanwhile, Jambi City has no hotspots.

The Non-Governmental Organization Wahana Lingkungan Hidup (WALHI) has calculated multidimensional losses from the impact of forest and land fires and haze, one of which is in Jambi province. Financial losses from indications of environmental losses alone in Jambi are estimated to have reached IDR 7 trillion in 2015. This number is estimated to increase from last year's losses of IDR 4 trillion. These losses do not include people whose breathing is disturbed by air pollution, children and schools are closed and transportation is obstructed, crop failure for farmers and land becomes unproductive due to smoke. Meanwhile in Riau, the economic losses in 2015 from forest fires reached IDR 20 trillion, namely 2,398 hectares of biosphere reserves burned, 21,914 hectares of land burned, 58,000 people suffered from respiratory problems, plus workers and school activities were disrupted.

The Malaysian government was forced to close 409 schools in Sarawak state as haze caused by forest and land fires in Indonesia already surrounded the border area. Malaysia's Ministry of Education announced that it was closing 409 schools in nine districts earlier this week impacting 157,479 students. As reported by the Malay Mail, Padawan was the worst affected district with a total of 101 schools closed. Meanwhile, the district affected by the haze with the largest student population is Kuching, where 60,509 students live. Apart from that, the government also closed 53 schools in Betong, as well as 44 schools in Bau, and 30 schools in Lubok Antu. In Samarah, there are three schools with 3,411 students, while Serian has 20 schools which accommodate 2,230 students. A total of 9,828 students in 41 Sri Aman schools, and 3,895 students in 30 schools in Lundu were also forced to take holidays due to the haze. [11]

The Asean Special Meteorological Center (ASMC) stated that the smog will continue to billow in the Malay peninsula and west Sarawak if the forest and land fires in Sumatra and Kalimantan do not go out. However, previously, the Minister of Forestry and Environment of the Republic of Indonesia, Siti

Nurbaya Bakar, said that the forest and land fires also originated from Malaysia itself, such as Sarawak and the Malay Peninsula. The results of satellite monitoring by the Meteorology, Climatology and Geophysics Agency (BMKG) did show that on September 6 to 7, there was an increase in the number of hotspots in Malaysia (Sarawak and Peninsular Malaysia), from 1,038 points to 1,423 points. Siti also considered that the smoke from the forest and land fires in Indonesia was unlikely to reach the neighboring country, because the wind was not blowing towards the country. The Minister of Energy, Technology, Environment and Climate Change of Malaysia, Yeo Bee Yin, also released data from ASMC which showed that the number of recent hotspots in Kalimantan was 474 and Sumatra was 387. Meanwhile, there were only seven hotspots in Malaysia. [12]

Based on the type of fuel and the nature of its combustion, forest and land fires can be grouped into three types, namely:

1. *Ground fire* is a type of fire where the fire burns organic matter below the surface. Because there is little air and organic matter, the fire is not visible but smoke. The spread of fire is also very slow and occurs over a long time (usually occurs on peatlands that are up to 10 meters thick).
2. *Surface fire* is a type of fire in which the fire burns surface fuels in the form of litter, shrubs, saplings, stakes, and logging waste. The nature of the surface fire spreads fast, the flame is large and hot, but quickly goes out.
3. A *crown fire* is a type of fire that burns the tree canopy (the top of the tree). These fires will be severe if they occur in plants with tight, flammable leaves.

Forest and land fires are partly due to natural factors, usually occurring in the dry season when the weather is very hot and human burning factors. The main cause of fire is land clearing which includes:

1. Uncontrolled burning of land that spreads to communities and companies. However, if land clearing is carried out by burning on a large scale, the fire is difficult to control. Land clearing is often carried out for plantation business, (Industrial Plantation Forest) HTI, dry land farming, sonor and fishing. The most dangerous land clearing is in swamp / peat areas.
2. Use of land that makes the land prone to fire, for example in ex-forest concession land (HPH) and in areas with grassy grass.
3. Conflict between the government, the company and the community due to the land status of the oil palm companies disputes then hiring outside workers to work and burning the land of the local community whose land the company wants to take over, to expel the community. Fires reduce land value by degrading the land and thereby making it easier for companies to take over land by making inexpensive compensation payments to indigenous people.
4. In some cases, local people also burn to protest the expropriation of their land by oil palm companies.
5. Relatively low level of community income, so people have to choose an easy, cheap and fast alternative for land clearing.
6. Lack of law enforcement against companies that violate land clearing regulations.
7. Natural factors such as lightning strikes, lava from volcanic eruptions and others.

The losses due to forest and land fires are very large for human life and to the lives of other living things, either directly or indirectly, including:

#### 1. Ecological Impact

Disturbing ecological processes, including natural succession, production of organic matter and decomposition processes, nutrient cycle, hydrological cycle and soil formation. In addition, it disturbs the function of forests as climate regulators and carbon sinks. It can further damage river basins (DAS). Loss of biodiversity and ecosystems. Fires also release large amounts of carbon and greenhouse gas emissions into the atmosphere which exacerbate climate change.

## 2. Economic Impact

Loss of forest products (timber and non-timber). The disruption of economic activities, both from the plantation, transportation, tourism, trade and so on. Medical expenses for health problems, and direct costs to extinguish fires.

## 3. Health Impact

Minor to acute respiratory distress. Smoke generated from fires contains a number of harmful gases and particles such as sulfur dioxide (SO<sub>2</sub>), carbon monoxide (CO), formaldehyde, acrolein, benzene, nitrogen oxides (NO<sub>x</sub>) and ozone (O<sub>3</sub>).

There have been many regulations governing forest and land fire management, including:

### 1. Law Number 23 of 1997

Law on Environmental Management. Regulates the obligation of each person to maintain the preservation of the environment and prevent and overcome environmental pollution and destruction. With a maximum imprisonment of 10 years and a maximum fine of Rp. 500 million, other than that, disciplinary actions can be imposed in the form of confiscation of profits, company closure, and repair of damage

2. Law No. 41 1999 on Forestry Article 50 paragraph 3, forest burning is subject to a maximum imprisonment of 15 years and / or a maximum fine of IDR 15 billion. Article 78 paragraph 4 is subject to a maximum fine of 5 years imprisonment and / or a maximum fine of IDR 1.5 billion.

3. Government Regulation no. 4 of 2001 concerning Control of Environmental Damage and Pollution. In the PP, there is a ban on burning forests and land, it's just that the prohibition is only subject to administrative sanctions.

4. Article 10 paragraph (2) letter b, Government Regulation No.45 of 2004 concerning Forest Protection stipulates that forest protection activities include prevention, extinguishing and handling of fire impacts. It's just that in articles 42 and 43 of the PP it is stated that the criminal action of the impact of forest fires is only applied to parties who do not have documents and permits for forest products.

5. Law No. 18 of 2004 on Plantation has the obligation to preserve environmental functions. With a maximum imprisonment of 3 years and a maximum fine of IDR 3 billion or both. The tools used.

6. Law Number 19 Year 2004 concerning Forestry. Explain the principle of forest burning prohibited. Limited forest burning is permitted only for special purposes or conditions that cannot be avoided, including controlling forest fires, eradicating pests and diseases, and fostering plant and animal habitats. Sanctions in the form of a maximum threat of 15 years and a maximum fine of Rp 5 billion and negligence threatens a maximum imprisonment of 5 years and a fine of Rp 1.5 billion or cumulative sanctions.

7. Law No.32 of 2009 concerning Environmental Management. Article 69 clearly regulates related acts against the law committing an act that causes pollution and / or damage to the environment. In addition, this law also regulates criminal provisions for people who burn land . In article

The provisions regarding forest fires / burning in the forestry law actually do not give adequate attention to fire control efforts, because the prohibition on burning forests contained in the forestry law can actually be countered for special purposes as long as it obtains permission from the authorized official. While the provisions in Government Regulation (PP) No. 4 of 2001 minimizes the interpretation of the use of Article 10 in PP No.45 of 2004 concerning law enforcement actions, meaning that forest protection measures from burning will be applied to those perpetrators who do not have a permit or valid letter according to applicable regulations. Also in PP No. 4 of 2001, the provisions for sanctions for forest burning are only subject to administrative sanctions as stipulated in articles 25 and 27 of Law No. 23 of 1997 on environmental management.

On the other hand, Law No. 23/1997 on environmental management also does not provide a specific mandate to develop regulations under it (at the level of government regulations) regarding environmental pollution such as the case of forest fires. The same is the case with Law No. 18 of 2004 concerning plantations which does not contain administrative sanctions for companies conducting *land clearing* by burning. In fact, one of the things that is needed by law enforcers is in accordance with the mandate of environmental (forest) preservation and the principle of *zero burning* which is stipulated in



several international agreement (law) clauses. Meanwhile, on the other hand, until now there has not been a single law prohibiting land clearing by burning forests. Although there are forest and land fire control centers in the regions, but because of the missing legal instruments, it does not function optimally.

Regarding the criminal responsibility of business entities (corporations), an important question that needs to be discussed is on what basis can the management, including managers be sued?

In Indonesia, a study on the accountability of business entities (corporations) has emerged since the late 1980s through the holding of a National Seminar on Corporate Crime, 23-24 November 1989 at the Faculty of Law, Univ. Diponegoro, Semarang. Prof. Mardjono Reksodiputro revealed three systems of corporate criminal liability, namely:[13]

- a. the management as the maker and the administrator who is responsible
- b. the corporation as a responsible maker and administrator
- c. the corporation as the maker and also the responsible one

In the 2009 UUPPLH, the accountability of business entities is formulated in Articles 116-119. This is also contained in the Anglo Saxon legal system concerning the doctrine of *vicarious liability*, which is a form of criminal liability in the common law tradition that allows an employer to be confronted as a defendant and be punished for an illegal act committed by his employee.[14]

### **Environmental dispute settlement Under Law No. 32 T a hun 2009**

#### 1. Dispute Resolution through the Court

In jurisprudence, there are two types of liability, that liability based on fault (*liability based on fault*) and the responsibility is not based on fault (*liability without fault*) or the so-called *strict liability*. Liability based on errors is found in the formulation of Article 1365 of the Civil Code, the elements of which are:

- a. the defendant's actions are against the law
- b. the perpetrator must be guilty
- c. there is a loss
- d. there is a causal relationship between actions and losses

The UUPPLH also imposes *strict liability*, namely for activities that "use hazardous and toxic materials or produce and / or manage hazardous and toxic waste / or which pose a serious threat to the environment".[15] I am of the opinion, why this doctrine is not automatically applied to environmental destruction related to forest and land fires because if the perpetrator can prove that the causal element between the act and the losses incurred is not his fault, then he can escape from compensation and criminal responsibility.

Based on the *strafbaarfeit* formulation given by Simon :[16]

- a. it must be a human act
- b. it must be done with a "volition" or "intention" or "awareness" and not an act which is a reflex
- c. tert deeds e but contrary to or against the law (*wedderechtelijk*)
- d. the act was carried out by the person responsible (*toerrekeningsvatbaar persoon*) the person responsible must be connected with his fault (*schuld*)

In the field of criminal law, this causalitas is also important because it relates to the question: who can be responsible for the emergence of a result? Then by von Buri with the teachings of the famous with the term *conditio sine qua non* or bearti absolute requirement that every action is because of the effect, where the action will be disabled so that no Timbu l result.

In *strict liability*, mistakes (*fault, schuld, or mens rea*) are not important to hold the perpetrator responsible because when the incident occurred he had already assumed responsibility. The principle of "*res ipso loquitor*" applies here, namely the fact that it speaks for itself (*the thing speaks for it self*)[17]

LB Curzon outlines the actuality and benefits of the principle of strict liability, where the principle is needed with regard to:

- a. the importance of guarantees to comply with certain important rules necessary for the welfare of society
- b. proof of wrongdoing is very difficult to obtain for violations of regulations related to public welfare

c. High level of social danger arising from these actions.

Starting from Curzon's opinion, it can be concluded that the *strict liability* legal system is a legal system that greatly benefits the victim in the context of claiming the perpetrator's responsibility. This system is indeed right because in this millennial century, people who have become victims of the impact of modernization, especially land clearing by burning forests, make it difficult for victims to collect complete data to prove it. By using *strict liability* as an environmental enforcement legal system, the principle of reverse proof (omkering van bewijslast) automatically applies. Therefore, there is no reason for the judges not to use the doctrine of liability without error (*strict liability*). [18]

2. Dispute Resolution outside the Court through *Alternative Dispute Resolution*

a. Negotiation is a method of dispute resolution in which parties with different interests hold direct negotiations without intermediaries or assistance from other parties. The parties bargain on the form of dispute resolution

b. Conciliation, is a method of dispute resolution in which the parties request assistance from other neutral parties to assist the disputing parties in finding a form of dispute resolution

c. Mediation, is a method of dispute resolution in which the parties request assistance from a neutral other party to assist the disputing parties in finding a form of dispute resolution, the third party does not have the authority to make a decision, but only has the authority to provide assistance or related suggestions. with procedural and substantial questions. The final decision remains in the hands of the disputing parties.

The legal basis for mediation is contained in article 85, Law no. 32 of 2009 concerning Environmental Protection and Management states:

1. Settlement of environmental disputes outside the court is carried out to reach an agreement regarding a) Form and amount of compensation, b) Actions for restoration due to pollution / destruction, c) Certain actions to ensure that pollution / or destruction will not recur, and / or, d) Actions to prevent negative impacts on the environment.

2. Settlement of disputes outside the court does not apply to environmental crimes as regulated in this law.

3. In settling environmental disputes outside the court, the services of mediators and / or arbitrators can be used to help resolve environmental disputes.

Provisions for dispute resolution through non-judicial institutions that act as mediators are regulated in formal law, including non-governmental organizations (NGOs) and environmental organizations. This alternative route is worth trying despite the many obstacles, including the willingness of the disputing parties, the determination of the mediator, and the deadlock in negotiations.

d. Arbitration is a method of dispute resolution in which the disputing parties submit their dispute to another neutral party in order to obtain a resolution to resolve the dispute.

By arbitration settlement, it means that the disputing parties submit a dispute to a neutral third party who has the authority to decide (arbitrator) or in other words that the disputing parties give (full) authority to the arbitrator to resolve the dispute. The decision of the arbitration is final and legally binding for the disputing parties and has executive power. In the settlement of disputes through arbitration, the institution and official authorized to carry out arbitration decisions are the District Court (PN). Meanwhile, the official acting to order the execution is the head of the district court. The arbitration body that determines the dispute does not have the authority to order and carry out the execution. This is confirmed in article 637 jo. P origin 639 Rv. To carry out this, a commitment from the government is needed when giving concessions to making conflict resolution agreements through arbitration.

## **5. Conclusions And Suggestions**

### **5.1. Conclusion**

a. Environmental law enforcement and application of the principle of liability without fault (strict liability) in resolving disputes related to environmental law forest and land fires that occurred in Indonesia has been hinted at in UUPPLH no. 39 of 2009 in article 88, but not in the case of forest and

land burning, because in Law No. 41 1999 on Forestry Article 50 paragraph 3, forest burning is subject to a maximum imprisonment of 15 years and / or a maximum fine of Rp. 15 billion. Article 78 paragraph 4 is subject to a maximum fine of 5 years imprisonment and / or a maximum fine of IDR 1.5 billion. And Government Regulation No. 4 of 2001 concerning Control of Environmental Damage and Pollution. In the PP, there is a prohibition against burning forests and land, it's just that the prohibition is only subject to administrative sanctions. This is very unfortunate considering that every case of burning forests and land has a significant impact on health and ecosystems.

b. The application of the principle of liability without fault (*strict liability*) to corporate and individual actors based on Law No. 32 of 2009 is contained in Articles 116-119. This is also contained in the Anglo Saxon legal system regarding the doctrine of *vicarious liability*, which is a form of criminal liability in the *common law* tradition that allows an employer to be confronted as a defendant and punished for illegal acts committed by his employees.

## 5.2. Suggestions

a. The government as a state manager should focus more on prevention rather than overcoming forest and land fires because it can be more efficient in funds, time, and environmental sustainability. It is necessary to reform the court bureaucracy regarding the perpetrators of forest burning so that it is more efficient and less complicated

b. Judges need not hesitate to apply the *strict liability* doctrine in cases of forest and land fires, especially if they have a detrimental impact on mankind and damage the environment .

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# Political Communication and Victory Strategy of Sukandar-Syahlan's in The Regional Head Election in Tebo Regency 2017

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**Abstract.** The purpose of this study was to determine the political communication strategy undertaken by the Sukandar-Syahlan's in the Regional Head Election of Tebo Regency in 2017. The type of this research was a descriptive study in which the author used a purposive sampling technique for data collection and research information. The results showed that the political communication strategy was to implement a large mass-based political campaign supported by several major political parties. In addition, the approach of social groups, especially Javanese or those who are transmigrant groups, also became the main basis for political socialization from the Sukandar-Syahlan's winning team

**Keywords:** strategy, communication, political parties, regional head elections

## 1. Introduction

In Article 18 of the constitution, it is stated that the Unitary State of the Republic of Indonesia is divided into provincial areas where the province is further divided into regencies and cities as autonomous regions. As an autonomous region, the regional government has a regional head and Regional People's Representative Assembly (DPRD) in running the government. In this case, the regional head itself can be interpreted as the head of government, both in the province and district and city. Meanwhile, the DPRD itself is the political representative of the community in the provinces and districts and cities. In line with the regional decentralization concept, regional head elections since 2005 are no longer elected by the DPRD, but by the community directly (Angga Arrasyid, 2015). The holding of regional head elections is a momentum for people's sovereignty in a democratic manner in producing leaders who represent the legitimacy of the community. Therefore, the political participation of citizens in choosing leaders is a reflection of the success and quality of democracy (Sutrisno, 2017).

Regional head elections can also be termed a political battle in an effort to improve local government in the spirit of regional autonomy (Chaniago, 2016). Therefore many candidates were promoted by political parties in the winning process. One of them is in Tebo Regency, which in 2017 held a regent and deputy regent election for the 2017-2022 period. The election of regents and deputy regents in Tebo in 2017 was attended by two pairs of candidates for regent and deputy regent. The Hamdi-Harmain pair were carried by Nasdem, PKB, Democrats, PPP and PBB. The second is the Sukandar-Syahlan pair that

were carried by Golkar, PDIP, PAN, Hanura, and PKS (Tribun Jambi, 2016).

The election for the regional head was won by the pair number two, namely Sukandar-Syahlan with 91,160 votes. Meanwhile the Hamdi-Harmain as the pair number one received 72,885 votes. Regarding the background described above, this study aimed to explore more deeply about the "Political Winning and Communication Strategy of the Sukandar-Syahlan Pair in the Regional Head Election of Tebo Regency in 2017".

## 2. Literature Review

**Table 1.** Previous Research

No	Author's Name	Research's Title	Finding of Research
1.	Nurul Qalbi, (2014)	Strategy of Political Winning and Communication of Muhammad Ramadhan Pomanto-Syamsu Rizal pair in the 2013 election for Regent and Deputy Regent of Makassar	The political communication strategy and the victory of the Ramadhan Pomanto and Syamsu Rizal pairs were fully supported by the solid team's ability by applying SWOT analysis in political campaigns. With the strategy and toughness of the team, the Ramadhan Pomanto-Syamsu Rizal pair could win the election by defeating nine other candidates and getting the most votes, namely 182,242 votes.
2.	Anna Valiana dan Anita Trisiana (2016)	Analysis of Political Communication Strategy on Political Winning Participation of Rudi and Purnomo pair in the Regional Head Election 2015 of Surakarta	The victory of the pair Rudi and Purnomo in the election for Regent of Solo was supported by a mature organizational strategy consisting of funding, team building, campaigns, and precise and clear targets. All teams carried out comprehensive socialization of community politics. In addition, another factor that influences it is the impact of previous leadership that has always perfect in political communication.
3.	Ahmad Syukri dan Ricky Melandi (2018)	Strategy of the Coalition Party in Political winning of AW Nofiad Mawardi-Ilyas Panji Alam in the Regional Head Election 2015 of Ogan Ilir Regency	The victory of Noviandi and Ilyas Panji Alam in the 2015 Ogan Ilir Pilkada was supported by a large supporting party base. Apart from that, the supporting parties also deployed political strategies offensively and defensively in an effort to reach out to society.
4.	Elvin Defriadi (2017)	PDIP Political Winning Strategy of Ganjar-Heru Pair in the Central Java Governor Election 2013	PDIP's political strategy in the 2013 Central Java Regional Head Election, namely the large mass- based approach of PDIP cadres. Another strategy is the prominence of Ganjar Pranowo and Heru Widodo and the implementation of various communication approaches with the people in Central Java.
5.	Bowo Sugiarto (2014)	Winning Strategies in Regional Head Elections	The campaign strategy directed by the Husein- Budhi pair in the Banyumas regional head election in 2013 was the consolidation of shift parties, segmentation, targets, and formation of candidate images. This strategy is useful for covering the shortcomings of the previous administration. Apart from that, it is also used to select campaign issues according to the weaknesses of the opponents and to measure the parties that collaborate with various civilian elements in society.

Based on the research summarized above, it can be concluded that team cohesiveness is something that is important in gaining public votes. There is something new in this research where one of the campaign strategies carried out by the Sukandar-Syahlan team is to take a Javanese community- based approach, in which case they are both in the scope of transmigration that are spread across Tebo Regency.

### **3. Research Method**

This research used qualitative methods with a descriptive approach. The focus of this research was the political communication strategy of Sukandar-Syahlan in winning the Tebo regional head election in 2017. The research location was in Rimbo Bujang Sub District. Sources of data in this study were categorized into primary data obtained directly from the success team of the Sukandar- syahlan pair and secondary data obtained through literature review to support this research. The data collection technique used was purposive sampling method in which the informant who was considered the most knowledgeable was the success team of the candidate pairs. In addition, the author also used several documents obtained from previous research data to enrich the data source of this research.

### **4. Results and Discussion**

#### **4.1. Political Campaign Strategy**

In this case the entire Sukandar-Syahlan winning team worked hard and solidly. In an effort to get as many public votes as possible, the team prepared all campaign attributes such as banners, brochures, entertainment, t-shirts, and others. In addition, a large mass base strategy covering parties supporting Golkar, PDIP, PAN, Hanura, and PKS which occupy more legislative seats also makes it easier to gain large masses.

In addition to the socialization strategy to the community, the Sukandar-Syahlan candidate pair also approached the local strongman. There are several people who are thought to have strong influence in a particular area. For this reason, the strategy is said to be considered will facilitate the political path of the Sukandar-Syahlan pair in the 2017 Tebo regional election.

#### **4.2. Community Group Approach Strategy**

One of the strategies of the Sukandar-Syahlan victory team was to carry out various social group approaches. According to information data from the winning team, the victory of the Sukandar-Syahlan pair was obtained from 4 out of 8 sub-districts in Tebo Regency. The social group approach of this association is a smart campaign strategy, considering that the majority of the Tebo people are transmigrants from Java, so this makes it easier for the team to socialize and communicate with the community.

The selection of the location of the Javanese community association in particular will facilitate the community's approach in terms of ethnic equality. Of course, this would be much different if the approach was carried out on the indigenous people of Tebo Regency who were not migrants from Java. In addition, the transmigrant community from Java also dominated the population density, especially in the 4 sub-districts in Tebo Regency which were then used as vital objects for the political victory of the Sukandar-Syahlan pair.

### **5. Conclusion**

The political communication strategy for the Sukandar-Syahlan pair in the 2017 Tebo Regency elections is by focus on the cohesiveness of a solid team and with a large mass base supported by cadres of supporting political parties. In addition, the winning team also carried out various community communications and outreach, especially for Javanese ethnicity, who generally had the same fate as the Javanese people who had migrated to Tebo Regency.

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# Performance Analysis of the State Civil Apparatus at the Office of Community and Village Empowerment in Southeast Sulawesi Province

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**Abstract.** The Community and Village Empowerment Office is one of the Southeast Sulawesi Provincial Government agencies that is experiencing problems with the low performance of the State Civil Apparatus. This is due a lack of employee discipline, especially work time discipline such as being late for work and leaving early. In addition, in the daily implementation of tasks, some employees are relaxed during working hours such as chatting, playing cards, and so on so that public services are hampered. Therefore it is very interesting to study the performance of the State Civil Apparatus at the Office of Community and Village Empowerment in Southeast Sulawesi Province. The purpose of this study: to analyze the performance of the State Civil Apparatus at the Office of Community and Village Empowerment of Southeast Sulawesi Province. Knife analysis uses Performance Theory with 8 sizes; 1). knowledge of work; 2). Work quality; 3). Productivity; 4). Adaptation; 5). initiative and problem solving; 6). Cooperation; 7). Responsible; 8). ability to communicate and interact. A research approach is a qualitative approach with descriptive methods. Informants consisted of 8 people. The results of the study stated: the performance of the State Civil Apparatus based on 8 Mangkunegara indicators is quite optimal. But still found deficiencies, such as the presence of some employees who have not been able to operate computers, lack of discipline, and still some employees who are less able to adapt to changes in the work environment. Therefore, it is suggested the need for an active role of the leader in fostering employees and providing equal opportunities for each employee to develop their abilities, among others, by further study. besides, the Chairperson is expected to be objective in the assessment

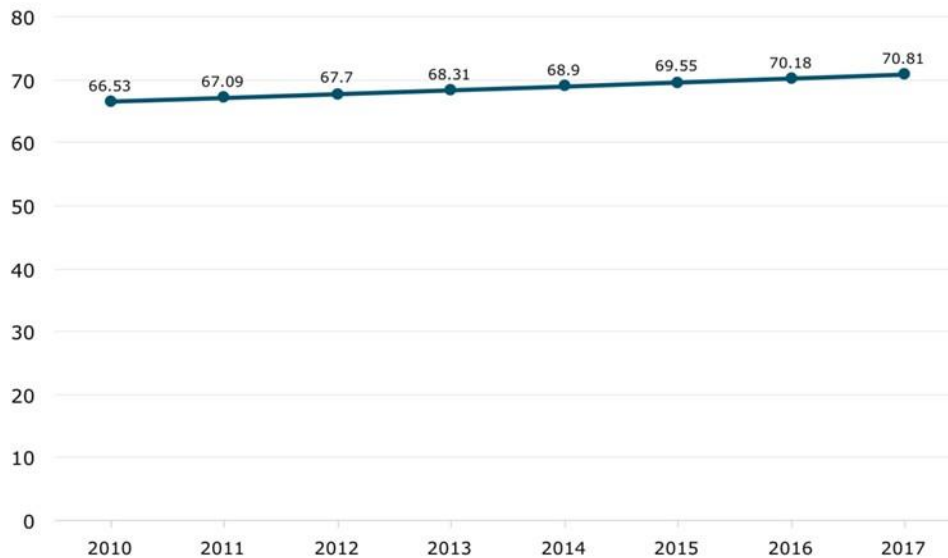
**Keywords:** Performance, State Civil Apparatus

## 1. Introduction

The Human Development Index (HDI) measures human development achievements based on several basic components of quality of life. As a measure of quality of life, HDI is built through a basic three-dimensional approach. These dimensions include a long and healthy life, knowledge, and a decent life. Based on the BPS annual report in 2017 it informs that the Indonesian HDI continues to progress reaching 70.81. This figure increased by 0.90 percent compared to 2016.



Source: BPS Data for 2017  
IPM Indonesia (2010-2017)



**Figure 1.** Indonesian HDI in 2010-2017

Therefore, the role of employees is highly demanded in carrying out tasks in their respective fields to be more tenacious, skilled, dexterous, highly dedicated and towards an efficiency to be able to achieve the national goal of realizing a just and prosperous society that is equitable and sustainable both materially and spiritually.

In conducting coaching to employees means the same as providing opportunities for employees to find out the work performance achieved. Paying attention to the element of human resources is one of the demands in the overall efforts of the organization to achieve high performance. Reliable human resources are very urgent needs to be met, given the increasingly intense competition in all aspects of life. The era of globalization is a time full of challenges, so to be able to turn these challenges into opportunities, adequate competence is needed from every performer of the organization with good performance.

The analytic theme of performance is to ensure that the state civil apparatus works in line with organizational goals. Society in general expects that the state civil apparatus to carry out work that has a strong relationship with the strategic objectives of government, realizing community satisfaction, and contributing consistently to national development.

Most analysts discussing the performance of the state civil apparatus produce the same conclusion, namely the level of employee performance is generally low and that some employees do not work in line with organizational goals. The Office of Community and Village Empowerment of Southeast Sulawesi Province is one of the government agencies that experiences problems in achieving performance. This agency is one of the regional work units tasked with and is obliged to assist the Governor in formulating policies and coordinating regional offices and regional technical institutions related to village government.

The highest case of discipline violation is being late for work and leaving early, where there are most employees present on time if there is a leader or head of service in the office. This happened almost throughout the year 2017. From the results of the employee attendance list in August 2017, there were 23% of employees who were late entering and 26.43% of employees who left earlier than the specified hour. The provisions for hours of work entered the state civil servants in the Regional Government of Southeast Sulawesi Province are from Monday to Friday entering from 07.00 to 16.00, while Saturdays do not come to work. In addition to the empirical data mentioned above, it also shows that in the day-to-day implementation of tasks there are employees who are relaxed during work hours.

This relaxed behavior appears for example in the form of chatting during working hours so that routine tasks and public services are often hampered. Employees who have these relaxed habits, even if they work, appear to only devote minimum energy and thought, are not enthusiastic about achieving high work performance because they think that promotion and financial gain from positions are not entirely dependent on high work performance.

From the above problems, the research objectives can be determined: to analyze the Performance of the State Civil Apparatus in the Office of Community Empowerment and Village in Southeast Sulawesi Province.

## **2. Theory Experimental**

The purpose of this research is to find out and describe the performance of the state civil service (ASN) in improving the quality of the bureaucracy in the Bontang Baru Village and to know the supporting and inhibiting factors of the performance of the state civil service (ASN) in improving the quality of the bureaucracy in the Bontang Baru Village in Bontang City. This type of research is a qualitative descriptive study. The results showed that, the performance of the state civil service (ASN) in improving the quality of the bureaucracy in the Bontang Baru Village Bontang City still needed to be improved. The progress in carrying out the work of the state civil apparatus (ASN) can be seen from the use of technology-based systems. This can make it easier and can save time in carrying out services to the community. But there are still some things that need to be improved in improving the quality of the bureaucracy in the Bontang Baru Village. For example, the attitude of initiative, smiling and friendly to the community must be increased again by the state civil apparatus (ASN). The need to increase the dissemination of information to the public, because so far there are still many people who do not understand the rules of an administrative matter, bearing in mind that a lot of time is wasted when the community comes with no complete requirements. In addition, it is necessary to complete and improve inadequate facilities and infrastructure such as the number of computers, public transport equipment and work spaces as well as waiting rooms. Because if the facilities and infrastructure are inadequate, this will certainly affect the quality of the bureaucracy.[1]

Productivity, which shows the level of understanding of each staff in providing special assistance to independent high school / vocational students in the Provincial Education and Teaching Office, is quite effective; second, the quality of service is that there are staff, who are responsible for providing special assistance to independent students, who often neglect their work or do other work; third, responsiveness indicates that there are complaints from schools related to the distribution of special assistance to independent students in the Central Sulawesi Province Provincial Education and Instruction Office, and the lack of optimal provision of food for student needs; and fourth, the responsibility is, seeing the ease in forwarding the case and assessing the documents submitted by the school that will receive special assistance to independent students, is not optimal.[2]

Haryono [3] explain that good individual performance is the basis of the performance of the institution / institution. The performance of an institution / institution will never be realized, described or realized without seeing the actual and consistent performance of a person's good performance. An activity / program of each organizational unit will not be accountable if the person carrying out the activity (duties and responsibilities) always deviates from the rules or norms that apply.

Based on the definition of performance, a conclusion can be drawn that performance measurement is a person's responsibility both in a personal and institutional context based on the job description provided by superiors that does not conflict with the rules or norms that apply in an organization or in society. A similar opinion was expressed by Prawirosentono [4] that individual performance with the performance of the institution is closely related. In other words, if the employee's performance is good, it is likely that the performance of the institution will also be good. An employee's performance will be good if he has high expertise, is willing to work because of salary or is given wages according to the agreement and has a better future hope.

From some of these explanations, it can be concluded that in the performance measurement there are several decisive indicators. This is intended to facilitate the measurement of the effectiveness of a

performance shown by an employee or worker.

According to Mangkunegara [5], The employee's performance can be measured from:

1. Knowledge of work is the ability of broad knowledge and skills possessed by an employee in carrying out his work. Dimensions of work knowledge include the following factors:
  - a) Employees must understand the duties and responsibilities of work.
  - b) Having knowledge in fields related to water, procedures and technical expertise.
  - c) Using information, materials, equipment and techniques correctly and correctly.
  - d) Follow the development of new regulations, procedures and techniques.
2. Quality of work is the work / quality of work achieved by employees in terms of the quality of work. The dimensions of work quality include the following factors:
  - a) Demonstrates attention to detail, accuracy, accuracy and accuracy.
  - b) Understanding health and safety regulations and procedures.
  - c) Make work-related decisions, develop alternative solutions and recommendations and choose the right course of action.
  - d) Understand the decisions and actions taken.
3. Productivity is the ability of employees to complete the work assigned to achieve results that can be accounted for. The productivity dimension includes the following factors:
  - a) Complete the work assignments given consistently.
  - b) Determine and manage work priorities effectively.
  - c) Use time efficiently.
  - d) Maintain workplaces regularly in accordance with their functions.
4. Adaptation is the ability of an employee to be able to behave in dealing with their environment. The dimensions of adaptation include the following factors:
  - a) Adjust to any changes in the work environment.
  - b) Showing good work results even under work pressure.
  - c) Learn and master new information, regulations and procedures.
5. Initiative and problem solving are the ability of an employee to carry out new tasks in enlarging his responsibilities and also able to bring up ideas and actions to solve problems that arise. The dimensions of work quality include the following factors:
  - a) Having initiative.
  - b) Generating innovative ideas, actions and solutions.
  - c) Looking for new challenges, self-development and opportunities to learn.
  - d) Anticipating and understanding problems that might occur.
  - e) Making alternative solutions when solving problems.
6. Cooperation is the attitude shown by an employee's willingness in cooperative relations with other people or fellow members of the organization to complete a job. The dimensions of collaboration include the following factors:
  - a) Maintain an effective working relationship.
  - b) Can work together in teams.
  - c) Give help and support to others.
  - d) Admits your own mistakes and wants to learn from those mistakes.
7. Responsibility is the ability of an employee to complete a job assigned to him in accordance with a predetermined time. The dimensions of responsibility include the following factors:
  - a) Be present regularly and on time.
  - b) Follow instructions.
  - c) Work independently.
  - d) Completing tasks and fulfilling responsibilities in accordance with the specified deadline.
8. The ability to communicate and interact is the ability possessed by employees related to other people related to the tasks assigned to them. Dimensions of ability to communicate and interact include the following factors:

- a) Can communicate clearly and precisely verbally and in writing.
- b) Always provide information to others.
- c) Can interact effectively with other people and various types of work.
- d) Maintaining a good and professional attitude in all relationships between individuals.
- e) Able to solve problems and receive input from others.

According to Mangkunegara (2005: 106) individual performance is the work of employees both in terms of quality and quantity based on predetermined work standards.

### **3. Methodology**

This research method uses a qualitative approach with descriptive methods. And the informant selection technique used is purposive sampling technique. Data collection techniques used are: Observation, Interview, Documentation Study. Data Validity Test uses Triangulation. [6]

## **4. Results and discussion**

### **4.1. Knowledge aspects about work**

From the results of this interview it can be concluded that most of the State civil apparatus in the Office of Community Empowerment and Villages of Southeast Sulawesi Province have occupied positions in accordance with experience and knowledge and skills in accordance with their respective fields, so that they can be more professional and understand the tasks that are charged to him. In addition, employees are also given the same opportunity in developing their abilities and expertise, both through training and educational activities.

This phenomenon illustrates that most employees in the Office of Community Empowerment and Villages of Southeast Sulawesi Province already have adequate knowledge for mastering their respective fields of work. This phenomenon is caused by the fact that most of the employees have been placed in fields that are in accordance with their experience and level of expertise. So that they are able to understand and master their field of work well and there is no more confusion in completing the assigned tasks.

This is in line with the theory stated by Robbins [7] that work experience is based on employees' knowledge and skills. Work experience is based on years of service or the length of time an employee is employed. Work experience is one of the requirements that must be considered by the leadership to be able to occupy a position, because tenure is one of the assessments to be promoted to a higher position in the organization. Armed with this experience, it is expected that each employee has a high quality of human resources in increasing work performance. A person's skills in carrying out their duties and activities are obtained along with their working period in the occupied field. The success of employees in achieving high work performance may have something to do with work experience of employees. Work experience is one of the things that underlies employees in carrying out their duties. Therefore, to support the effectiveness of an organization's work, employees are needed who have the skills and work experience at work so as to be able to provide good service.

Therefore, employees who have longer experience will have higher skills, so that productivity is higher compared to new workers who have little experience.

Based on research findings and theoretical studies, an understanding is built that to produce employee performance in a government or private institution must consider the existence of competencies, therefore the selection process, training, education and competence must take precedence over other personal variables. Thus the application of the principle of competence for human development is to make humans able to utilize the best potential in themselves and the environment to support work activities at an institution. To achieve this, placing resources according to their expertise and skills is paramount.

Employee competence is an ability to carry out or do a job or task based on skills and knowledge and is supported by the work attitude required by the job. Thus, competence shows the skills and knowledge that are characterized by professionalism in a particular field as something that is most important or as superior to that field. Because in general competence concerns a person's basic ability to do work.

Moehariono's [8]. So far many government agencies do not have employees with sufficient competence, this is evidenced by the low productivity of employees and the difficulty of measuring employee performance. Sriwidodo and Agus Budhi,[9].

Human resource development is a very important element in an organization, because employees are a very important asset in achieving the stated organizational goals. Notoatmodjo [10] stated that human resource development is a process of planning education, training and management of personnel or employees to achieve optimal results. Development represents a future-oriented inventory of employees and emphasizes the improvement of the ability to carry out new tasks in the future. One form of development is related to increasing competence, namely knowledge, skills and attitudes towards employees in each work unit.

#### **4.2. Work Quality Aspects**

The results of this interview can be concluded that the Office of Community Empowerment and Village of Southeast Sulawesi Province has been making every effort to shape the character of its employees through coaching and training activities, so that they have the ability to make the right decisions related to the changes that occur, both it changes the rules, changes the technology and so on and can be a problem at work. This phenomenon is also supported by the results of interviews conducted with the Head of District Administration. Sosbud Institutional Society. which considers that the Department of Community and Village Empowerment of Southeast Sulawesi Province has given equal opportunities to every employee to continue their formal education at a higher level. Not only that, but the department also provided education funding assistance, although in a relatively small amount. This is one form of agency support in order to improve employee performance.

The same support was also evident from the results of interviews with the Head of the Public and Civil Service Sub-Department, who also considered that the leader in the Office of Community Empowerment and Villages of Southeast Sulawesi Province always gave equal opportunities to every employee to develop their abilities through education or training, and even from the civil service. provide assistance even though the amount is still small. Therefore, the results of the interview illustrate that the development of human resources through education and training is intended to create maximum performance in carrying out the main tasks and functions of the employees concerned.

The observations also showed that the development of human resources carried out both through opportunities to attend formal education and training in essence has been well implemented and as a consequence to improve employee performance.

The findings of this study are in line with the theory put forward by Handoko [11] that basically education and training held for employees is to improve work performance both conceptually and technically operational, in order to obtain optimal productivity in the organization as a whole. This view shows that the implementation of education and training for employees is closely related to efforts to improve the quality of human resources, where the implementation of education and training is expected to have employees both conceptually and technically operational, in carrying out the tasks they carry.

Quality is any form of unit of measure related to the quality or quality of work and is expressed in numerical sizes or which can be matched with numbers. According to Wilson and Heyel [12] said that "Quality of work shows the extent to which the quality of an employee in carrying out his duties includes accuracy, completeness, and neatness".

#### **4.3. Productivity Aspects**

Employees at the Southeast Sulawesi Provincial Community and Village Empowerment Office have shown good performance when viewed from their ability to use time as efficiently as possible in completing activities or programs for which they are responsible. This phenomenon appears from the speed of employees in completing tasks given.

In addition, the results of the analysis of employee productivity when viewed from the aspect of the ability of employees to provide optimal work results, have also shown very good conditions. This phenomenon shows that employees have shown optimal results in completing their work. This happens

because most employees are able to use time as efficiently as possible in completing work that is their responsibility, and do not like to buy time in completing work.

Therefore, based on the results of the analysis of the performance of the State Civil Apparatus at the Office of the Community Empowerment and Villages of Southeast Sulawesi Province in terms of productivity, it has shown the existence of excellent employee productivity. This phenomenon can be seen where employees at work are able to utilize time optimally, so that the level of accuracy of employees in doing work has been carried out well. Although there are still a small number of employees who are judged to still have difficulty in showing optimal results to complete the work provided, but the department continues to make efforts to improve through coaching and training activities for employees.

The results of another interview regarding employee productivity were also conducted with the Head of Community Economic Business Sector, in the interview it was revealed that according to the informant's evaluation so far most of the employees at the Office of Community Empowerment and Villages of Southeast Sulawesi Province have been able to show optimal performance results, in completing tasks according to the targets and targets that have been set. According to him, this happens because the ability of most employees to utilize time as efficiently as possible in completing work is the employee's responsibility. Therefore, the results of the interview illustrate that most employees at the Office of Community Empowerment and Villages of Southeast Sulawesi Province have shown optimal performance results in completing tasks according to the set targets and targets.

#### **4.4. Adaptation Aspects**

The application of strict sanctions for those who neglect or neglect in carrying out the agreed upon rules. So with these sanctions, every employee in the Office of the Community Empowerment and Village of Southeast Sulawesi Province always tries to carry out all the rules that have been established and agreed upon.

Therefore, the results of the analysis of the performance of employees at the Office of the Community Empowerment and Villages of the Southeast Sulawesi Province in terms of aspects of adaptation ability have been classified as good. This phenomenon is illustrated where employees at work are able to keep up with changes that occur, be it changes in the work environment, changes in technology and changes in agreed rules. Although it can be seen from the results of the performance analysis there are still a small number of employees who are considered still weak to be able to adapt to various conditions, for example when there is a sudden change in the environment, which makes some employees who are not really ready to face these changes. However, the leadership continues to make efforts to improve through the activities of coaching and socialization that is the intention for employees.

In line with the above phenomenon, the results of an interview conducted with the head of the Office also acknowledged that most employees at the DPMD office were able to adapt to various conditions, whether changes in the work environment that sometimes occur suddenly, changes in technology use or changes in technology. new rules that must be obeyed by every employee. This is inseparable from the maximum efforts of the leadership of the institution to continue to make improvements, especially related to the development of the quality of human resources, both through training activities, as well as granting education permits for every employee who wants to continue higher level education.

The results of the interview illustrate that basically the leadership at the Office of Community Empowerment and Villages of Southeast Sulawesi Province, always provides space for every employee to develop their quality both through training and education activities, in order to develop the apparatus's capacity and capacity in dealing with various challenges of change and demands for better community service.

#### **4.5. Initiative and Problem Solving Aspects**

The results of the analysis carried out showed that most employees have shown a good ability to create alternative solutions in solving work problems. Besides that, most of the employees have also shown a good initiative to complete the tasks and functions without having to wait for orders from superiors.

This is also in line with the results of interviews conducted with the head of the Community

Economic Business Sector, assessing that employees at work have good enough initiatives to provide innovative ideas in completing various programs of activities carried out. All this is inseparable from the role of the leader who has been considered quite intensive in directing and guiding employees. So in the end most of the employees have shown a good enough ability to make alternative solutions in solving work problems that have become their main function without having to wait for orders from superiors.

The results of the interview also illustrate that the employees at the Office of Community Empowerment and Villages of Southeast Sulawesi Province, the majority of employees have demonstrated sufficient ability to create alternative solutions in solving work problems with creative ideas. Even in the completion of work most employees already have a high initiative in completing their work without having to wait for orders from superiors.

#### **4.6. Cooperation Aspects**

The orientation of the team at the Tenggara Sulawesi Provincial Community and Village Empowerment Office was good, but as it was revealed that what should be noted is the threat of team disintegration due to conflicting interests and competition in negative performance. To prevent possible destructive competition between individuals, Robbins [7] suggest that reward systems need to be improved to encourage cooperative efforts instead of being competitive, promotions, wage increases and other forms of recognition should be given to individuals for their effectiveness as collaborative team members.

Based on Robbins's opinion, this does not mean that individual contributions are ignored, but rather that donations are balanced by unselfish contributions to the team. Examples of behaviors that should be rewarded include training new employees, sharing information with teammates, helping to resolve team conflicts and mastering new skills needed by the team, in the end don't forget the intrinsic rewards employees can receive from teamwork. Intrinsic rewards usually take the form of relationships where the team basically offers friendship.

In all organizations, it is satisfying when a member becomes an integral part of a successful team. Opportunities for personal development and helping the growth of teammates can be valuable experiences for employees. In connection with the work team Muhammad (fademuhammad.org) said that creating an organizational culture that is related to building entrepreneurship spirit that prioritizes teamwork so as to create a solid organization is the first innovation made by local governments in Indonesia in order to create a kind of corporate culture such as those in the sector private.

#### **4.7. Aspects of Responsibility**

Based on the results of the analysis of the performance of the State Civil Apparatus at the Office of the Community Empowerment and Village of Southeast Sulawesi Province in terms of aspects of responsibility it has been classified as quite good category. Thus the results of this analysis indicate that most employees are considered capable of following the rules of attendance at the time of entering and leaving the office. In addition, the employee is also considered capable of completing every work that is given well, even though the employee has not fully understood the work given to him, but the employee always feels he has a responsibility so that the work can be completed, despite the risk of heavier work. This is caused by the belief in the abilities possessed by each employee in dealing with these responsibilities.

This phenomenon is in line with the results of interviews conducted with the Head of the Village and Village Administration Section assessing that employees at the Office of the Community Empowerment and Villages of Southeast Sulawesi Province always have readiness. According to the informant, this is inseparable from the support of individual capacity possessed by most employees, because so far the leadership of the institution has always provided space for every employee who wants to develop their abilities, both through training activities and educational activities.

Based on the results of the interview, it can be illustrated that currently most employees in the Office of the Community Empowerment and Village of Southeast Sulawesi Province have been able to accept heavy and challenging work responsibilities. This is because of the support capacity that is owned by

each individual employee.

#### **4.8. Aspects of Ability to Communicate and Interact**

Based on the results of the analysis of the performance of the State Civil Apparatus conducted it can be seen that the ability to communicate and interact is quite good. This phenomenon can be concluded that the Employee Performance Analysis in the Office of the Community Empowerment and Village of Southeast Sulawesi Province in terms of aspects of the ability to communicate and interact has been done well. This phenomenon is illustrated from the results of the analysis which shows that most employees are able to establish effective communication relationships with colleagues, both among fellow subordinates, superiors and subordinate relations and relationships with the community.

#### **5. Conclusions**

From the results of the performance analysis conducted in the study, the following conclusions can be drawn:

- a. Aspects of knowledge about work, the results of the analysis show that employees are quite capable of carrying out the tasks assigned, both by using equipment and information that can support the achievement of the objectives of the Agency.
- b. Aspects of work quality, the results of the analysis indicate that employees at work are sufficiently able to show good quality work. Although there are still a small number of employees who are judged to still have difficulty in making decisions and appropriate actions related to work in terms of speeding up the completion of the task, the agency continues to make efforts to improve through coaching activities for employees.
- c. Aspects of productivity, the results of the analysis show that employees at work are quite capable of showing good work productivity.
- d. Aspect of adaptation, the results of the analysis illustrate that the performance of the state civil apparatus at the Office of the Community Empowerment and Villages of Southeast Sulawesi Province is quite able to show good conditions. This phenomenon illustrates that employees at work are able to keep up with the changes that occur, be they changes in work environment, technological changes or changes in agreed rules.
- e. In terms of initiative and problem solving, the analysis results show that the initiative and problem solving are stated to be quite good. Where employees at work already have initiatives that are good enough to provide innovative ideas in completing various programs of activities carried out.
- f. Aspects of cooperation, the results of the analysis show that employee cooperation is declared quite good, this phenomenon shows that most employees have been able to establish effective collaboration with colleagues, both among fellow subordinates and relations between superiors and subordinates so as to form an effective work team.
- g. Aspects of responsibility, the results of the analysis show that the responsibilities of employees stated quite good. Where most employees are considered to have a good ability to follow the rules of attendance on time to enter and leave the office.
- h. Aspects of the ability to communicate and interact, the results of the analysis indicate that the ability to communicate and interact is stated well. This is illustrated from the results of the analysis which showed that most employees were able to establish effective communication relationships with colleagues, both between fellow subordinates and the relationship between superiors and subordinates.

#### **6. Suggestion**

The suggestions proposed in this study so that the performance analysis can be carried out effectively and get the right conclusions, it is expected;

- a. It still appears that some employees who have not been able to operate computers while at work, for example, use the Excel program. Considering the importance of this matter, it is expected that the Department will immediately conduct basic level training so that employees can work more



- optimally, in order to achieve the targets set.
- b. There are some employees who are overwhelmed in the face of changing work patterns, for example by implementing programs that come into contact with technology. Therefore, the leadership of the organization must always carry out intensive socialization related to changes in work mechanisms. In addition, an evaluation of the ability of employees must also be carried out so that known weaknesses owned by employees to work out solutions to solutions, so that employees are always ready for changes that occur in the work.
  - c. In order to improve the ability and skills of employees, the Office must always provide both moral and material support for every employee who wants to develop themselves both through training and educational activities.
  - d. Leaders are expected to provide an assessment of their subordinates must be professional and not base a good assessment just because they have an emotional closeness with the leader or have something in common with him, such as because they come from the same tribe or because they come from an alumni association, let alone an assessment made to the objectives are promoted to occupy certain positions. The diversity of team members will make the organization more objective in carrying out the performance appraisal process. So that every employee who excels has the same opportunity to be promoted in certain positions.

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# Collaborative Governance in Addressing Industrial Waste Sugar Factory in Makassar City South Sulawesi Indonesia

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**Abstrak.** This study is backed by the problem of urban environment caused by not managed by the good waste of sugar processing industry in the sugar mill industry in the Makassar industrial area, causing the pollution of rivers that resulted in declining environmental quality and also impact the declining water quality of the factory area. This research aims to determine the implementation of Collaborative Governance function in overcoming the waste of the sugar factory industry. This research uses a qualitative approach, the type of research is descriptive. Research Data is obtained from various sources, namely the community surrounding the plant, the relevant agencies, and the board of directors of sugar factories. Data is obtained through interviews and focus group discussions, field observations, and documentation. Subsequent research data is triangulated to ensure valid and realistic data, qualitative data analysis through the process of data reduction, data categorization, and the introduction, subsequent presentation of data descriptively narrative. The results showed that Collaborative Governance, which involved the government, namely the environmental agency of the City of Makassar, PT Makassar Te'ne, and the community around the factory. Each party has a different role that is the government as a supervisor, the company as an executive, and the community as the affected Party. In the implementation it has collaborated with each party synergically according to their role. However, this collaboration process is not optimal, from the perspective of residents still consider that the operationalization of sewage treatment installation has not worked optimally so that the river water is still found contaminated, while from the government to assess that the sewage treatment plant has been implemented well under existing water pollution threshold, so also by the factory assume that the process of sewage treatment that causes pollution is operationalized according to the existing rules. This difference of perception still needs to be followed up by giving a good understanding of society. Governments need to conduct strict and routine supervision. The community needs to actively participate in providing information to the government and the factory if it finds water pollution increases, and the factory must actually implement its commitment to ensuring the absence of environmental pollution from the factory waste produced.

**Key Word:** Collaboration, Governance, Industrial waste

## 1. Introduction

The rapid growth and development of the city today demands the provision of better and more adequate city facilities and infrastructure. In this regard, the Government has issued some basic policies related to urban development efforts. The consequences of the growth of urban communities have an impact in the provision of urban infrastructure, especially in wastewater management.

If the wastewater management system is poor or the implementation of the wrong system can cause losses - losses caused by the wastewater. Problems - problems that can be caused by wastewater, among

others, first pose a danger of contamination and pollution to surface water and other bodies of water that potentially later the body of water becomes a good container for disease transmission. (Kormarawijaya, 2016)

Given that stakeholders are involved not least, the concept of collaborative governance is important to review. Basically, collaborative governance is seen as an effort and response of the government in the activities of handling public problems, government management and the implementation of other government programs where the government needs to conduct cooperation / partnership in a broader sense with the community, other private parties because considering the programs / activities and problems faced is quite complex. It is also remembered in the current era of democracy which demands the involvement of private parties as well as in government activities.

There is a responsibility that the company does as a form of fulfillment of the answer and in fulfillment of a responsibility then the company should have carried out development activities with a sustainable system does not harm the present community and the community to come, the company is allowed to profit but not ignore and forget the rights that the community and investors themselves have (Triraharjo, 2017, p. 15).

In line with the problems that occur around PG (sugar factory) PT. Makassar Tene is known that the management of the plant waste is perceived to lack proper handling. Liquid waste still overshadows the people around the plant such as rivers around the plant increasingly thick black and causing a very pungent smell that results in the community to prevent and overcome industrial waste, the government must play an active role either through legislation or in other ways.e.g. regulations or policies issued by the government through the Minister of State lingkungan Hidup namely Keputusan Number: KEP-51/MENLH/10/2014 on Waste For Liquid Activities Industry. In addition, there is also Law no. 4 of 1982 on the basic provisions of Environmental management.

According to the public explanation that basically to prevent environmental pollution, the government should conduct direct or indirect supervision. When all programs have been created and have been implemented, but there is still a lot of pollution everywhere, this can be from the government that is less responsive even though the program has been created without having to have any further oversight of the implementation of the existing program so that the program can not run to the maximum.

## **2. Method**

The type of research used in this study is qualitative with a descriptive approach that explains the pattern of cooperation (collaborative Governance). The data collection techniques used in this study are through observation (observation, interview 9 interviews, and documentation. Sources of information obtained from informants include the Head of PT Makassar Te'ne, Head of Makassar City Environment Agency, Head of Makassar City Environment Section, Head of Planning Kasubbid Makassar City Environment Agency, RT/RW, and Local Community. Teknik data analysis used is qualitatively descriptive. The validity of the data used is Triangulation which is to make checks on the correctness of data collected from various other data sources, as well as checking the data at different times. (Ikbar, 2012:166). There are three models of Triangulation namely source triangulation, triangulation method, and time triangulation.

## **3. Result And Discussion**

Cooperation or collaboration with the community and government is a process of conveying and receiving agreements or messages from the community to others Carrying out Cooperation or collaboration conducted with the community is one of the responsibilities of pt Company Leadership. Makassar Tene. Otherwise, a good collaboration between PT Makassar Te'ne Company and the good community is an effort to know what is the priority of the community and how to create a cleanliness in PT. Makassar Tene is safe, peaceful, peaceful, and prosperous. So according to the Head of Sugar Factory considers that the agreement and unity is good, understanding to the community in the smooth running of sugar factory in PT. Makassar Tene is very important to do and of course the community will get its own satisfaction and kenyanama cooperation with both Interdependence between related

institutions is also important in addressing the problem in addressing the waste of the sugar factory industry. If I think in addressing the problem of addressing the waste of the sugar factory industry is very necessary, there is a solution in each private government and related communities according to the level, which can probably start in the government agencies first such as the village to the core agency, because the smallest agencies know best what is the problem in the community related to addressing waste.

In analyzing the facts in the field it takes several holistic approaches that require integration between governments to participate in the community in order for information in the field about industrial waste to be quickly resolved and find solutions, cooperation in the field that conducts checks is very important. According to the head of RT/RW related to the collaboration that the collaboration is very important because with the cooperation then everything that is considered difficult to solve quickly and actually, in the holistic approach related to the integration between the government and community participation that each has been spread according to its ability so it is easy to find new solutions and opinions let alone discuss the waste of the sugar factory industry where the relationship is directly offended by RT/RW conditions here we are simply looking for solutions to create a beautiful environmental atmosphere.

Conflict Between Groups Is Difficult to Overcome is one form of guidance done by someone to others to solve the problem that occurs in the Sugar Factory according to the public figure in this case is the chairman of RT /RW said that If the people who come complaining to the office related to the problems that occur in the Sugar Factory according to the public figure in this case is the father of the Chairman of RT /RW said that If the people who come complaining to the office related to the problem, then as a government and private is obliged to provide directions and solutions that are of positive value, as well as by addressing waste only during the conflict so that the community can feel happy and the problem can be treated little by little. Community leaders who say that: People who work in the office of PT Makassar Tene, I think people who are educated or educated all, can certainly provide solutions and understanding to us about the problems faced by the people who come to complain and I don't think it distinguishes between the people who are one and the other community related to industrial waste.

One of form engaging various interest groups to actively participate and make decisions of each agency and private sector is to carry out a checking action every decision. The government's efforts to improve the river in the heavily polluted parangloe village in any good government must demonstrate a progressive attitude with the values of struggle that attach importance to the interests of the State and the community involving various interest groups to actively participate and take decisions. Coaching when it is now routinely held and usually those registered as audit teams are those who have long been in the profession of checking the waste of the gura factory industry in one place and do not move places, they were given an ultimatum from the authorities to manage wastewater must be clean so that the community is comfortable and safe.

Face to face of relation or Building Trust and Commitment is a process of sending and receiving information or messages from one person to another. In line with the development of organizations, companies and government agencies, agreements in unity are mainly developments in building trust or commitment to overcome the securities of Limba. In the daily interaction to come face to face between the public and private or government is something that must be done because without face-to-face in building trust in the relationship between fellow human beings and ordinary people or community shops according to the community, face-to-face meetings and unity built by PT leadership. Makassar Tene, the community, and the government are already doing well but there is still something to improve in terms of supervision in the field about how the implementation that takes place in the field is as expected.

Building Trust is the participation or involvement of the Community, Government and Private in carrying out an activity that can be beneficial both individually and in the organization is very important because it can potentially improve the quality of work, performance in employees and increase productivity, and the organization can progress based on the results of interviews with the government is not the same or different from what the relevant community has to say in building trust in an activity that can be known in the results of the interview that reveals that : not participating in the community against the government and the community because it is not involved in socialization and the absence of information that does not arrive to carry out an activity, its socialization is not done to the community.

Commitment to each employee is very important because with a commitment an employee can be more responsible for his/her work than the employee who does not have a commitment. Usually employees who have a commitment, will work optimally so that they can devote attention, mind, energy and time to their work, so that what he has done according to what the company expects can be seen from the results of an interview with one of the governments who said that: The person who works in a government office or private is educated or educated all, can certainly provide solutions and understanding to us about the problems faced by the people who come complaining and I think it does not discriminate between the community one with another community that respects each other.

#### **4. Conclusions**

There has been no cooperation between the public and private governments that is not appropriate in its processing. So the resulting waste is perceived to be detrimental to the community, while the compensation received by the community is not in accordance with the current community. Of the many wastes that pollute only one that can be utilized by the surrounding community, also residents have to spend money to get it.

The collaboration built by the community, government and private sector has been built since the beginning, but over time the collaboration became ineffective because the private party was not able to manage waste properly which made the community think to end the collaboration that has been awakened.

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# Soekarno's Thought In Pancasila

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**Abstract.** In the process of Pancasila formulation through a few steps of investigation court, many of prominents included in it like Muh. Yamin, Soepomo, and Soekarno. But from the three prominents, only Soekarno's thought obtained appreciation from the audience acclamatically and Pancasila was regarded as the preference of Soekarno's thought became something different in the order and terminology. Yet in the fact before Soekarno made a speech on Juni 1st, 1945, Muh. Yamin and Soepomo had formerly made speeches and if they had the similarities with one another. This research used a type of phenomenology qualitative with library research, by analyzing in detail to some relevant literatures. By using deconstruction theory belonging to Jacques Derrida with trace, difference, reconstruction, and iterability concepts. While the data sources were taken from primary and secondary ones. And the technics in this research are heuristic, verification, interpretation, and historiography. Soekarno's Pancasila formulation achieved five principles as follows; 1) nationalism thought, Soekarno intended to awaken nationalism spirit among the Indonesian people in order to stand for freedom. 2) Internationalism thought, Soekarno intended to relate tightly between internationalism to nationalism thoughts. Both were mutually qualifying and to preserve plurality among the Indonesian people, as well as to establish nepotism among us. 3) Democracy thought, with this Soekarno was confident that the absolute reason to strengthen Indonesian state was thought consultative and representative. Thus with consultation we could repair everything, including religion salvation. 4) Welfare thought, with this Soekarno intended to eliminate poverty from Indonesia, by synergizing democracy the Indonesian state could bring the people to live in welfare. 5) Divinity thought, Soekarno intended that divinity was not meant by having God. But each of the Indonesian people could worship to their god and free to embrace a religion according to their religious beliefs. Thus we can conclude that the Soekarno's thought was rooted from nationalism wanting the Indonesian people to live side by side in peace and welfare, and to integrate all elements. Analysis result; Pancasila was the final result of investigation court achieved from the contribution by Muh. Yamin, Soepomo, and Soekarno. The three prominents had similar points of views about nationalism ideology, divinity, national relationship and democracy. Thus we cannot conclude that Pancasila was the only thought of Soekarno.

**Key words :** Thought, Soekarno, formulation, Pancasila.

## 1. Introduction

Indonesia is a country which lies on Pancasila regulating state government. Pancasila as the state basic is used to regulate the arrangement of state life as well as the Indonesian state. All matters that relate the implementation of state system toward NKRI (The Integrity state of the Republic of Indonesia) that obligedly relies on Pancasila. This means that all the regulations which exist in the republic of Indonesia shall be based on Pancasila (Kaelan, 2013: 70). As a state ideology, Pancasila should be the source of life order in this country. In this case, the meaning of ideology itself is the knowledge about the science of idea. Karl Marx translated ideology as the philosophy of life enhanced and based on a group's importance or a certain social class whether in politic or social economy (Kaelan, 2013: 61).

Pancasila as the basic philosophy through state ideology and the Indonesian state. It was not formed suddenly or created by somebody as it happened to the other ideologies in the world, but the forming of Pancasila was through a long enough process in the history of the Indonesian state (Kaelan, 2013: 63).

As the causality of Pancasila before it was legalized to be the basic philosophy of the state where the values had existed and derived from the Indonesian state itself such as the values of custom, culture, and religion. Then the founders of the Indonesian state raised all the values formulized by a confrence were based on noble moral, such as the first BPUPKI court, the nine commity court which then produced "Piagam Jakarta" that contained Pancasila for the first time. Then it was discussed again in the second court of BPUPKI. After the independence of Indonesia before the official court of PPKI, Pancasila as the candidate of philosophical basic for the Indonesian state was firstly discussed and reperfected.

Finally PPKI legalized it to be the state philosophy basic of the republic of Indonesia on August 18th 1945 (Kaelan, 2013: 66).

In the process of Pancasila formulation as the state basic of Pancasila, it was carried out through the result of hard work that involved many prominents. By establishing "BPUPKI", in this case, led by DR. KRT. Radjiman Wediodiningrat, this board consisted of 68 members, with the composition of 8 Japanese, 15 members from islamic groups, and the others from nationalist groups added with Japanese aristocrats (Ahmad, 1985: 102). The founders of Pancasila like Prof. Muh. Yamin, S.H, Prof. Mr. Dr. Soepomo, and Ir. Soekarno in the court of BPUPKI inspired them the preborn of Pancasila. In the process of formulation, an extreme debate happened around the state ideology among the groups, like Nationalist, Islam, and communist (Ahmad, 1985: 121).

Soekarno became one of the founding fathers, in this case, Soekarno and NU, as well as all the state founders really realized that the establishment of NKRI was obtained from all kinds of struggle, rebellion, tactic, open, and diplomatic wars, not intended to build "Khilafah Islamiyah" or the country of Islam, but they fought just for one aim, that is, the independence of Indonesia (Zainal 2013: 120). Therefore Soekarno asked the Islam and seculer nationalists in order to propose the formula that could balance their importance respectively. Most of the islam prominents expected this countcopy to be full of islamic colors. Whereas christians and hinduist as well as seculer nationalist expected that the effort to islamize this country would only to trigger restlessness in the eastern part of Indonesia and the other non-moslem areas (Zainal 2013: 121).

Soekarno was one of the founding fathers, also known as Pancasila founder, and we cannot deny that he was the first source who introduced Pancasila to this nation. Ir. Soekarno's speech on June 1st 1945 in front of the court of Dokuritsu Zyundi Tyosakai became the early idea to be the basic of formulation towards principles of Pancasila known until now (Berhard 1987: hlm xii). In fact the order of Pancasila principles in the speech on June 1st 1945 was different from those of principles as mentioned in the next documents, as in "Piagam Jakarta" which were made by "panitia sembilan" or nine commity, in the preamble of uud 1945, even in Soekarno's speeches as "key person" in the formulation of Pancasila requiref to understand the logical thought of Soekarno, mostly established empirically through the historic experience of the life of this nation.

Among the founding fathers like M. Yamin, Soepomo, and Soekarno that had made their speeches in the meetin of BPUPKI, they got different responses, and from the three eminent, only Soekarno's thought was regarded from the result of synthesis thought which became the most important one. Thus, Pancasila was born as the preference of Soekarno's thought which consisted of five principles, that is,

Nationalism, Internationalism, Democracy, Welfare and Divinity. Therefore would it be possible that Soekarno really became the first formulator of those principles? Because three days before Soekarno delivered his famous speech, Muh. Yamin had made his speech on May 29, 1946, in front of the investigation board court onto the five principles as the basic for the independence of Indonesia as follows: nationalism, humanity, divinity, democracy, and people's welfare (Endang, 1997: 18).

There are no fundamental differences between Yamin's five principles and Soekarno's. The difference was only in the term used for "democracy" and in the order of the principles (Endang, 1997: 18). Mohammad Roem, a famous leader of Masyumi, overviewed that "the theme between both speeches were similar, the amount of the principles were just the same, i.e, five principles, even the length of the speeches also, i.e, 25 pages in the script (Muhammad, 1972: 24).

Soekarno's speech on June 1st, 1945, now well known as the birth of Pancasila, we could find the feedback of Pancasila principle order, especially the principle about divinity as the 5th principle and then became the 1st principle order of Pancasila in various documents. But in order to understand it deeply, of course we need to comprehend the path of Soekarno's thought about divinity (Muhammad, 1972: 24). The issue about the placement as "divinity principle" on the last order, it remained a question by various elements, while the principle of nationalism became the 1st order. Therefore Soekarno was regarded as a nationalist secularist. Yet that kind of judgement kept being denied by seeing the path of Soekarno's thought in his various literatures and speeches, actually full of "Tauhid" (faithfulness) values (Re-So-Pim, 1972: 12).

On his literature with the title "Nasionalisme, Islamisme, and marxisme", in the 1st edition book of *Di Bawah Bendera Revolusi*, it became obvious that Soekarno matched between the path of thoughts that by many groups were impossible to be matched (Soekarno, 1946: 32).

Then why was divinity principle put on the last order, but nationalism principle on the first one in the speech on June 1st, 1945? By seeing that thing, did Soekarno ignore faith dimension in delivering all the principles that became the principles in Pancasila?. From various issues above, then the writer was interested to analyze deeper about "Soekarno's thought in Pancasila formulation" based on sources, information, even relevant data.

## 2. Theory Skeleton

To answer the issues above, we can use the relevant theories. One of them is deconstruction theory. Deconstruction is a method of text reading. It shows that in every text has the responses considered absolute. Whereas, every response is always contextual because it is always there as social construction in history (Christopher, 2003: 19).

Acques Derrida indicated that somebody is always incline to let go of a text out of the context. One certain term we release from the context as the final meaning. Thus, Derrida called it as logocentrism, that is, the inclination that refers to a certain metaphysic, or a certain absolute object existence. With deconstruction method, Derrida wanted us to be critical against a text (Christopher, 2003: 19).

Deconstruction task is used to reveal the problematic against centered issues, the other side revealed metaphysic by changing the limits conceptually. While the purpose of deconstruction method is used to show failure in order to present absolute truth and to open a hidden agenda containing various weakness and declination behind the texts (Nyoman, 2011: 39).

Hrough Derrida's first deconstruction method used the term "Trace" as the concept in tracing meaning. According to Derrida, what we can know is the traces from that truth itself, not to itself. Trace is mysterious and untold, it appears as a strength and the forming of writing, breaking through and giving energy to the activity in overall. The second method used the term "Difference", that is, an unusual word. This word is not found in any dictionaries. It consists of two words in order to differ, and to delay certainty. The truth and meaning must always be differed and delayed (delaying the truth in a text). The third term "Reconstruction", that is, to build and to return something based on the former event, where in the reconstruction, it contains primary values that must always exist in the activity to build something back to its former condition. And the fourth term "Iterability", that is, the ability of a text to be always continuous meaningful in different contexts. A text is something flexible and nimble, it is a sign that can



keep being repeated and differed in accordance with a reader's horizon and interpretation (Christopher, 2003: 23).

Then the writer followed the concept of iterability, that was, to observe Soekarno's thought by the time the Pancasila formulation was firstly made. It was considered the most important part among the other thoughts like from M Yamin and Soepomo. By making a comparison for the three initiators in order to see a touching point among Soekarno, M Yamin and Soepomo in their thoughts to formulate Pancasila, so that the final result can be called "Deconstruction" by knowing whether Pancasila was the absolute result of Soekarno's thought himself.

### **3. The Basic Principle of Soekarno's Thought in Pancasila Formulation**

The basic principle of Soekarno's thought in Pancasila formulation was a statement and guidance in order to think and to act in delivering Soekarno's ideas rightly and accurately in Pancasila formulation so as to obtain a decision that was approved together for all purposes.

In Pancasila formulation, on June 1st, 1945 Soekarno delivered his thought about the five basic principles which became the important points about Pancasila. The points are as follows (Bambang, 1997: 62):

1. The first principle which became Soekarno's attention was nationalism (the nationalism of Indonesia).
2. The second principle exposed by Soekarno was internationalism. What he meant about internationalism was not cosmopolitanism that didn't want the extinction of nation. Internationalism really dealt with the principle of nationalism exposed by Soekarno in the first principle.
3. The third principle exposed about the principles of conference, representatives, and consultation.
4. The fourth principle was welfare. With this principle Soekarno said "there is no more poverty in the independence of Indonesia".
5. The fifth principle exposed by Soekarno was "belief in the one supreme God". The principle was about (divinity in culture).

The five principles above as the basic of state was proposed by Soekarno to be named Pancasila based on his friend's idea known as a language expert (Bambang, 1997: 63-64). According to Soekarno, the five principles could be pressed to be "tri sila" covering: socio-nationalism which became the synthesis of nationalism with internationalism, socio-democracy which became the synthesis of democracy, with social welfare and divinity. Then Soekarno also proposed "Tri Sila" (three principles) could be pressed to be "Eka Sila" (one principle with the point was gotong royong (cooperation) (Soekarno, 1991: 21).

In Pancasila formulation, Soekarno tried to unite all thoughts from various eminent elements, as well as to move away personal importance, ethnic or groups. Soekarno realized completely that the independence of Indonesia was the independence for all elements. Realizing that *bhineka tunggal ika* (unity in diversity), Soekarno conveyed the basic concept of Pancasila in which it contained the spirit "all for all". Pancasila is not only used as an ideology integrator and as a sealer of life and importance of nation, but also as a basic and philosophy, and the life view of nation. According to the guidance of human nature, Pancasila contains the values of divinity, humanism, unity, democracy and justice. This is the basic to establish new society of Indonesia, that is, Indonesian socialist society (Re-So-Pim, 1972: 17).

Then the review about the principles of Pancasila in Soekarno's speech on June 1st, 1945, it was different from the sequence of the principles as mentioned in the next documents, like "Piagam Jakarta" or even in Soekarno's speeches from various occasions. But after all, it did not decrease Soekarno's role as "key person" in Pancasila formulation whether as a state basis or as the life view of nation. Therefore, in order to understand about Pancasila, we need to understand the logic of Soekarno's thought which was mostly built empirically through life history experience of this nation (Re-So-Pim, 1972: 17).

The sequence of Pancasila principles mentioned firstly by Ir. Soekarno on June 1st, 1945 as ever written were as follows: (1) The Nationalism of Indonesia, (2) Internationalism and Humanism, (3) Consensus and Democracy, (4) Social Welfare, (5) Divinity (Soekarno, 1961: 5). While the principles by the nine committee (Panitia Sembilan) was then known as "Piagam Jakarta" mentioned as follows:

1. God Almighty which obliged Islamic laws for His believers.
2. Just and civilized humanity.
3. The Unity of Indonesia.
4. Democracy led by the wisdom deliberation among representatives.
5. Social justice for the whole people of Indonesia.

Finally the sequence of Pancasila principles in the preamble of the 1945 constitution is as follows:

1. Belief in the one supreme God.
2. Just and civilized humanity.
3. The unity of Indonesia.
4. Democracy led by the wisdom of deliberation among representatives
5. Social justice for the whole of the people of Indonesia.

To be understood that the formula of two sequences of principles in Pancasila which were the last arranged referring to Soekarno's speech on June 1st 1945, and the process of formulation arrangement also involved and was led by Soekarno. That there were differences in the order between the first sequence with the second and the third. It all happened because the speech on June 1st 1945 was a speech without text. It was the sound of Soekarno's heart delivered spontaneously and related to the situation and condition at that time. In delivering the speech on June 1st 1945, Soekarno did not care about systematic, but he put the disclosure of the real Pancasila itself in every day life as the first priority (Kaelan 2006: 78).

#### **4. The Analysis toward Five Principles of Soekarno's Thought in Pancasila Formulation**

In the case of Pancasila formulation, Soekarno proposed that Pancasila became as the basic of state philosophy and the life view of the Indonesian state or 'philosophische grondslag' as well as the view of the world in the same level with the big ideologies of the world or as 'weltanschauung' and based on that we could establish Indonesian state. It is very interesting to study that Soekarno proposed the state basic whether orally or literally and compared the basic philosophy of the state, that is, Pancasila to the big ideologies of the world like liberalism, communism, chauvinism, cosmopolitanism, San Min Chu and the other big ideologies in the world (Kaelan 2006: 78).

According to Kahin quoted by Suwarno, Soekarno's speech on June 1st 1945 was very important because the principles proposed became a mature social-political philosophy which was actually convinced by influenced nationalist leaders and Indonesian leaders as well. According to Kahin there were no principle formulation of the state basic more clear than Soekarno's formulation that could be the prototype as a synthesis of western democracy, modern Islam, Marxism, and democratic ideas as well as origin rural communalistic, which became general social thought of mostly Indonesian elite politics after colonialism (P.J. Suwarno, 1993: 96).

The same with Kahin, Bernhard Dahm also assessed that the synthesis carried out by Soekarno was as a big thought, but Dahm emphasized that the synthesis carried out by Soekarno was based on Javanese philosophy wrapped to be a big formulation about the state principle was unity. He also emphasized that "all for one" which a local wisdom as well as Javanese wisdom (Bernard, 1987: 424). This is the same as integralistic principle, developed and proposed by Soepomo. Thus based on this assumption, Dahm explained why Soekarno revealed three alternatives, that is, Pancasila, trisila, and ekasila. The Javanese philosophy basic which wanted the unity, according to Dahm, was the basic thought of Soekarno in order to develop synthesis ideas of nationalism, Islamism, and Marxism which were formerly known as "Nasakom" (P.J. Suwarno, 1993: 96).

It was not limited to the thought as Soekarno's creative idea which was "electical incorporation", but it also seemed to be an effort to obtain humanism formulation of state philosophy basic. Soekarno synthesized eastern thoughts, that is, India and China by offering Gandhi humanism philosophy and San Min Chui Sun Yat Sen. Thus Soekarno's thought and idea was truly very strategic, so that it was not surprising it could get a welcome and support acclamically (Kaelan, 2006: 27).

Therefore through inductive method in formulating Pancasila, Soekarno had observed Indonesia's development history, his experience as a cast of national movement, and plurality of Indonesian people

so that it enabled a thought to have electoral incorporation where the meaning, according to Notonagoro, was a synthesis of various different views. But they were united to be one noble purpose. In relationship with nationalism, E. Renan really focused on a willing factor to be united by putting aside the difference factors of races, ethnicity, or socio-economy which was completely realized by Soekarno that all Indonesian leaders as Founding Fathers, were more of diversity (Notonagoro, 1980: 102).

In order to keep the spirit of unity in fighting colonialism strong, then Otto Bauer's thought was developed and lifted which emphasized the similarity of manners, characters and the feeling of having the same suffering that became an important factor in national life. Soekarno realized that at the time Indonesian people had the same fate as colonized nation. Thus based on this synthesis thought, Soekarno developed it by lifting the nationalism of Sun Yat Sen, the geopolitic theory concept of Bauer where he remembered the constellation of state geographic territory, and the element order of multi ethnic people so that it really needed a bond in national and state life (P.J Suwarno, 1993: 98).

A brilliant heuristic thought where the nationalism basic principles existed, geopolitic was also based on Morality value of belief in the one supreme God and Gandhi humanism often said by her was "My nationalism is humanity". Besides, the principles of democracy and people's welfare (social justice) based on the value of the belief in the one supreme God as well as just and civilized humanity was Soekarno's effort in order to unite a developing opinion at the time. (Kaelan, 2003: 28).

#### **4.1. Nationalism**

In the speech of June 1st 1945, i.e, the third principle (the unity of Indonesia) of Pancasila was placed on the first order and the diction used by Soekarno was Nationalism. This word was proposed by Soekarno in the court of BPUPKI and the agreement was requested to the other present court members at the time. The word Nationalism had to be understood that the country that would be established was not only for one individual importance, but for one group importance (whether the aristocrats, the rich or one religion would be) (Ign. Gatut, 2007: 75)

Nationalism thought became the unity of Indonesia principle, then the third order of Pancasila became the strength that could burn up and evoke the desire to freedom. With nationalism, the people of Indonesia could preserve their lives, give the power along the darkness of long period of colonialism and as long as the struggle of freedom burned up. Now that the power burning up still remained a flame in the chests of the Indonesian people and gave the power to the life of nation (Ign. Gatut, 2007: 78).

The unity of Indonesia is an uneasy political aspiration to be realized in the condition of plural society like now. The biggest challenge is the process to build nationalism awareness in line with cultural awareness. As we together understand that the essence of the Indonesian people consists of some parts, such as: Indonesian people, families, groups of people, tribes, where the territories include islands. Then all is in the unity in order to form new things, i.e, new country and Indonesian people (Kaelan, 2002: 271). Whenever the parts stand on its own, then it will be weak and does not have the meaning in the comprehension of state (Kaelan, 2002: 271). The principle of nationalism was firstly purposed by Soekarno.

Besides, Soekarno was also inspired by Dr. Sun Yat Sen's writing titled "San Min Chi I" or "The Three People's (Panitia Lahirnya Pantja Sila, 1964: 23). Soekarno's nationalism became more mature with the influence of Mahatma Gandhi expressing that "My nationality is humanity". The nationalism or nationality convinced by Soekarno was humanity nationalism, the nationalism that did not underestimate other nations, and it was not chauvinism as well. The nation concept which was meant here was not built based on races or cultural nation ethnics, even a certain religion (Soekarno, 1946: 24).

The Nation meant here was also not only based on a concept of the group of people united to be one nation because of a willing to be united (*le desird'etre ensemble*) according Ernest Renan, or based on a concept of character unity appearing because of fate similarity (Soekarno, 1964: 24)

With in that context, Soekarno realized that national unity required "National Identity", "National Personality" and "Personality in Culture" (Kaelan, 2002:271). He really comprehended human essence, that is, "Monopluralist" or single plurality, which normally had to always exist and appeared in an action

inwards and outwards as the appearance of desire in line with mind and sense. These desires of action covered the things related to the individual creature, and in the relationship as social creature, even with the individual himself or God creature which overallly became as one unity or monopluralist (Yudi, 2010:369). This thing makes Indonesia able to survive until now and to get stronger if we implementate the spirit of nationality as Soekarno said.

Then relating to national sense, Soekarno referred to historic reality of the Indonesian people that had been colonized for over 300 years. As a country that ever achieved a glory in the past, like Sriwijaya, Majapahit and Mataram eras, of course deep in his heart he wanted to bring back the identity as a big and independent nation like before. Or Soekarno emphasized "such nations are not allowed to be uncertain deep in their hearts, life should be filled with a desire to get back to self esteem, that is called nationalism" (Hamka, 2011: 44).

Actually what Soekarno meant by nationalism had been expressed by him for quite long, that was in 1930 when he faced a court by Dutch colonial in Bandung. Before all the judges who judged him said that the spirit of every single people suffered by one condition, either a proletariat in industrial countries, or in colonized lands is the spirit to get freedom (Hamka, 2011: 44).

Nationalism sense was obtained through the misery of the Indonesian people, because from the misery a desire was born to let go of colonialism and willing to build again the glory like before. Thus nationalism sense also means admitting the identity of Indonesian people as a big nation.

In order to build the glory in the future, we do not only remember the glory in the past, but also have to fight to get freedom. But the past is the stimulator of a new spirit to fight together. That was Indonesian people, Soekarno said " by knowing our victory in the past, then nationalism come alive, and the fire of hope flames again in their hearts. With that burning nationalism, then Indonesian people could realize the freedom at the time. With positive nationalism, the Indonesian people could feel the truth of sight saying that such kind of nationalism was a blessing from Allah.

#### **4.2. Internationalism**

Internationalism thought in Soekarno's thought on June 1st 1945 also placed the second order with different redaction from the official formulation of Pancasila on August 18th 1945. At the time the second sila proposed by Soekarno was internationalism or humanism, with in Pancasila was "just and civilized humanity". Thus with this thought, Soekarno had a purpose not only to build nationalism in the freed country, but more than that, i.e, to build a kinship among nations. In this era we might say exactly it is an effort to build cooperation among nations and a peace in the world (Ign. Gatut, 2007: 68-69).

Internationalism and humanism thoughts were drilled by Soekarno from the culture of the Indonesian people themselves. Since hundreds even thousands years ago what Hindhu religion had taught Tan Twan Asi (He is me and I am Him) in Indonesian society was no other than humanity sense itself. Then Islam religion came into Indonesia to teach social service called "Fardhu Kifayah" (a compulsory to be done for general sake) which is usually done collectively or cooperatively by society. This teaching empowered more humanism sense in the heart of Indonesian people. Meanwhile Christian religion came to teach about love and affection for human beings among the Indonesian people that human beings should love one another like you love yourself. In Islam actually this teaching also exists, as the prophet Muhammad SAW said, "not included the faithful people until he loves his brothers the way he loves himself" ( Hamka, 2011: 43).

Therefore, humanism sense was not created by Soekarno. It was the feeling that had grown inside the heart of Indonesian people, either before the coming of big religions, monotheism, or after their comings. Soekarno admitted that he only drilled it up from the feeling of the Indonesian people. Because he said, " if I drill up humanism sense inside the heart of Indonesia mother land, it is not surprising. As it is not if I drill up divinity sense here in Indonesia" (Hamka, 2011: 43)

Humanism principle is universal. This principle admits and treats human beings in accordance with their value and dignity as God creature, also admits the similarity of degree, right, obligation to human rights without diversifying tribes, ethnics, religions, races, colors of the skin, social condition and others.

In the preamble of the 1945 constitution became the existence of humanism sense in positive law in Indonesia and in daily life this can be seen to the institutions established in order to accept all that in unbalanced in social life (Hamka, 2011: 43).

In this second section, the maturity of Soekarno's thought was very obvious by not being trapped into a narrow nationalism understanding that he exposed in the beginning considering Indonesia also became a part of international world, therefore he told the members of BPUPKI court that Indonesia had to admit the existence of other nations and create unity and brotherhood in the world.

According to Soekarno, international meant here really related to the principle of nationalism described in the first principle. His purpose to express this principle was not only to build nationalism with in independent country, but it was more than that, i.e, to build a kinship among all the nations (Syamsuhadi, 1995: 58-59). In this era, we can say this thing as the effort to build cooperation among the nations and a peace in the world. Soekarno said that internationalism would not grow rapidly if nationalism was not rooted in the earth and neither would nationalism if we did not live in the essence of internationalism.

Basically Soekarno emphasized that we, the Indonesian people would not live on our own and got exiled from the other nations in the world. He said that normally human kind nowadays consisted of various nations, especially in th 20th century we could not imagine one country could live without any relationship with the other nations. Human is a homo socius. Therefore a nation cannot live on its own, a nation can only live in the society of other nations (Soekarno,1946: 51).

#### **4.3. Democracy**

Soekarno's democracy thought, in his speech on June 1st 1945, was named concensus or democracy in Pancasila found in the fourth order which said "Democracy led by the wisdom of deliberation among the representatives". Soekarno explained that Indonesia is not a country for one people only, not for one nation, one group, but one for all and all for one. He was confident that an absolute condition in order to empower Indonesian state was consultative and representatives.

By concensus we can fix everything, including religion salvation, i.e, by expressing or consulting to the house of representatives. It had been a long time that Indonesian people applied consultation way by discussing about society issues. Consultation or conference was actually the life of nation and community in a democratic way among our society in the past, although they lived in a kingdom or emperor. That kind of practical democracy preceeded all the theories of western democracy, as Soekarno said: "Before Montesqieu, Voltaire, Rousseau theories existed, as well as the parlements in western world,we have run that kind of democracy in the ancient form. But the democracy has existed. Therefore this democracy sense is no longer strange to us." (Soekarno,1964: 52).

The unity state of multiculture nationalism can survive firmly if it stands based on the running of government that can guarantee a balance among the fulfillness to principles of freedom, similarity, and brotherhood that are aimed at all societies and nationalism element. What are demanded are not only the fulfillness of individual rights and collective right,besides the obligation to develop social solidarity in the benefit and happiness of the whole nation life (Yudi, 2010: 383).

The principle of majority government is based on the equality of a citizen's rights by respecting majority rules and minority rights relying on the existence of people's sovereignty based on the spirit of kinship. Multiculturalism issue can be explained with a fact that every citizen, even if it is viewed as a legal subject,abstract individuals taken out from the social roots. The admission of cultural rights from ethnical groups, especially minority group need to be given pre condition toward the forming individual citizenship that could be beyond ethnical identity (post ethnic condition).

The ambition of people's sovereignty in the spirit of kinship giving a room to this multiculturalism echos in the heart of the Indonesian people as the reflection of a bitter experience from colonial opression and solidarity tradition in Indonesian society (Yudi, 2010: 383).

The statement was Soekarno's firm attitude as a moslem who firmly upheld the plurality of Indonesian society because the democracy in his thought, Indonesia was not just a technical means,but also containing soul, thought, and feeling. Thus the realization of democracy should be put based on the

personality of the Indonesian people themselves and national aspiration in order to form a just and prosperous society (Yudi, 2010: 476). He also exclaimed to Islam and christian elements to work as good as possible in order the chairs in the house of representatives could be placed by some delegates, either from Islam delegates or Christian delegates.

Therefore in this case the people will give their own values to their representatives who really represent the sovereignty of people not to use the people in order to reach their aims. Besides, people are also demanded to be wise citizens who understand their rights and obligations as well as get responsible in fulfilling their political participations.

#### **4.4. Welfare**

In the speech on June 1st 1945, the principle of welfare delivered by Soekarno was put on to the fifth order, i.e, "Social justice for the whole of the people of Indonesia", briefly the principle of welfare was translated by Soekarno as a principle "No more poverty in Indonesia" ( Ign. Gatut,2007: 81).

About social justice principle, Soekarno drilled up from national culture that had existed since the golden era of the past under the big kingdoms like Sriwijaya, Majapahit, Mataram and some emperors either in Java or out of Java where the ancient bibles reminded us of prosperous era at the time, i.e, "Gemah ripah loh jinawi and tata tentrem karta raharja", an old Javanese saying that described the situation of Indonesian people in the ancient time when our country was fertile, prosperous, well organized, safe and welfare, far before the colonizers conquered this country, and it also happened again in the future of the independence of Indonesia (Hamka, 2011: 46).

The prosperity situation above had changed very far after Indonesian people lived in misery during colonialization under the power of imperialism and colonialism. Indonesian people used to live in poverty hoping to go back to the glory era like before and release from misery and colonialism, until the feeling of social justice came to Indonesian people, the desire to break free in order to realize a just welfare and prosperity. Such a feeling that Soekarno drilled up to then become one of the principles in Pancasila. The content of that principle was no other than an idealism growing in the society.

Soekarno's statement above was not supposed to be neglected from its utopism inclination, but from the side of strong intention to strive for justice and social welfare across the golden bridge of independence. The achievement of noble task that did not rely on "laissez fair based on individualism-capitalism because Indonesia ever had a bad experience upon political oppression and economic poverty caused by colonialism. Meanwhile, colonialism itself was the length of individualism-capitalism. He assumed that social justice was" our supreme process to individualism" (Yudi, 2010: 583). The result of the reflection made Soekarno wish the whole of the Indonesian people to live in welfare without seein a social class that existed in society.

Therefore, Indonesian state was not expected as "a liberal state", but as "a social state". In every state founder's mind, a social state meant here was a form of democratic government emphasizing that a responsible state for their people's welfare (at least minimally), that the government had to regulate the share of national wealth in order people were not in starvation and ended dead because of the absence of social guarantee. In the welfare state of Indonesia, demanded by a political ethic was not the elimination of private property rights, but that the rights had a social function, and the state would be responsible for a general welfare in society (Yudi, 2010: 585).

#### **4.5. Divinity**

In the divinity principle, Soekarno connected it with geographic reality and religious tradition of the life of Indonesia as an agricultural country. That agricultural country in everywhere they will depend on their lives to agriculture and farming sectors. Agricultural life is really determined by natural condition out of the range of people power. Then as a human that admits his weakness. Since a long ago Indonesian people admitted the existance of God almighty, to Him we rely on our fates and pray for the benefit of life.

Divinity principle in the speech on June 1st 1945 was placed on the 5th order, where in divinity thought of Pancasila was placed on the 1st order. But Soekarno intended that with this 5th principle,

Indonesians should set Indonesia to be independent by doing worship to God almighty ( Ing. Gatut, 2007: 65). Soekarno in his speech said that:

"Divinity principle! Not only the Indonesian people have God, but every single Indonesian has his own God. The Christians do worship according to the prophet Isa al Masih's teaching, the Muslims follow the prophet Muhammad SAW's teaching, the Buddhists run their worship the bible they have. But anyway let's all believe in God. Indonesian state is where the state lets every citizen to pray for God in an easy way. And all the people should believe in God culturally, that is, without "egoism-religion". And the Indonesian state is a state that believes in God!" (National Commity for the Commoration of pantja sila Born, 1964: 29-30).

The principle described by Soekarno about belief in God with culture is we, the Indonesian people, do not only believe in God, but every single Indonesia believe in his own God. Government gives a freedom to everyone to pray for his God as easy as possible related to his religion and belief and Soekarno had thought forward that government should give a freedom to every citizen to embrace his religion and belief, as mentioned in human rights (Syamsuhadi, 1995: 63-64).

In the context of Soekarno's thought that nationalism substance; such as the love to mother land, patriotism, humanity, and freedom is a muamalat issue included in Islam's teaching category of humanity and social dimension. It is because Islam does not only provide comprehensive teachings in the issues related to Religion Laws (Fiqh), Dogma (Tauhid) and Ethic (Akhlaq), but also in the issues related to human relationship and the world issues (Muhammad A.S, 2000: 23).

Islam is a life intercommunication that gives a balanced right and the same obligation. The rules contained in Islam is very hyterogen, from divinity issue until household arrangement issue to manage a relationship with those who have different religious beliefs and countries as well as to push up the spirit to reach for humanity degree. In this case, Mohammad Natsir as quoted by Dwi Purwoko in the book "Negara Islam", said that a Muslim does not have to eliminate nationalism and culture senses. Because the teaching of Islam also admits that humans are divided into groups, nations, and ethnics. That is called "Fitrah" or human nature (Dwi, 2001: 78).

Loving our motherland is human nature, it is the love to all the people living in it (Nur, 2001: 128). The implication from the love that everybody is obliged to preserve and keep all existing in the mother land.

Pancasila formulation itself that Soekarno proposed could be accepted as a state ideology although there was still revision in arrangement and terminology. By seeing the root of Soekarno's thought was nationalism, then he put nationalism (Nationalism of Indonesia) in the 1st order so as to unite the condition of Indonesian society as plural society. In the 2nd order about Internationalism, Soekarno really related it to nationalism principle which was purposed to preserve plurality of the Indonesian state and to maintain the national relationship in the country with the other nations so that Indonesian state could grow fertilely.

Then the 3rd order was democracy which was Soekarno's firm thought as a Muslim, by putting democracy on the personality of the Indonesia people in order to overcome various issues that later could create a just and prosperous society. Then about welfare thought, this thing reminded Indonesia of oppression and poverty in economy caused by colonialism. Thus with this principle, Soekarno expected Indonesian state to live in welfare without seeing the existence of social class.

The last was divinity principle. Soekarno intended to put divinity principle in the last order as the strengthener to the former principles. In this divinity principle, the writer observed that Soekarno expected all the Indonesian people believe in God and government could give a freedom to the people to believe in God as their religious belief without any forces.

After reconstruction was done, people knew that the process of Pancasila formulation in 1945, there were some famous eminent in delivering their speeches, i.e, the speech from Muh. Yamin on May 29th 1945, Soepomo on May 31st 1945, and Soekarno on June 1st 1945. It seemed that Soekarno's speech was delivered the last, but his speech was aclamically welcome in the courts of the formulation of the state ideology, if it was seen, there was a touching point or correlation of the speeches from the three eminent or Pancasila founders.

## 5. Conclusion

Soekarno's thought in Pancasila formulation was based on a deconstruction theory. Therefore we can conclude that Pancasila was not just a preference from Soekarno, but the other important eminent also contributed their thoughts like Soepomo and Muh. Yamin. This things can be seen from the similarities of their speeches, including the range of time for Soekarno delivered the speech the last. It shows that his speech was the summary or to complete the previous speeches. Soekarno's thought about divinity which was put in the last order did not mean that Soekarno neglected his faith dimension, but looking back the condition of Indonesian people after the independence from Japanese colonialism and getting more threat from Dutch, therefore Soekarno tried to build the spirit of Indonesian people by putting nationalism principle in the 1st order, divinity principle was put in the last order was as the strengthener to the previous principles in order to run based on divinity.

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# The Use of Judge's Language - Witness in The Trial: An Analysis Example of The Case of Appointing A Trustee of Selling and Purchasing

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**Abstract.** The background of this research is the prevalence of mutual understanding of the use of legal language which sometimes makes different interpretations for the general peoples of legal events occurred. The objectives of this research are (1) to describe the realization of the speech forms of Judges and Witnesses in the trial; (2) knowing the speech strategies that occur in it. This type of research is a descriptive study and the data analysis is qualitative. The research strategy used was content analysis. Sources of data obtained from the Minutes of the Session in the form of written transcription data. The data was collected using scrutinize technique and then note it down. The data collection techniques are free and competent listening techniques and documentation techniques. The result conclusion of this research are: (1) the speech form in the discourse of the application case for the determination of the buying and selling trustee: (a) assertive speech acts were found 27 utterances. (b) There are 29 directive speech acts found. (c) Expressive speech acts found in 1 utterance. Meanwhile, for category (d) Commissive speech acts, there were no utterances that supported it. Furthermore, (e) There is one utterance in the declarative speech act. (2) The strategy of speaking in the discourse of the application trial for the determination of the buying and selling trustee is the strategy of speaking directly. Formally based on the mode, sentences are divided into news sentences, interrogative sentences and command sentences.

**Keywords:** speech form, speech strategy, trial language

## 1. Introduction

As an articulated and meaningful sound symbol system by conventional and arbitrary means of speech, language is used as a communication tool by a group of people to deliver feelings and thoughts. According to Kridalaksana (2008: 24), language is a symbol of an arbitrary sound system used by a community to cooperate, interact and identify themselves. Language has an important function for humans, especially communicative functions. In communication activities, humans not only involve a participant, but also involve other participants. Participants will mutually understand the purpose of the interlocutor's speech, if good cooperation occurs. There are two ways to communicate, namely in writing and verbally. Written communication is an indirect relationship, while verbal communication is a direct relationship. Direct contact will occur a conversation between individuals and between groups. Conversations results in speech events and acts. The purpose of the speech event is: "the occurrence or continuation of linguistic interaction in the form of utterances involving two or more parties, namely

speaker and interlocutor with one subject, in a particular time, place, and situation" (Chaer and Agustina, 2004: 62).

In daily activities, language is used in various situations, including in litigation. A speech which involves many legal officers will be an interesting communication that will largely determine the outcome of the ongoing judicial process. This situation must certainly be listened to and properly followed and the continuity of the judicial process happens properly and as is. The objective leads to legal justice that is accepted by all components involved in the incident.

In this study, it will be seen the interaction of the speech between the judge and the witness in an effort to see the possible results obtained after the court decision is taken. The analysis theory is an example of the main purpose of this study to explore and predict the outcome of court decisions through language analysis of the use or selection of diction made by both parties. The speech occurs between the Judge and the Witness, will be seen by observing the following concept of speech form. 1) Assertives (Nolan, 2017; Ziatas et al, 2003; Budiasih, 2016; Rais and Triyono, 2019), which is a form of speech that binds the speaker to the truth of the proposition being expressed, for example stating, suggesting, suggesting, boasting, complaining, and claiming. 2) Directive (Directives) (Azhari et al, 2018; Basra and Thoyyibah, 2017; Maskuri, et al, 2019), which is the form of speech in which the speech is intended to make an influence so that the speech partner acts, for example, ordering (ordering), commanding (ordering) commanding), requesting, advising, and recommending. 3) Expressive (Ronan, 2015; Maíz-Arévalo, 2017) is a form of speech that serves to express or show the psychological attitude of the speaker about a situation, for example thanking, congratulating, pardoning), blame (blaming), praise (praising), condolence (condoling). 4) Commissives (Kissine, 2016; Bilbow, 2002; Qadir and Ellen, 2011), which are forms of speech that serve to declare promises or offers, for example promising, vowing, and offering something. 5) Declarations (Récanati, 1980; Wicaksono, 2018; Kohandani at.al, 2014), Namely the form of speech that connects the contents of the speech with reality, for example resigning, dismissing, dismissing, chanting, giving, giving name (naming), appointing, excommunication, and sentencing.

In order to analyze the speech, the form of speech becomes concrete data which is the form of speech used by the speaker to deliver a message to the interlocutor. According to Clark and Clark; Cruse; Martinez forms of speech based on the mode (content or mandate) to be conveyed can be divided into three, namely news sentence, question sentences, and command sentences.

1) News sentence (Declarative Sentences) (Gaskin, 1998) is known as declarative sentences. News sentence are sentences that state the news or statement to be known by others (listener or reader). According to Dardjowidjojo, et al (2003) news sentence or declarative sentences are a sentence whose contents tell the reader or listener something. The form of news sentence can be seen in the following example.

Rabu pagi abah samo mek nak pegi ke Bandung. "Wednesday morning, father and mother will go to Bandung."

In terms of form, there are various news sentence that can some show inversion, some are passive, some are active and so on.

Thus, news sentence can take any form, as long as the contents are news. In written form, news sentence end with a period. In oral form, the tone of the voice ends with the descending tone.

2) Question Sentences (Interrogative Sentences)

The question sentence is known as the interrogative sentence. Question sentence is a sentence whose contents ask something or someone. If people want to know the answer to a problem or situation, then they ask it and the sentence used is the sentence Tanya (Dardjowidjojo, et al; Tressyalina, Sakura Ridwan, 2015). There are five ways to form question sentences, namely: (1) by adding words apa(kah) (2) by reversing word order, (3) by using words not or not, (4) by changing sentence intonation, (5) by using question words.

### 3) Command Sentences (Imperative Sentences)

Command sentence is a sentence that contains the intention to govern or ask that the speech partner or someone else obey something requested by the speaker. This sentence is sometimes referred to as command sentence types (Rahardi, 2005; Hidayatullah and Dedi, 2019).

Speech acts according to Searle (in Wijana, 2009: 20), are divided into three, namely localized acts of speech, illocution and perlocution. Locutionary speech acts are speech acts that aim to state something. Illocutionary speech acts are speech acts that are not only used to inform something, but also do something as far as the situation of the speech is considered carefully. Perlocutionary speech acts are speech acts whose expressions are intended to influence the interlocutor.

The interaction of judges and witnesses in the judicial process is inseparable from the role of the court in its efforts to help and shape the common goals of the interactions that occur between judges and witnesses so that the judicial process runs well. The purpose of this study are (1) to describe the realization of the form of speech in the discourse in the judicial process in the context of the interaction between the judge and witness in the determination of the trustee; and (2) to find out the speech strategy in the discourse of the judicial process in the context of the interaction between the judge and witness in the determination of the trustee.

To answer the main problems of this paper, there are several things that need to be understood about the concept of language speech studies used by judicial officers. It is known that there are two forms of speech acts, namely direct speech acts and indirect speech acts. Direct speech act, namely speech act whose sentence mode reflects the intention of the speaker (Wijana). For example, news (declarative) sentences are used to state something (information), interrogative sentences are used to ask something, and imperative sentences are used to express commands, invitations, requests, or requests.

Legal language is a variety of formal languages, this is due to the official language used in its description, which is also a characteristic of the range of formal languages. One of them can be seen in the use of legal language in criminal case decisions.

Language in a juridical context includes the study of law as a play on language, control with language, argumentation and rationality, the possibility of dialogue and discussion, and "defiance of the sign system". Constitutive means the right to define natural facts and natural reality and transform legal reality into legal facts. This legal fact is then processed through language games by juridical institutions, hereinafter referred to as regulative (verbalistic) rules. This statement can give us a clear picture that the language of law has actually become the rule of law itself before the legal product gets the validity of the legal instruments and also the community. Opinions like this can be justified because the real legal force is found in the language. While approval from legal institutions is only a technical matter. In order to understand the rule of law, the understanding of the entire law is needed.

## 2. Method

In accordance with the objectives of the study, this study was a descriptive study with qualitative methods. This means that this study aims to describe the forms of verbal speech by the judge-witness interaction in the case of the application for the determination of the trustee. Qualitative research is research that produces descriptive data in the form of written or oral words from the people observed (Rubiyo, 2009: 51). The research strategy used was content analysis, for example analyzing the results of speech acts on the oral discourse of the judge-witness interaction in the case of the request for the determination of the guardian of the observed sale. The object of this research is in the form of verbal acts of judge-witness interaction in the case of the application for the determination of the trustee.

The method used in this study uses the method of referring to the method of data collection by means of researchers observing the use of language (Mahsun, 2007: 242). The data collection technique used is a competent, free listening technique that is without involvement in the speech (Mahsun, 2007: 242). Observation technique is also used to observe events in the form of verbal acts of judge-witness interaction in the case of the application for the determination of the trustee in progress. Noting technique is one method for collecting data by recording events or phenomena that are important to the research subject and from the results of this study can be used as material to discuss the problems that have been

determined. The note taking technique in this study is used to record the results of conversations that have been recorded (translating spoken language conversations into written language), in the form of verbal speeches of the interaction of judges and witnesses in the case of requesting the determination of the trustee. This study uses data analysis using the mark-reading method. According to Sudaryanto (1993: 13), also called the method of reading the marking, the marking shows the event of the lingual unit or the identity of the speaker, and the ability to read the role of the marker means the ability to determine the intended death.

The steps of the method of *baca markah* in practice are carried out by researchers after recording conversations in spoken language and then copying them into written language (transcribing), the researcher begins to analyze the results of the copy. These sentences indicate the activity of the lingual unit or the unilingual identity analyzed in accordance with the ability of the role reader. The advantage of this method is making it easier for researchers to find the identity of death in a sentence. The use of the method is to analyze the first problem, namely the realization of the form of speech in the oral discourse of the interaction of judges and witnesses in the case of the application for the determination of trustees with a Javanese cultural background.

After using the *baca markah* method, the next step is analyzing the data by *metode padan*. Mahsun (2007: 259) argues that the tool for *metode padan* has the outside determining, detached and not part of the language concerned. The type of solid method used is the pragmatic solid method. The pragmatic equivalent method is a method by which the opponent or speech partner determines (Kesuma, 2007: 48). To clarify the *metode padan* based on its determinants, namely the type of recording device in the form of writing and sub-types of speech partners in lingual including pragmatics, an advanced method is used to sort out the determinants as a comparison and meaning difference, that is looking for a comparative relationship between all determinants relevant to all data elements spoken. The equivalent method is by determining the determinants as a comparison and distinguishing means to find out the verbal speech strategy of the judge-witness interaction in the case of the application for the determination of the trustee. Presentation of the results of the analysis in this study uses the informal presentation method. The informal method is the formulation with ordinary words (Sudaryanto, 1993: 145). Presentation of the results of this study uses the method of informal presentation because the results of the data analysis contain exposure to everything found in this study, namely in the form of verbal speeches of the interaction of judges in the case of requesting the determination of the guardian of sale, and in this study the speech referred to is called an explanatory. According to Cummings (1999: 27), explanatory is a form of speech logic that has been fully developed. All of these propositions are explicitly communicated by speech.

### **3. Results And Discussion**

#### **3.1. Form of Speech in W PBM**

This study analyzed 29 data from the judge's utterance and 29 from the witness's utterance. Based on the analysis of the data that has been done, it was found that there are four forms of speech in the oral discourse of the interaction of judges and witnesses in the case of the application for the determination of the guardian of trade based on Javanese culture. The speech acts include assertive, directive, expressive, and declarative speech acts which can be described as follows.

##### **1. Form of Assertive Speech Act (TTA)**

According to Yule (2006: 92) assertive speech acts are speech acts that state what speakers believe. The assertive speech acts conducted by the teacher in verbal interaction between the judge and the witness in the case of the application for the determination of the trustee were found in 27 TTAs, including 1) affirming, 2) indicating, and 3) notifying. This section will only display a few examples.

###### **a. Realization of TTA Affirms**

To affirm is to tell in earnest about something that is certain. The verbal act of the judge-witness interaction in the case of the request for the determination of the sale guardian which includes the speech act confirms that the data (1) is described as follows.

Explicature: "Known, the applicant submits an application for permission to sell the plot of land in the name of his minor child." (1-S data)

Context: The courtroom during the hearing and the Judge asked witness 1 regarding the witness's knowledge of the applicant's wishes in submitting his application. This statement is an affirmation that the Witness knew exactly what the Judge was asking.

#### b. TTA Realization Shows

Showing is showing, stating, and explaining with proof that that is true. Speech included in speech act shows, for example data (9) is described as follows.

Explicature: "The location of the land is located in Gumulan Village, Central Klaten, Klaten." (9-S1 data)

Context: The courtroom during the hearing and the Judge asked witness 1 regarding the witness's knowledge of the applicant's wishes in submitting his application. The speaker shows the location of the land referred to by the applicant in accordance with the Judge's question.

#### c. TTA Realization Notifies

To inform is to inform someone about something according to their knowledge. Speeches that are included in the speech act tell, described as follows.

Explicature: "As far as I know the land was bought by the applicant with the results of his own efforts. So, it is not from inheritance or gift, then the land certificate is in the name of his son named S with a view to the future of the applicant. "

Context: The courtroom during the hearing and the Judge asked witness 1 regarding the witness's knowledge of the applicant's wishes in submitting his application. In answering the judge's question about his knowledge of the origin of the land, the Witness informed the origin of the land in question.

## 2. Form of Directives Speech Act (TTD)

According to Yule (2006: 93) directive speech acts are the types of speech acts used by speakers to get others to do something. Forms of directive speech acts carried out by Judges and Witnesses in the trial held were found to 29 TTD, including 1) ensuring, 2) urging

#### a. TTD Realization Ensure

TTD ensures that it is an act of speech which contains the element of sending the speech partner to do something as instructed by the speaker. The speech acts ordered in this study are described as follows.

Explicature: "is this really the limits?" (Data 14)

Context: The courtroom when the trial took place and the Judge asked witness 1 in an effort to ascertain the truth of the certificate in his hand. The speech act was explained by the Judge in revealing the Witness's knowledge of the physical evidence held by the judge. This statement is a form of speech ensuring that the truth of the evidence must indeed be clarified by the witness to ensure that the existing evidence is true or false.

#### b. Urgent TTD realization

TTD urgently is asking loudly half that it must be fulfilled. So, this speech act is the request of the speaker to the speech partner accompanied by necessity. Teacher TTD including urgent speech acts that is data is described as follows.

Explicature: "Does the witness remember the certificate number SHM /"! (data 12)

Context: The courtroom when the trial took place and the Judge questioned the witness 1 in an effort to urge the witness to reveal in detail his knowledge of the certificate in question, so that the letter number was the subject of the question.

## 3. Forms of Expressive Speech Acts

According to Yule (2006: 93) expressive speech act is a type of speech act that states something that is felt by the speaker. In this study found one type of speech act that can be classified into expressive speech act that is complaining which can be described as follows.

#### a. Realization of sympathy TTE

To sympathize is to share in feeling someone's distress. Speech acts included in sympathetic speech acts are described as follows.

Explicature: "As far as I know the land was bought by the applicant with his own efforts. So it is not inheritance or gift, then the land certificate is in the name of his son named S for the purpose of the future child of the applicant." (data 9)

Context: The courtroom when the trial took place and the Judge asked witness 2 in an effort to find out about the origin of the plots on behalf of the applicant. The speech was delivered by the judge as an effort to strengthen the reasons for taking the decision by looking at the level of truth of the words delivered by witnesses, especially the history of the land in question.

#### 4. Forms of Commissive Speech Acts

According to Yule (2006: 94) commissive speech acts are speech acts that state what is intended by the speaker. In this study found 29 speech acts that can be classified into TTK, namely asking which can be described as follows.

##### a. TTK Realization Asked Question

Asking questions is to ask to be told about something. The speech acts asked in this study are described as follows.

Explicature: "What is the purpose of the applicant to sell the land?" (Data 10)

Context: The courtroom when the trial took place and the Judge asked the witness about the reason the applicant wanted to sell the land in question. The speech was delivered by the judge while trying to dig deeper information from first witness and second witness.

#### 5. Declarative Speech Forms (TTDL)

Declarative speech acts are intended as a form of speech activity where the speaker tries to connect the contents of the speech with reality.

Declarative speech acts in this study can be exemplified as follows.

Explicature: "Initially the applicant works in a tobacco factory, after having a child then the applicant runs his own business at a small food selling house." (data 8)

Context: The courtroom during the trial and the Judge asked the witness about the applicant's place of work. This is intended so that the witness can describe what he knows about the applicant's profession.

### 3.2. Speech Strategy Discourse on Judge-Witness Interaction in Trials

Based on the data acquisition of the language used by the judge and the two witnesses in the trial that was held, it was known and an understanding was obtained that the strategy used by the judge and witness used the direct speech act strategy described as follows.

#### Direct Speech Act Strategies

Direct speech act (direct speech act) said by Rohmadi (2004: 33), is a speech act to order someone to do something directly. If the kalimat berita to say something, the question sentence to ask, the command sentence to order, invite, and so on. The direct speech act strategy is described through assertive and directive speech acts as follows.

##### a. Direct Assertive Speech Action Strategies

The direct assertive speech act strategy is the speech act that binds the speaker to the truth of what he says directly with the conventional aim of saying something (informing), for example the intention to emphasize with a command sentence. This is seen in data (1) which is described as follows.

Explicature: "I don't know the age, as far as I know, the applicant's child is in junior high school" (data 1)

Context: Courtroom during a dialogue between the Judge and the two witnesses.

Speech (2.a) includes assertive speech acts carried out with a direct speech act strategy of the speaker (witness) to the speech partner (judge). The sentences used are declarative sentences. The speech has the intention that the speaker responds to the Judge's question to the question about the status of the applicant's child in terms of age and education.

##### b. Direct Direct Speech Speech Strategies

The direct directive speech act strategy is the speech act carried out by the speaker with the intention that the speech partner performs the actions mentioned in the utterance directly from the speaker to the speech partner to do something, for example the intention to order and demand by using the command sentence. This is evident in the speech data described below.

Explicature: "Do you know the plot of land sold by the applicant for what purpose?" (data 15)

Context: The courtroom when the Judge asked the Witness about his knowledge of the sale of the plaintiff in progress.

The speech above is a directive speech act ordered delivered by the speech act strategy directly from the speaker (judge) to the witness (speech partner). The sentence used is the interrogative sentence. The speech has the intention that the speaker (judge) asks the speech partner to answer his question.

#### **4. Conclusion**

Based on the results of the discussion it can be concluded as follows.

- a. The speech discourse in the case of the submission of the application for stipulation as guardian to sell the plots of land under the name of the applicant's child (S) who are underage, there are 38 data with details: data from the judge (29 speeches), data from the first witness (15) speech), and the second witness data (14 utterances). The speech acts consist of assertive, directive, expressive, commissive, and declarative speech acts.
- b. 2. The speech act strategies in the interaction of Judges and witnesses in court are direct speech acts.
- c. 3. The use of language used in the realm of law has a pattern that is relatively the same as events in language in general. As the speech occurs is in the process of extracting information, the speech used tends to be in the form of a question and answer dialogue.



# Catalytic Activities of Alumina Supported Chromium Catalysts in Methane Oxidation: Effects of Chromium Loadings

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**Abstract.** A series of alumina supported chromium catalysts were prepared by impregnation method. The loading of catalysts were varied between 5wt% - 20wt%. The catalytic activities of these catalysts were tested in methane oxidation reaction in the temperature range 200 – 500 °C. The catalytic activities results showed that the conversion increases with the catalyst's loading and the highest chromium loading showed a resistant toward deactivation.

**Keywords:** Alumina; Chromium; Methane Oxidation; Deactivation

## 1. Introduction

The needs of energy is keep increasing with the population growth therefore a new energy resource is needed to fullfill the energy need. A combustion reaction produces energy, however this reaction also produce other pollutants. In order to decrease the amount of the pollutants, a catalyst is usually added in combustion reaction. A noble catalyst is widely use, however these catalysts are expensive. A transition metal oxide catalyst is recommended for this reaction but the catalytic activities of these catalysts are lower than the noble metal catalysts [1].

Transition metal oxides catalysts are extensively studied such as chromium oxides, cobalt oxides, cerium oxides, and titanium oxides. These transition metal oxides laso used as an additive metal in noble catalyst. Based on the previous research, chromium oxide catalyst showed higher activities compared to other oxides catalysts [2].

In this study, we prepared a series of chromium oxide catalysts by impregnation method. The catalytic activities were tested in methane oxidation reaction and the products were analyzed by Gas Chromatograph equipment. The stability and the resistantcy is also tested in this reaction.

## 2. Experimental

Four types of chromium oxides catalysts supported on alumina were prepared by impregnation method. Required amount of alumina was added into aquadest. The solution was stirred uniformly, the chromium metal was added slowly. The solution was stirred and heated at 80 °C until wet powder is formed. The wet powder was kept in oven at 100 °C for 8 hours. The dry powder then crushed and calcined at 400 °C for 3 hours in stream of argon-oxygen gases. The obtained catalysts were 5wt%Cr, 10wt%Cr, 15wt%Cr, and 20wt%Cr.

The methane oxidation reaction was tested in the temperature range 200 until 500 °C. The weight of each catalyst in the reaction was 0.1 gram. The gases were argon, oxygen, and methane in the total flow rate closed to 30 ml/min. The reaction products were analyzed by a gas chromatograph.

### 3. Results And Discussion

The catalytic activities of the catalysts were tested in methane oxidation reaction using a glass tube reactor and the products were analyzed by a gas chromatograph. The amount of the catalyst for each reaction was 0.1 gram and total flow of reactant gases was closed to 30 ml/min. Figure 1 shows the catalytic activities of 5wt%Cr at reaction temperature 200 – 500 °C. The conversion increase with the increasing of temperature, however no formation of carbon dioxide was detected at temperature 200 – 400 °C. The conversion started gradually at 410 C until 500 C. The highest conversion was only 11.4% at 500 °C.

Figure 1 also shows the catalytic activities of 10wt%Cr at 200 – 500 °C. The formation of carbon dioxide was detected at 320 °C and gradually increases with the temperature. The conversion at 500 °C was 23%.

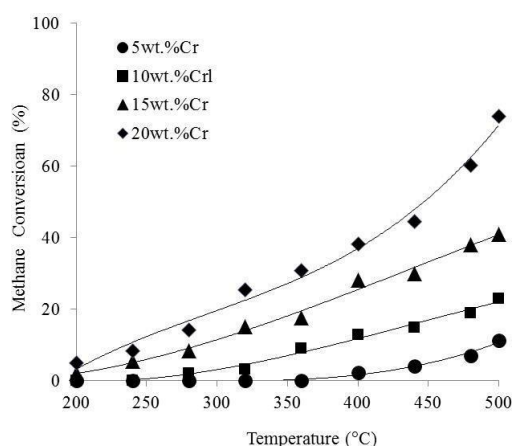


Figure 1. Methane conversion with temperature

The catalytic activities of 15wt%Cr catalyst are shown in Figure 1. The formation of carbon dioxide is detected at 270 °C, this temperature is lower than for 10wt%Cr catalyst. The conversion also increases with the increasing of temperature and reached 41% at 500 °C.

The most active catalyst is 20wt%Cr as shown in Figure 1. The formation of carbon dioxide is detected at 200 °C and gradually increases with the temperature. The highest conversion is 74% at 500 °C which is almost two times higher than conversion for 15wt%Cr catalyst at the same temperature. These results suggest that the catalytic activities increase with the increasing of Cr loading, this might be due to large amount of Cr particle on the surface of alumina which acted as active phases for catalytic reaction.

The stability tests for the catalysts were carried out at temperature 300 °C, 400 °C, and 500 °C for 5 hours. The results are shown below. Figure 2 shows the stability test for 5wt%Cr, 10%Cr, 15wt%Cr, and 20wt% Cr catalyst at 300 °C for 5 hours. The conversion was observed to decrease with increased of time for 5wt%Cr, 10wt%Cr, 15wt%Cr catalyst. However 20wt%Cr maintains the stability for 5 hours, there is no decrease in the conversion.

Figure 3 shows the stability test over 5wt%Cr, 10wt%Cr, 10wt%, and 20wt%Cr at 400 °C for 5 hours. The 20wt%Cr catalyst showed the highest stability compared to other catalysts. 5wt%Cr, 10wt%Cr, and 20wt%Cr catalysts were gradually decreased with time. The reason for this was their deactivation surface. Large particle of Cr might be formed during the reaction. The surface of this large

particle is unactive phase for reaction [3-5]. The other reason is the active phase might be covered by the alumina hence the reactant gases can not reach the active phase of catalyst.

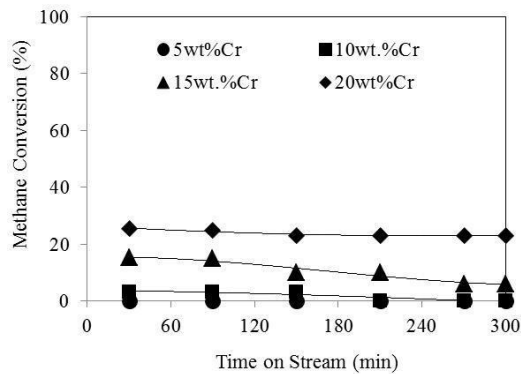


Figure 2. Methane conversion with time on stream at 300 °C

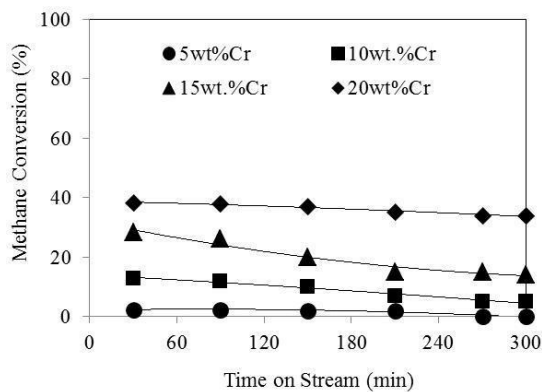


Figure 3. Methane conversion with time on stream at 400 °C

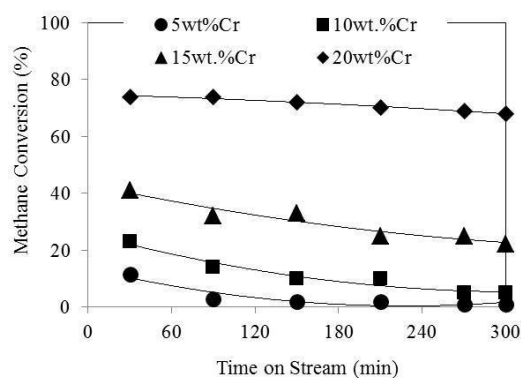


Figure 4. Methane conversion with time on stream at 500 °C

The highest stability test of 20wt%Cr catalyst is also shown in Figure 4. It can be seen 5wt%Cr, 10wt%Cr, 15wt%Cr catalysts slowly decrease the stability. It can be seen from the above results that the Cr loading and alumina has a significant effect on the activity of Cr catalyst. It is important to consider the interaction of Cr and alumina for long-term reaction. Preparation method for metal oxides

catalysts were also related to the catalytic activity and stability [6, 7]. Small amount of Cr tends to form small particle, however small particle is easily covered by alumina hence decrease the active phase. Large amount of Cr tends to form larger particle and is not covered by alumina during the stability test [8].

#### 4. Conclusion

Four types of catalysts were tested in methane oxidation reaction. The catalytic activity showed that the conversion increase with the increasing of temperature and chromium loading. The highest conversion was obtained by 20wt%Cr catalyst. The thermal stability tests also show that the 20wt%Cr catalyst maintained its activity for 5 hours reaction. The results demonstrated that the loading of Cr and alumina play an important role in the catalytic activity. Large amount of Cr tends to form large particle which will be resistant during long-term reaction and served as active phase thus maintain the activity.

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