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# **INDONESIAN JOURNAL OF** ADVOCACY AND LEGAL SERVICES

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### **Focus Theme**

## Strengthening Community and Legal Sector in Indonesia

### Sarno Setiawan, Muhammad Afis Saifunuha, Jauza Lasta Kautsar, Cahya Wulandari

Community Empowerment on Establishment of Friendly-Village for Women and Children

### Mariyatul Qibtiyah, Siti Muafifah

Development Method of Village Consultative Body Post Head Village Election in Kalikayen Village, East Ungaran

### Dina Wahyu Pritaningtias, Anindhita Sekaring Barendriyas, Amira Rahma Sabela, Indah Sri Utari

Implementation of Anti-Corruption Education through PENETRASI Method (Penanaman 9 Nilai Anti Korupsi) for the Urban Village Community of Jabungan

### Bagus Edi Prayogo, Amanah, Tirta Mulya Wira Pradana,

Increasing Legal Capacity for Communities in the Context of Realizing a Village of Law Awareness and Child Friendly

Budi Santoso, Inge Widya Pangestika Pratomo, Nida Nur Hidayah, Sabri Banna, Rindia Fanny Kusumaningtyas Brand Registration as a Marketing Strategy and Customer Loyalty of Natural Color Batik in Kampung Alam Malon

### Martitah, Dewi Sulistianingsih, Saru Arifin

Urgency of Legal Aspect in Management of Featured Products as an Effort to Empower Communities in the Circle

### Ridwan Arifin, Riska Alkadri, Dewi Puspa Sari, Lilies Restiningsih. Amarru Muftie Holish

Improving Law Student Ability on Legal Writing through Critical and Logical Thinking by IRAC Method

### Dwi Oktafia Ariyanti, Muhammad Ramadhan

Legal Education against the Impact of Social Media in the Era of Information Disclosure for Pringgokusuman Residents in Yogyakarta

### M. Shidgon Prabowo. Anto Kustanto

Harmonization of Law No. 11 of 2010 concerning Cultural Heritage in the Preservation of Cultural Heritage Objects of Semarang City

### Nur Moh. Kasim, Sri Nanang Meiske Kamba

Implementation of Assistance for Victims of Domestic Violence

### **BOOK REVIEW**

### **Ridwan Arifin**

How to Advocate for People who have Problems with the Law? A Book Review Communication in Legal Advocacy, Richard Ricke & Randall K. Stutman, South Carolina **University Press** 















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VOLUME 1 ISSUE 1 • SEPTEMBER 2019

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### **EDITORIAL COMMENTARY**

### The Role of Law Students on Strengthening Village Human Resources in the Era of the Industrial Revolution 4.0

Aprila Niravita Faculty of Law, Universitas Negeri Semarang, Indonesia Managing Editor, Indonesian Journal of Advocacy and Legal Services

LAW faculty students are currently required to have abilities not only in terms of theoretical and scientific capacity, but also practice. Law faculty students in many conditions are also very much needed directly by the community in solving various problems faced by the community ranging from small and minor legal issues, to complex and complicated matters. The needs of the community for legal assistance and legal assistance have become unavoidable, especially in the midst of the development of information and technology flows and industry in the industrial revolution era 4.0.

The era of the industrial revolution 4.0 not only had a positive impact on the economy and other sectors, including law enforcement, but also gave rise to various negative impacts and problems, especially relating to the rights of citizens and communities in this era. The insistence on industrialization with its various legal problems is a challenge for law faculty students in providing various solutions.

The Indonesian Journal of Advocacy and Legal Services is present as a forum for academics, researchers, observers, policy makers, and related parties in disseminating research results relating to legal services, community service in the field of law and advocacy. In this first edition, the Indonesian Journal of Advocacy and Legal Services presents several writings relating to community service programs in the field of law.

First edition of the Indonesian Journal of Advocacy and Legal Services contains various research articles relating to community service in the field of law. This edition of the journal contains ten articles relating to community development, community strengthening, and community empowerment in the legal sector. This edition is filled with articles from various universities in Indonesia. This edition raises the focus of the theme "Strengthening the Community and Legal Sector in Indonesia", where all the writings that are the result of real programs in the community either come from student Community Services programs or community service programs conducted by lecturers. This edition is also supported and featured with articles from the results of a program of community service in the field of legal science initiated by several law clinics at the Faculty of Law, Universitas Negeri Semarang.

Exclusively, we would like to express our thankfulness to Dean Faculty of Law, Dr Rodiyah SPd SH MSi as well as Vice Dean of Academic Affairs, Dr Martitah MHum who continuously supports us in publishing this journal. We also thank to UNNES Journal Team for their unvaluable supports.

This edition, we provide 10 (ten) articles concerning to legal services and community empowerment on legal sectors. Article written by Sarno Setiawan, et.al give a discourse and description concerning to Community Empowerment on Establishment of Friendly-Village for Women and Children. The article conducted on Bandungan Sub-District, Bandungan District, Semarang Regency and focus on how to provide a legal protection to children and women through community empowerment. In the same context, Bagus Edi Prayogo, et.al are also discuss almost the same thing, but have a specific topic on Increasing Legal Capacity for Communities in the Context of Realizing a Village of Law Awareness and Child Friendly. They emphasized that legal capacity of village community become one of the main keys to establish a child friendly and law awarness village in Kedungkelor Village, Tegal, Indonesia.

Another article, Development Method of Village Consultative Body Post Head Village Election in Kalikayen Village, East Ungaran District, is written by Mariyatul Qibtiyah and Siti Muafifah emphasizing the method of developing and assisting village administrators after the village head election. In addition, another article also discusses important issues and issues in community service in the legal sector in their challenges in the industrial revolution era 4.0, such as, Dina Wahyu Pritaningtias, et.al, Implementation of Anti-Corruption Education Through Penetrasi Method (Penanaman 9 Nilai Karakter Anti Korupsi) for the Urban Village Community of Jabungan), Martitah, et.al, Urgency of Legal Aspects in Management of Featured Products as an Effort to Empower Communities in

the Circle Campus Area, Ridwan Arifin, et.al, Improving Law Student Ability on Legal Writing through Critical and Logical Thinking by IRAC Method, Dwi Oktafia Ariyanti & Muhammad Ramadhan, Legal Education against the Impact of Social Media in the Era of Information Disclosure for Pringgokusuman Residents in Yogyakarta, M. Shidqon Prabowo & Anto Kustanto, and Nur Moh. Kasim & Sri Nanang Meiske Kamba, Harmonization of Law No. 11 of 2010 concerning Cultural Heritage in the Preservation of Cultural Heritage Objects of Semarang City, and Implementation of Assistance for Victims of Domestic Violence.

Finally, we expect that with the publication of this journal, we will be able to provide a more diverse range of scientific fields of law from various perspectives and can be studied more deeply.

"We must develop a comprehensive and globally shared view of how technology is affecting our lives and reshaping our economic, social, cultural, and human environments. There has never been a time of greater promise, or greater peril."

Klaus Schwab, Founder and Executive Chairman, World Economic Forum



### Indonesian Journal of Advocacy and Legal Services

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### Community Empowerment on Establishment of Friendly-Village for Women and Children

Series of Agendas on Legal Protection and Community Empowerment in Bandungan Sub-District, Bandungan District, Semarang Regency

Sarno Setiawan<sup>1\*</sup>, Muhammad Afis Saifunuha<sup>2</sup>,

Jauza Lasta Kautsar<sup>3</sup>, Cahya Wulandari<sup>4</sup>

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**Abstract**: Worthy children and women's Village/Sub-district is a village/sub-district development that brings together the commitment and resources of village/village government that involve the community and business world in the sub-district in order to promote, protect, Fulfilling and respecting the rights of children and women, which are planned consciously and sustainably. Some laws have been established to support the protection of children and women such as the Act of the Republic of Indonesia number 35 year 2014 about the amendment to law Number 23 year 2002 about protection Children and Law Number 23 year 2004 concerning the elimination of violence in households. In order to realize the child and women's friendly villages, there are several efforts that can be done as the socialization of legal protection and community empowerment. Socialization programs not only provide information or knowledge but also supported by the empowerment of community that provides training and experience in the community. So that socialization tends to only provide information to be easier to understand by the community through the Community Empowerment program and increase public awareness to continue to actively participate in the realization of child and women's friendly villages.

**Keywords:** Child and Women's Friendly Villages; Community Empowerment; Legal Protection; Socialization

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### A. Introduction

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Children and women's friendly-village/Sub-district is a village/sub-district development that brings together the commitment and resources of village/village government that involve the community and business world in the sub-district in order to promote, protect, Fulfilling and respecting the rights of children and women, which are planned consciously and sustainably.

Cases of violence against women and children in Indonesia have increased significantly each year. The form is not only physical violence, but also psychological, sexual, neglect and exploitation. Perpetrators are not just outsiders, even people from the immediate environment. This fact makes us realize that a massive effort is needed to make prevention through community movements in order to create safe and comfortable environmental conditions for women and children.<sup>1</sup>

Based on data from the Indonesian Child Protection Commission (KPAI) in 2018 there were 4,885 cases.<sup>2</sup> The case of children dealing with the law ranks first, namely 1,434 cases, followed by cases related to family and child care as many as 857 cases. In addition, based on government data assisted by the United Nations Population Fund (UNFPA) in March 2017, reported that a third of the Indonesian female population had experienced sexual and physical violence.<sup>3</sup> Based on this, it is important to build a friendly-village for child and women.

The aims and objectives of children and women's friendly-villages development:

1. To increase the awareness and concrete efforts of village/sub-district officials, families, communities and businesses in the region in an effort to build a friendly-village for child and women that ensures the fulfillment of the rights of children and women.

Redaksi WE Online, "Sepanjang 2017, Kasus Kekerasan Terhadap Perempuan dan Anak Terus Meningkat" (https://www.wartaekonomi.co.id/read165375/sepanjang-2017-kasus-kekerasan-terhadap-perempuan-dan-anak-terus-meningkat.html, accessed on 29 August 2019, 13.00 WIB).

Widyanuratikah, Inas & Ratna Puspita, "KPAI Terima Pengaduan 4.885 Kasus Anak Selama 2018" (https://www.republika.co.id/berita/nasional/umum/19/01/08/pl0dj1428-kpai-terima-pengaduan-4885-kasus-anak-selama-2018, accessed on 29 August 2019, 13.17 WIB).

Hamid, Usman. "Bagaimana menguatkan perlindungan perempuan? Perkuat peran Komnas Perempuan" <a href="https://theconversation.com/bagaimana-menguatkan-perlindungan-perempuan-perkuat-peran-komnas-perempuan-112797">https://theconversation.com/bagaimana-menguatkan-perlindungan-perempuan-perkuat-peran-komnas-perempuan-112797</a>; Juliana, R. & Arifin, R. (2019). 'Anak dan Kejahatan (Faktor Penyebab dan Perlindungan Hukum)'. Jurnal Selat, 6(2), pp. 225-234; Arifin, R., & Lestari, L.E. (2019). 'Penegakan dan Perlindungan Hak Asasi Manusia di Indonesia dalam Konteks Implementasi Sila Kemanusiaan yang Adil dan Beradab'. Jurnal Komunikasi Hukum (JKH), 5(2), 12-25.

- 2. To ensure that in children and women's friendly-villages development, taking into account the needs, aspirations, the best interests of children and not discrimination against children and women.
- 3. To unite the potential and realization of human resources, natural resources, sources of funds, facilities, infrastructure, methods and technology that exist in the village/sub-district, community participation and the business world in the village/sub-district in an effort to fulfill the rights of children and women.

Concrete efforts in the development of Child and Women's Friendly Villages carried out by UNNES KKN Team are one of them by conducting socialization to children and women. Some of the work programs that we have carried out are the Child Protection Socialization Program on Antibullying, RUMPI (Smart Home), Sex Education Sozialization Program (Child Protection on Sex Education), Socialization of Legal Protection for Children, August 17th Competition (LOTUS) in which we are instill the values of nationalism and the Socialization of the Importance of Handwashing and Toothbrushes intended for children. While the work programs that we have carried out to realize legal protection against women and support community empowerment, especially for women, are the Socialization of Women Reaching Dreams and Aspiration (SOPER CINTA), Creation of Washing Soap (KUNCI), and Socialization of Legal Protection for Women. Besides that, the UNNES KKN Team also established a Legal Aid Center (POSBANKUM) located at the Bandungan Village Office, Bandungan District, Semarang Regency. The Legal Aid (POSBANKUM) seeks to capture legal issues in the Bandungan District. In the 43 days of the KKN in Bandungan Village, we found several legal problems that occurred such as divorce and land disputes. Even though we as representatives of the Legal Studies and Legal Aid Center (PKBH) of the Law Faculty of Semarang State University cannot assist until the judicial process, but at least we take part in preparing the files needed.

One effort to realize the Child and Women's Friendly-Village is to hold a socialization program on Legal Protection for Children and Women. The program is held on Wednesday, August 14, 2019. The program presented speakers namely Cahya Wulandari, S.H., M.Hum as our Suprevisor (Dosen Pembimbing Lapangan, DPL) who currently serves as Chair of the Law Protection Clinic for Women and Children of the Faculty of Law UNNES as a speaker. The program aims to provide knowledge about acts that include crimes against children and women. The material presented was entitled "The Participation of the Legal Clinic for the Protection of Women and Children in the Prevention of Violence Against

Women and Children in the Community" which in this case is expected to provide knowledge and insight to the community especially women and children to be able to protect themselves. In addition to supporting the realization of Child and Women's Friendly-Village, the UNNES KKN Team also empowered the community.

Community empowerment is the concept of economic development that encapsulates the values of the community to build a new paradigm in people centered, participatory, empower-ment and sustainable development (Noor, 2011). The implementation of community empowerment aims to mobilize greater community participate-on for activities that they do themselves. Thus it becomes a very important task for development management to mobilize, guide, create climate that supports development activities carried out by the community. These efforts are carried out through government policies, regulations and development activities aimed at supporting, stimulating and paving the way for community development activities.

The Government's policy on community empowerment is explicitly stated in the GBHN of 1999 and Law Number 32 of 2004 about Regional Government. In the 1999 GBHN, specifically in the Direction of Regional Development Policy, it was stated among others "Developing regional autonomy in a broad, tangible and responsible manner in the context of community empowerment, economic institutions, political institutions, legal institutions. religious institutions, customandnon-governmental organizations, community as well as all the potentials of the community in the Republic of Indonesia". This is reinforced by Law No. 22/1999 on Regional Government, among others it is emphasized that the basic things in this law are to encourage people to empower, develop initiatives and creativity, and increase community participation.

The discussion is in accordance with the concept of community participation, one of which can refer to the opinion of Mikkelsen (Rukminto, 2008) that participation is community involvement in efforts to develop the environment, life and themselves.<sup>4</sup>

Yulianti (2012) explained that there are several factors that influence the community for the participation process, one of which is the work of the community. Usually people with a certain level of work will be able to spend more or not even take the time to participate in a particular project. Often the fundamental reason for society is the conflict between commitment to work and the desire to participate.

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Rukminto, A. I. (2008). Intervensi Komunitas: Pengembangan Masyarakat Sebagai Upaya Pemberdayaan Masyarakat. Jakarta: PT Grafindo Persada.

Increasing community participate-on in an activity can be done by procuring an activity by the community itself or other parties. Students who are part of the community must also participate in increasing community participation. This is in accordance with the Law of the Republic of Indonesia Number 20 of 2003 about the national education system article 20 paragraph 2 which states that "Higher education is obliged to carry out education, research, and community service". The three aspects of the tri dharma of higher education are carried out in balanced, harmonious and integrated proportions. It aims to produce people who have adequate knowledge in their respective fields, and are able to conduct research, and are willing to devote themselves to the nation and state. Students who are basically subjects or actors in the national and national renewal movements are expected to be able to contribute to community development (Perdana et al., 2013).

One form of community service is the KKN program. Bandungan Village is one of the villages located in Bandungan District, Semarang Regency. This sub-district is one of the areas used as the location of KKN. This village is bordered by several other villages, such as the east with Jetis Village, the south with Kenteng Village, the north with Duren Village, and the west with Bandungan Village. The occupations of the majority population are farmers, civil servants and traders. This is in accordance with the demographic situation of the Bandungan sub-district which consists of flower and vegetable plantations. Educational facilities consist of 2 Early Childhood Education Programs, 3 kindergartens, and 4 elementary schools.

Bandungan Village consists of 7 RWs/Area namely Bandungan (RW/Area 01), Gamasan (RW/Area 02), Pendem (RW/Area 03), Junggul (RW/Area 04), Gintungan (RW/Area 05), Piyoto (RW/Area 06), Bandungan (RW/Area 07). On this occasion, UNNES KKN Team Post was placed in the Pendem Area. Pendem area has residents who are less active in participating to participate in activities both organized by the village and youth clubs. One of the factors causing the lack of community participation in Pendem is caused by people's busyness, namely farming and trading. This not only impacts on the lack of community participation but also on their children who do not get time with parents. Therefore, the UNNES KKN Team conducted several work programs to increase the participation of the Pendem community in participating in the work program.

### B. Method

The work program of UNNES KKN Team is realized in a number of steps, including the preparation, implementation, and evaluation stages. The preparation phase is carried out by conducting a site survey, problem analysis, and coordination with the Bandungan Sub-district.

The implementation phase is carried out with two methods: lecture and practice.<sup>5</sup> The program implementation phase is set within a period of 45 days, the work programs include: RUMPI (Smart Home), SOPER CINTA (Women Reaching Dreams and Aspiration Socialization), Plangization, LOTUS (August 17th Competition), SENJA (Healthy Friday Gymnastics), KUNCI (Washing Soap Creations), Minggu Bersih (Sunday Green), Sex Education Socialization Program (Child Protection on Sex Education), POSBANKUM (Legal Aid Center), Legal Protection Socialization for Women and Children, and Child Protection Socialization Program on Anti-bullying aimed at elementary school children. The evaluation phase is carried out with the aim to discuss the results that have been achieved from the implementation of the work program. The process of collecting data is done by interviews, interviews, and documentation. The model and concept scheme for empowerment are illustrated in Figure 1.<sup>6</sup>

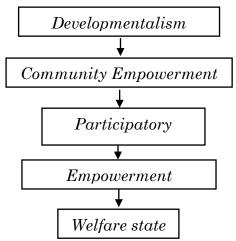


Figure 1. The Theoretical Framework of Community Empowerment

Sanjaya, W. (2010). Strategi Pembelajaran Berorientasi Standar Proses Pendidikan. Jakarta: Kencana.

Hilman, Y. A. dan Elok, P. N. (2018). Model Program Pemberdayaan Masyarakat Desa Berbasis Komunitas. *Sosial Politik Humaniora*. 6(1): 45-67.

### C. Result and Discussion

Ministry of Women Empowerment and Child Protection Regulation of the Republic of Indonesia Number 11 of 2011 explains the definition of Child-Friendly City (*Kota Layak Anak*, hereinafter called as KLA) is a child rights-based development system through the integration of commitment and resources of the government, community and business world that is planned thoroughly and sustainably in policies, programs and activities to guarantee the fulfillment of rights. To create a good environment, Linda said that the institution she led had issued Ministerial Regulation No. 6 of 2013 about Implementation of Family Development and also a policy towards a KLA. The policy objectives towards child friendly-villages include building a more integrated and sustainable child development system in the district/regency, so that the acceleration of the fulfillment of children's rights can be immediately carried out by all parties.<sup>7</sup>

The community of Pendem majority work as a flower farmer. The flowers are produced for sale in Bandungan Market, distributed to the city of Semarang, as well as orders from others. The average community worked from morning to afternoon, then in the early morning began to work again to sell the flowers. This is what leads to reduced community participation due to busy work.

Understanding of this problem for community empowerment requires a subjective attitude that departs from the basic attitude that every social research is always carried out to improve the existing social situation rather than merely describing and explaining the reality (Noor, 2011). Based on the work program from the KKN team, the Community participated actively in the implementation of the work program. The types of work programs are as follows:

### 1. Community Empowernment Programs on Establishing of Friendly-Village for Women and Children

### a. Smart Home (RUMPI)

RUMPI is a work program that gives children a space to learn. The learning activities include do a school homeworks, drawing, and dancing. The "RUMPI" Program is conducted daily, from Monday to Friday it is used to study, while on Saturdays and Sundays it is used to conduct games that are educating. These games are Ludo, Congklak, Jumping rope and Bekel

Peraturan Kementrian Negara Pemberdayaan Perempuan dan Perlindungan Anak Republik Indonesia Nomor 11 Tahun 2011 (Tentang Kebijakan/Pengembangan Kota Layak Anak).

ball and at the end of the program we hold hand washing and toothbrush together. The results show that children are enthusiastic in following the RUMPI program so that they better understand the subject matter taught in the school. After we introduce that program, not only local people but many students from other village as from the Bandungan 01 State Elementary School.

### b. Dreams and Aspiration of Indonesian Women Socialization (SOPER CINTA)

The Program is held on Wednesday, August 14, 2019. Implementation of this program aims to inspire mothers in Bandungan Village through seminar activities. This activity presents the female speakers who have been successful entrepreneurial, namely Ita Yulicha, S.E. Speaker in this program is a businesswoman accessories batik and craft is known as "Yulicha Accessories Branded and craft". The purpose of our program to local women here to spot local women here to be a entrepreneur. The results achieved that the participants were very enthusiastic, this is shown at the time of the question and answer session, many of the participants who asked. In addition, many registered participants have a business to consult their entrepreneurial sustainability.

### c. August 17th Games (LOTUS)

This Program is done by organizing activities in the form of competitions that educate with the theme of nationalism and patriotism in cooperation with the Pendem Village Youth Association. The competition is not only followed by children, but also includes fathers and mothers. This type of games is a stocking, futsal race and a trail for children, football for fathers, line of march (PBB), chorus and decorating Tumpeng for mothers. The competition is held on 2-16 August 2019. The result for sport and spirit for the community here especially in the Pendem Area. They are very happy welcoming this competition, we can see from their well preparation. Line of march (PBB), choir, and decoration cone-tiled rice cakes competition is a type of competition that require longer preparation than other types of However, mothers are enthusiastic in preparing the competition. competition, for example every afternoon they exercise in each RT (smallest part of village) by inviting KKN students to accompany the train. The existence of this event can increase the participation of the community in following the activities of the event that has been held. The activities of this program shown as on Figure 2.



### d. Healthy Friday Gymnastics (SENJA)

This program aims to invite them healthy life with gymnastics. UNNES KKN Team ask the community of Pendem Area to life healthy with sports, because community here is careless in keeping healthy. This program is held on every Friday at 3.30 p.m. The community here give a good response to our program. By doing exercise regularly will make your health and physical development good and balanced physically and spiritually.

### e. Washing Soap Creations (KUNCI)

The "KUNCI" program is a training activity for making dish soap for mothers in Pendem area. It starts by teaching housewives in the Pendem area through training in making Washing Soap Creations (KUNCI). The purpose of this program is to give the knowledge and chance to do entrepreneur. This program is also one of the programs to support community empowerment. The "KUNCI" program is held on Thursday, August 15, 2019. The results now mothers in here can make washing soap with various scents and colors and are very enthusiastic to make dish soap with other innovations. We want mothers here make this training as one of business opportunity.

### f. Socialization of the Importance of Handwashing and Toothbrushes

The implementation of this program to make early childhood children with an understanding of the importance of hand washing and toothbrushes. This program is held on 2 and 20 August 2019 at YPI Ar-Risalah and PAUD PUTRA MULIA. The results for people here they do understand how to wash hand and toothbrushing and can practice it directly after being taught by UNNES KKN Team. During the activity, the children were very enthusiastic in washing their hands and toothbrushes according to the stages directed by the KKN Team. It is expected that from this activity children can maintain a healthy lifestyle and practice it in everyday life.

### g. Sunday Green (Minggu Bersih)

This program is giving knowledge to maintain environmental cleanliness. This program is a form of invitation to the community so that each individual can move together to be more concerned about environmental cleanliness. The background to this program is that there are a lot of poorly maintained prayer rooms. Besides the placement of the mosque is less strategic because it is close to the mosque, so people prefer to go to the mosque. Related to this the impact on the mosque which cleanliness is less concerned. This program is held on every Sunday at 7-9 a.m. at the Prayer room around Pendem area. The results increased awareness of the local community so that they could live healthy and clean and pay more attention to the cleanliness of the Prayer room around Pendem. It is expected that after the UNNES KKN Team has finished the KKN Program, the community will be able to jointly continue these activities so that the cleanliness of the Prayer room around Pendem area will continue to be maintained.

### h. Sex Education and Child Protection Socialization Program

Sex education program is an introduction to sex education programs for children. Sex education equips students to have sexual behaviors that are in accordance with applicable values and norms and avoid forms of sexual harassment.<sup>8</sup> The phenomenon of sexual harassment has increasingly become the background of the KKN UNNES Team to carry out the "Sex Education" Child Protection Socialization program. The program begins by providing understanding and knowledge to children about matters that can be directed as sexual harassment, including what body parts may or may not be touched, how to deal with sexual harassment and other matters relating to "Sex Education "which of course the material provided can be easily understood by children. This program was held on Wednesday, August 14, 2019 in Bandungan 03 Elementary School, which was attended by 3rd grade students. The results achieved are increasing children's knowledge about sex education that can be used as self-protection. This is very important for them to know if one day something unexpected happens.

### i. Legal Aid Center (POSBANKUM)

Posbankum is a program that aims to help problems experienced by the community relating to the law.<sup>9</sup> This program is carried out at the Bandungan Village Office. The method we use is that every time there are activities that involve Bandungan sub-district community, we will socialize the existence of a Legal Aid Post located at the Bandungan Village Office. Assistance in solving problems related to correspondence, for example letters of introduction to marriage, divorce, land disputes, persecution, death certificates, resettlement, and birth certificates. The program is carried out every working day (Monday-Friday) by establishing a legal aid post at the Bandungan Village Office. The results achieved are able to help solve problems related to the law experienced by the Bandungan sub-district community.

### j. Socialization of Legal Protection for Women and Children

The program was carried out on Wednesday, August 14, 2019 in conjunction with the Socialization of Women Achieve Dreams and Ideals (SOPER CINTA) program. This program presents speakers namely Cahya Wulandari, S.H., M.Hum. as our Lecturer who currently serves as Chair of the Legal Protection Clinic for Women and Children at the Faculty of Law UNNES. The program aims to provide knowledge about acts that include crimes against children and women. The material presented was entitled "The Participation of the Legal Clinic for the Protection of Women and

Muntamah, A.L., Latifiani, D., & Arifin, R. (2019). 'Pernikahan Dini Di Indonesia: Faktor dan Peran Pemerintah (Perspektif Penegakan dan Perlindungan Hukum Bagi Anak)'. Widya Yuridika 2 (1), 1-12; Kemala Dewi, M., & Arifin, R. (2019). Emancipation and Legal Justice; Portrait of Women's Legal Protection In Indonesia. Jurnal Cita Hukum, 7(1), 101-114.

Angga, A., & Arifin, R. (2019). 'Penerapan Bantuan Hukum Bagi Masyarakat Kurang Mampu di Indonesia' *DIVERSI: Jurnal Hukum 4* (2), 218-236.

Children in the Prevention of Violence Against Women and Children in the Community" which in this case is expected to provide knowledge and insight to the community especially women and children to be able to protect themselves. The result achieved is that the community is more aware of actions that include crime, especially domestic violence.

### k. Anti-Bullying and Child Protection Socialization Program

This program aims to provide knowledge about bullying which includes acts that include bullying, types of bullying, and the impact of bullying on victims. Bullying or violence is behavior where the offender wants his victims to be hurt both physically and mentally. The phenomenon of violence often occurs among children and adolescents. That was the background of the KKN UNNES Team to implement the Anti-Bullying Child Protection Socialization program. This program is carried out by giving understanding and knowledge to children from an early age that the impact of bullying is not only physical, but also mental and psychological victims who do not rule out the possibility of death. This program was held on Wednesday, July 24, 2019 at Bandungan 01 Elementary School, which was attended by 6th grade students with 84 students. The results achieved are increasing children's knowledge about the dangers of committing bullying and making students have good personalities.

### 2. Evaluation of Programs and Analysis

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Evaluation of community empowerment activities in Pendem Area, Bandungan sub-district was conducted using the Participatory Rural Appraisal (PRA) method. The use of this concept is based on community involvement in all activities by putting pressure on participation with the principle of learning from the community, outsiders as facilitators, communities as actors, mutual learning and sharing experiences, the involvement of all community groups.<sup>11</sup>

Andhini, A.S.D., & Arifin, R. (2019). 'Analisis Perlindungan Hukum Terhadap Tindak Kekerasan pada Anak di Indonesia'. *Ajudikasi: Jurnal Ilmu Hukum* 3 (1), 41-52; Arifin, R., Widyawati, A., Rasdi, R., Wicaksono, S. S., & Maskur, M. A. (2019). 'Penguatan Kapasitas Hukum Bagi Orang Tua Siswa dan Guru di Desa Kalisegoro Semarang dalam Rangka Peningkatan Kesadaran Tanggungjawab Pendidikan Bersama (Sebuah Pengabdian Pendekatan Hak Asasi Manusia'. *Jurnal Pengabdian Hukum Indonesia (Indonesian Journal of Legal Community Engagement) JPHI*, 1(2), 158-171; Setyaningrum, A., Arifin, R. (2019). 'Analisis Upaya Perlindungan dan Pemulihan Terhadap Korban Kekerasan dalam Rumah Tangga (KDRT) Khususnya Anak-Anak dan Perempuan'. *JURNAL MUQODDIMAH: Jurnal Ilmu Sosial, Politik dan Hummaniora* 3 (1), 9-19.

Noor, M. (2011). Pemberdayaan Masyarakat. *Jurnal Ilmiah CIVIS*. 1(2): 87-99.

The involvement of the Bandungan Sub-district community, especially the Pendem area in several work programs that have been carried out shows an active participation attitude. This is shown in various activities such as soccer between RTs for fathers, line of march competitions, choirs, and decorating cone-tiled rice cakes for mothers, PES competitions for all groups, and stockings, futsal, dance, and trail searches for children. Not only in competition activities, other activities of the community also play an active role such as the socialization of women reaching their dreams and aspiration (SOPER CINTA), the socialization of legal protection for women and children, and the evaluation of the PKK work program in Bandungan Sub-district. In addition, smart home activities for children as well as training in making washing soap (KUNCI) for Pendem area mothers were also very enthusiastic in participating in the program.

Community participation in each activity shows the development towards community independence. Important points of community independence can be seen as a condition that is formed through the collective behavior of people to make social changes. The sustainability of collective behavior change is supported through community intervention programs developed by outside parties (government, KKN students) or on the basis of initiative and creativity of the local community.<sup>12</sup>

In this case, conceptually it is important to understand the characteristics of the community development management components so that they have a close cooperative relationship in providing complementary ideas, ideas, support, assistance. Illustration of the concept is shown in Figure 4.



Figure 3. Relationship between core components of community development managers. *Source*: Dumasari, 2014.

The illustration shows the involvement and contribution of all relevant stakeholders such as government, private sector, non-governmental

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Puspitasari, D. C. (2015). Wirausaha Muda membangun Desa: Dinamika Partisipasi Pembangunan Desa. *Jurnal Studi Pemuda*. 4(2): 330-341.

organizations (NGOs) and the community are important in the process of village community development and development process. Each institutional component (commonly referred to as stakeholder) has its own role and function which therefore needs to be regulated and agreed upon so that it becomes a synergistic effort that mutually reinforces one another. The functioning of the network between institutions can indicate the level of interaction that shows commitment, involvement and the level of bonding that will be built between network partners (Puspitasari, 2016).

Community empowerment can place the community in a strong position in daily life. The position is not as beneficiaries that can make the community become dependent, but the position that should be a subject (agent or participant who acts) that moves collectively to achieve independence. However, being independent does not necessarily mean that the state takes its hands off, but is still needed, especially in a number of fields, which are the responsibility of the state, such as the provision of public services (health, education, housing, transportation and so on) to the public, of course, are the duty of the state. Independent community as a participant means opening up space and capacity to develop creative potential, control the environment and its own resources, solve problems independently, and participate in determining the political process in the realm of the state. The community participates in the development process and governance.<sup>13</sup>

### D. Conclusion

Some programs as an effort to realize the Child and Women's Friendly Villages in Bandungan Sub-district include 11 work programs, called: Smart Home (RUMPI), Women Reaching Dreams and Aspiration Socialization (SOPER CINTA), August 17th Competition (LOTUS), Gymnastics Healthy Friday (SENJA), Washing Soap Creation (KUNCI), Socialization on the Importance of Handwashing and Toothbrushes, Sunday Green, Sex Education Child Protection Socialization Program, Legal Aid Center (POSBANKUM), Socialization of Legal Protection for Women and Children, Anti-Bullying Child Protection Socialization. The program focuses more on women and children as the target, based on data from the Indonesian Child Protection Commission (KPAI) during 2018 there were 4,885 cases. The case of children dealing with the law ranks first, namely 1,434 cases, followed by

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Cholisin. (2011). Pemberdayaan Masyarakat. Disampaikan Pada Gladi Manajemen Pemerintahan Desa Bagi Kepala Bagian/Kepala Urusan Hasil Pengisian Tahun 2011 Di Lingkungan Kabupaten Sleman, 19-20 Desember 2011, Pp. 19-20.

cases related to family and child care as many as 857 cases. Then based on data released by the government - assisted by the United Nations Population Fund (UNFPA) in March 2017, the majority of Indonesian women have experienced sexual and physical violence. The results achieved during the 43 days of Community Services (KKN) in Bandungan Subdistrict, Bandungan District, Semarang Regency as a whole were the targets or targets of the program we carried out in which children and women were very enthusiastic and actively participated in follow the work program that has been implemented.

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The authors state that there is no potential conflict of interest in the research, authorship, and / or publication / publication of this article.

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### H. References

Andhini, A.S.D., & Arifin, R. (2019). Analisis Perlindungan Hukum Terhadap Tindak Kekerasan pada Anak di Indonesia. *Ajudikasi:* 

- Jurnal Ilmu Hukum 3(1), 41-52. DOI: http://dx.doi.org/10.30656/ajudikasi.v3i1.992
- Angga, A., & Arifin, R. (2019). Penerapan Bantuan Hukum Bagi Masyarakat Kurang Mampu di Indonesia. *DIVERSI: Jurnal Hukum* 4(2), 218-236. DOI: https://doi.org/10.32503/diversi.v4i2.374
- Arifin, R., & Lestari, L.E. (2019). Penegakan dan Perlindungan Hak Asasi Manusia di Indonesia dalam Konteks Implementasi Sila Kemanusiaan yang Adil dan Beradab. *Jurnal Komunikasi Hukum (JKH)* 5(2), 12-25. DOI: http://dx.doi.org/10.23887/jkh.v5i2.16497
- Arifin, R., Widyawati, A., Rasdi, R., Wicaksono, S. S., & Maskur, M. A. (2019). Penguatan Kapasitas Hukum Bagi Orang Tua Siswa dan Guru di Desa Kalisegoro Semarang dalam Rangka Peningkatan Kesadaran Tanggungjawab Pendidikan Bersama (Sebuah Pengabdian Pendekatan Hak Asasi Manusia. Jurnal Pengabdian Hukum Indonesia (Indonesian Journal of Legal Community Engagement) JPHI, 1(2), 158-171. Retrieved from https://journal.unnes.ac.id/sju/index.php/JPHI/article/view/28637
- Cholisin. (2011). Pemberdayaan Masyarakat. Disampaikan Pada Gladi Manajemen Pemerintahan Desa Bagi Kepala Bagian/Kepala Urusan Hasil Pengisian Tahun 2011 di Lingkungan Kabupaten Sleman, 19-20 Desember 2011, Pp. 19-20.
- Dumasari. (2014). *Dinamika Pengembangan Masyarakat Partisipasif.* Yogayakarta: Pustaka Pelajar.
- Hamid, U. (2019, 10 Maret). Bagaimana menguatkan perlindungan perempuan? Perkuat peran Komnas Perempuan. Dikutip pada tanggal 29 Agustus 2019 dari: <a href="https://theconversation.com/bagaimana-menguatkan-perlindungan-perempuan-perkuat-peran-komnas-perempuan-112797">https://theconversation.com/bagaimana-menguatkan-perlindungan-perempuan-perkuat-peran-komnas-perempuan-112797</a>.
- Hilman, Y. A. & Elok, P. N. (2018). Model Program Pemberdayaan Masyarakat Desa Berbasis Komunitas. *Sosial Politik Humaniora* 6(1): 45-67.
- Juliana, R. & Arifin, R. (2019). Anak dan Kejahatan (Faktor Penyebab dan Perlindungan Hukum). *Jurnal Selat* 6 (2), 225-234. DOI: https://doi.org/10.31629/selat.v6i2.1019
- Kemala Dewi, M., & Arifin, R. (2019). Emancipation and Legal Justice; Portrait of Women's Legal Protection In Indonesia. *Jurnal Cita Hukum*, 7(1), 101-114. DOI: https://doi.org/10.15408/jch.v7i1.10261
- Muntamah, A.L., Latifiani, D., & Arifin, R. (2019). Pernikahan Dini Di Indonesia: Faktor dan Peran Pemerintah (Perspektif Penegakan dan Perlindungan Hukum Bagi Anak). *Widya Yuridika* 2(1), 1-12. DOI: https://doi.org/10.31328/wy.v2i1.823

- Noor, M. (2011). Pemberdayaan Masyarakat. *Jurnal Ilmiah CIVIS* 1(2): 87-99.
- Online, Redaksi (2018, 26 November). Sepanjang 2017, Kasus Kekerasan Terhadap Perempuan dan Anak Terus Meningkat. Dikutip pada tanggal 29 Agustus 2019 dari: <a href="https://www.wartaekonomi.co.id/read165375/sepanjang-2017-kasus-kekerasan-terhadap-perempuan-dan-anak-terus-meningkat.html">https://www.wartaekonomi.co.id/read165375/sepanjang-2017-kasus-kekerasan-terhadap-perempuan-dan-anak-terus-meningkat.html</a>.
- Pemerintah Indonesia. (2010). Peraturan Menteri Negara Pemberdayaan Perempuan Dan Perlindungan Anak Republik Indonesia Nomor 13 Tahun 2010 Tentang Petunjuk Teknis Kabupaten/Kota Layak Anak di Desa/Kelurahan. Sekretariat Negara. Jakarta.
- Peraturan Kementrian Negara Pemberdayaan Perempuan dan Perlindungan Anak Republik Indonesia Nomor 11 Tahun 2011 (Tentang Kebijakan/Pengembangan Kota Layak Anak).
- Perdana, A., Holilulloh, M., Holilulloh, M. S., & Nurmalisa, Y. (2013).

  Pengaruh Pelaksanaan Kuliah Kerja Nyata Terhadap Keterampilan
  Sosial Mahasiswa Program Studi PPKN. *Jurnal Kultur Demokrasi*, 1(7).
- Puspitasari, D. C. (2015). Wirausaha Muda membangun Desa: Dinamika Partisipasi Pembangunan Desa. *Jurnal Studi Pemuda*. 4(2): 330-341.
- Puspitasari, D.C. (2016). Wirausaha Sosial Muda Desa: Peran Strategis Pemberdayaan Masyarakat Desa. Makalah Seminar Nasional Universitas Negeri Lampug (UNILA), Lampung, 12 November 2016.
- Rukminto, A. I. (2008). Intervensi Komunitas: Pengembangan Masyarakat Sebagai Upaya Pemberdayaan Masyarakat. Jakarta: PT Grafindo Persada.
- Sanjaya, W. (2010). Strategi Pembelajaran Berorientasi Standar Proses Pendidikan. Jakarta: Kencana.
- Setyaningrum, A., Arifin, R. (2019). 'Analisis Upaya Perlindungan dan Pemulihan Terhadap Korban Kekerasan dalam Rumah Tangga (KDRT) Khususnya Anak-Anak dan Perempuan'. *JURNAL MUQODDIMAH: Jurnal Ilmu Sosial, Politik dan Hummaniora* 3(1), 9-19. Retrieved from <a href="http://jurnal.umtapsel.ac.id/index.php/muqoddimah/article/view/677">http://jurnal.umtapsel.ac.id/index.php/muqoddimah/article/view/677</a>
- Widyanuratikah, I., & Puspita, R. (2019, 8 Januari). *KPAI Terima Pengaduan 4.885 Kasus Anak Selama 2018*. Dikutip pada tanggal 29 Agustus 2019 dari: <a href="https://www.republika.co.id/berita/nasional/umum/19/01/08/pl0dj1428-kpai-terima-pengaduan-4885-kasus-anak-selama-2018">https://www.republika.co.id/berita/nasional/umum/19/01/08/pl0dj1428-kpai-terima-pengaduan-4885-kasus-anak-selama-2018</a>.

Yulianti, Y. (2012). Analisis Partisipasi Masyarakat dalam Pelaksanaan Program Nasional Pemberdayaan Masyarakat (PNPM) Mandiri Perkotaan. Padang: Universitas Andalas.



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### Development Method of Village Consultative Body Post Head Village Election in Kalikayen Village, East Ungaran District

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**Abstract**: Various conditions after the Head Village Election have a great impact to the development of village itself especially on Village Constulative Body structure. The article highlight some problems: (1) What is urgency of Village Council developing method, post Head of Village Election in Kalikayen?; and (2) What is the method of Village Council Development, Post Head of Village Election in Kalikayen? Therefore, there is a method of developing Village Council Post Village Election in order to answer the challenges mentioned above. The purpose of this program is to find out the guidance carried out by the regional government of the Village Council, the Village Council to be able to carry out their duties properly, and submit proposals to the government to pay more attention to the implementation of village government. After the completion of this dedication, the Village Council now understands their duties and functions as well as its role in village development. In addition, the Village Council already has the knowledge and experience in drafting village regulations. Outcomes of our service programs include the publication of a village guidebook module that contains the optimization of the implementation of the Village Law, the management of village funds, the techniques for establishing regulations in the Village. The next output is the draft village regulations and the village head regulations, as well as the activity proposal form and problem priority of each backwoods.

**Keywords:** Consultative Body; Development Method; Legal Services; Pilkades

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### A. Introduction

The village has the authority to manage its own government, one of that is in determining the Head of Village, the community can directly elect the person who will become the Village Head through a democratic system by holding Village Head Elections. After the village head is elected, the village development planning process has begun to be compiled, including Village Deliberations, the preparation of the RPJMDes, RKPDes, APBDes, all of which is outlined in the Village Regulation. The Village Council has an important role in village development because it is a Government Organization that carries out legislative functions. In addition to this, the composition of the Village Consultative Council members is new and different from the previous year and many of them do not yet know the direction of the government system in the Village. Members of the Village Council come from different educational, environmental and economic backgrounds, so that they need guidance and assistance in carrying out their duties and functions as a Village Council.

Furthermore, one of the obstacles in village development planning after the election of the Village Head is the lack of understanding of the Village Council regarding its functions and the lack of knowledge and enthusiasm of the community regarding village development planning. If we look at the Village Authority as regulated in Law Number 6 of 2014 and Minister of Home Affairs Regulation No. 44 of 2016 concerning Village Authority, the Village has broad authority to administer the Village in order to achieve an independent and prosperous Village within the NKRI frame. In general, village authority encompasses authority in the area of administering village governance, implementing village development, fostering village community, and empowering village communities based on community initiatives, original rights and customs of the village. Seeing some of the problems mentioned above, we need a special coaching method so that the Village Council can carry out its duties for the next 6 years.

At this article, some of the formulation of the problems we will take is: (1) What is urgency of Village Council developing method, post Head of Village Election in Kalikayen?; and (2) What is the method of Village Council Development, Post Head of Village Election in Kalikayen?. This article is structured to find out the urgency of the formation of the Village Council after the Election of the Village Head and to describe the method of developing the Village Council for the Post Village Election of the Village Head in Kalikayen Village.

### B. Method

This research uses an empirical juridical approach. According to Waluyo, empirical legal research in other terms often reffered as sociological legal research and can also be referred to as field research. This sociological law research starts from primary data. Primary data or basic data is data obtained directly from the community as the first source through field research. Obtaining primary data from field research can be done either through observation, interviews or questionnaires.<sup>1</sup>

Our method is to do interviews and discussions with members of the Village Council and village officials. In addition we involve the community in this guidance process because the community has an important role in the duty of the Village Council. The location of this service was held in Kalikayen Village, Ungaran Timur District, Semarang Regency. The time of this dedication was carried out on July 15 to 27 August 2019. The activities that we carried out included holding an initial VILLAGE COUNCIL consultation, reviewing the Village Law, studying together to formulate village regulations, discussing preparations for the Musrenbang, planning the Musrenbang with community leaders.

The target of our development program is the Village Council, the village officials, the head of the RT / RW, the Institution in the Village. The focus of our coaching program is to understand the Village Law Together, the stages and techniques for establishing regulations in the Village, and to organize Village development through MUSRENBANG. We carried out this by dissecting the Village Law together with community leaders, assisting the Village Council in the process of forming Village Regulations, assisting each Village Chief in preparing the proposed activity and village consultation documents.

### C. Result and Discussion

1. Analysis of Village Government on Village Autonomy

### a. Village Autonomy

Since the enactment of Law No. 6 of 2014 concerning Villages, the Village now has its own authority to regulate the administration of its government and to develop Villages by maximizing potential through community participation and empowerment. This law is the result of community struggles that make villages the main concern of the government in realizing prosperity, justice and independence. The Village

Waluyo, Bambang. Penelitian Hukum Dalam Praktek. Jakarta: Sinar Grafika. 1996. p.16

Law contains guidelines on village development that are realized through development planning deliberations, village financial management, village regulations, BUM Desa, village head elections, village consultative bodies. As a village, it should be proud and have the spirit to find the identity of the village so that it can become an independent and prosperous village in accordance with the ideals of the Indonesian people

Regional Autonomy in Indonesia has opened up as many opportunities as possible for regional governments to be responsible in managing their own government affairs. This is one of the answers to the problem of unbalanced development between the center and the regions as well as between districts and cities. This imbalance causes high rates of poverty in Indonesia. Based on BPS data (September, 2015) it states that the poverty rate in urban areas is 8.22% while the poverty rate in rural areas reaches 14.09%. Because of this, the government paid great attention to rural development, one of which was the birth of Law No. 6 of 2014 concerning Villages. This law gives broad authority to the village, including government governance, village development, empowerment, and fostering village communities.

Law No. 6 of 2014 concerning Villages provides broad space for the community to regulate development planning on the basis of community priority needs without being burdened by programs from various government agencies, here in after referred to as village autonomy. Village autonomy is genuine, round and complete autonomy and is not a gift from the government. Instead the government is obliged to respect the original autonomy held by the village.<sup>3</sup>

The village is a legal community unit that has the authority to manage and manage government affairs, the interests of the local community based on community initiatives, original rights, and / or traditional rights that are recognized and respected in the Republic of Indonesia's government system.<sup>4</sup> The authority that has been given is the basis of the village to move to build the community in the village to become an independent and prosperous society. Even though the village has been granted special autonomy, this authority cannot be separated from the NKRI frame.

Nyimas, Latifah Letty Aziz. Otonomi Desa dan Efektivitas Dana Desa. *Jurnal Penelitian Politik*, Vol. 13.No. 2. 2016, p.193

<sup>&</sup>lt;sup>3</sup> HAW Widjaja, Otonomi Desa: Merupakan Otonomi yang Asli, Bulat dan Utuh, Jakarta, PT Raja Grafindo Persada, 2008, p.165.

M.Silahudin. Kewenangan Desa dan Regulasi Desa. Jakarta: Kementerian Desa, Pembangunan Daerah Tertinggal dan Transmigrasi Republik Indonesia. 2015, p.11

Village autonomy is intended to make efforts to develop and improve village welfare more quickly, this will not happen if village development is still determined and centrally designed as in the past. The Village Authority contained in the Village Law states that villages have four authorities, including (1) authority based on original rights. This is different from previous legislation which states that existing government affairs are based on the village's original right, (2) local-scale village authority where the village has full authority to regulate and administer the village. In contrast to the previous legislation which states, governmental affairs which become the authority of the regency / city are handed over to village regulations, (3) authority assigned by the government, provincial government, or regency / city government. (4) Other authorities assigned by the Government, Provincial Regional Government, or Regency / City Regional Government in accordance with statutory provisions.

### b. Urgency of Village Government Assistance from Local Government

The compilation of village regulations is very urgent especially after the birth of Law Number 6 of 2014 concerning Villages.<sup>5</sup> The village must always make the Village Regulation as a legal protection for the village in implementing village programs for the welfare of the village. Therefore, each village must understand very well especially related to the compilation of Village Regulations. This is done so that the Village Regulations made by the Village Council and the Village Government can be in accordance with the provisions of existing laws and regulations and can run well in accordance with the provisions.<sup>6</sup>

To further strengthen understanding of Village Assistance, the Ministry of Villages issued Ministerial Regulation (Permen) No. 03 of 2015 concerning Village Facilitators. There it was explained that Village Facilitators were not managers of development projects in the village. Village Assistance Work is focused on efforts to empower village communities through the social learning process. Thus, village assistance is not burdened with the dutys of managing financial administration and village development based on the Village Law which has become the duty and responsibility of the village government.

The aim of Village Assistance is to increase the capacity, effectiveness and accountability of village governments and village development. Increase

Undang-Undang Republik Indonesia Nomor 6 Tahun 2014 tentang Desa.

Djogo, Tony.(2003). Kelembagaan dan Kebijakan Dalam Pengembangan Agroforesti. Word Agroforestry Centre (ICRAF) Southeast Asia.

Sumber Saparin, Luas Bidang Kegiatan Pemerintahan, Tata Pemerintahan Dan Administrasi Pemerintahan Desa, Ghalia Indonesia. p 15

initiatives, awareness and participation of village communities in participatory village development. Improve the synergy of inter-sectoral Village development programs and optimize the village's local assets emancipatively. Within the scope of assistance the village community is implemented in stages to empower and strengthen the village. Village community facilitation is in accordance with the needs based on the geographical conditions of the region, the value of the Village APB, and the scope of activities that are assisted by the Government, provincial government, district / city government, and Village Government to make efforts to empower village communities through sustainable village community assistance, including in terms of providing human resources.

Article 127 of Government Regulation No. 43 of 2014 provides more detailed directions. Village facilitators must oversee the planning and budgeting in favor of the interests of the poor, the disabled, women, children and marginal groups. If PNPM facilitators only focus on BLM budgeting only, then village facilitators must oversee village financial consolidation through the APBDesa. Village income sources, starting from PADesa, ADD from the APBN, Village Fund Allocation (ADD) from the APBD, revenue sharing from taxes and levies, and various other sources of income must be managed transparently and accountably through the APBDesa.

The administration of village government still faces a number of challenges and obstacles. a number of obstacles faced in the current administration of village governance include the low effectiveness of institutional and village governance and community services. In addition, the low capacity and quality of service of village government apparatus, the limited access of the community to village administration information, and the weak coordination between Ministries / Institutions and regional governments in village development.

Law Number 6 of 2014 concerning villages mandates that the Government, Provincial Regional Government, and Regency Regional Government to empower the village community. Empowerment of rural communities is carried out among others by village assistance. Article 112 paragraph (4) of Law No. 6/2014 concerning Villages mandates that the empowerment of Village communities is carried out with assistance in planning, implementing, and monitoring Village and rural area development.

In the framework of implementing the Village Law, technically it is carried out by district / city regional work units, which up to now have been assisted by district experts (TA), village assistance staff (PD), village location assistance (PLD), village community empowerment cadres, and

third party. Whereas the duty of the sub-district head as subordinate regent / mayor is to coordinate and facilitate village facilitation in the region. The sub-district has a very strategic function in the framework of implementing the Village Law. But what happens in the field, the implementation of village assistance so far is still running separately. So that the village assistance process does not run optimally. "Sectoral ego is still very thick".

On the other hand, new mentality in treating the the village has not fully inspired the heart and thoughts of our majority. "Both the government and outside the government".

The existing conditions in Kalikayen Village, many Village Council members only graduated from high school and a number of Strata 1 graduates, but the scientific field they owned did not support the governmental administration function. Besides this, the regeneration system has not yet been formed. This has an impact on the death of learning both from the evaluation or criticism of suggestions from the previous government related to the implementation of the dutys and functions of the Village Council.

On the other hand, coaching activities are activities that are futures in nature and not in a short time such as a discussion or seminar model. The coaching method is oriented towards the learning process to reach an understanding and realize the importance of the role of the Village Council for development in the Kalikayen Village. Only a few Village Councils know the direction of their goals going forward, so they need to be directed. One thing that needs to be considered in village development is the alignment between the provincial development plan with the Regency / City and Regency / City and District and / or Village. The harmony is aimed at making the development effective and vertically harmonizing the laws and regulations.

Village Council members are representatives of the villagers concerned who are determined by deliberation and consensus. Village Council leaders are elected from and by Village Council members. The term of office of Village Council members is 6 (six) years and can be elected again for 1 (one) next term of office. The terms and procedures for determining Village Council members and leaders are regulated in Regional Regulations that are guided by Government Regulations. The number of members of the Village Representative Body is determined based on the number of villagers concerned with the following conditions: (1) The number of villagers up to 1,500 inhabitants, the number of Village Council members is 5 (five) people. (2) The number of villagers is between 1,501 to 2,000 people, the number of Village Council members is 7 (seven) people. (3) The number of villagers is

between 2,001 and 2,500, and there are 9 (nine) Village Council members. (4) The number of villagers is between 2,501 and 3,000 people, with a total of 11 (eleven) Village Council members. (5) The population of more than 3,000 people, the number of Village Council members is 13 (thirteen) people.8

The description of the dynamics of structuring and strengthening the village government institutions behind the scheme offered by the Village Law shows that village development in the economic field is better than development in the village institutional field after the Village Law. That is, the openness of space owned by the village government then prioritizes economic development. Of course, this is not appropriate because economic development and political development must be aligned together. Although, in certain degrees and periods there is a tendency for implementation to slightly highlight one of the dimensions that are needed, but village development should not prioritize one aspect of the two things dominantly.

### c. The Role of the Provincial Government in Village Development and Supervision

As stipulated in the Village Law Article 114, the Provincial Government has the role of supervision and guidance for the village, some of the roles of the provincial government can be described as follows9:

- a. Conduct training for districts / cities in the context of preparation
- b. Regency / City Regional Regulations governing villages;
- c. Conduct development of districts / cities in the context of granting Village Fund Allocation:
- d. Conduct training to improve the capacity of village heads and village officials, the Village Council, and community organizations;
- e. Fostering village government management;
- f. Fostering efforts to accelerate village development through financial assistance, assistance, and technical assistance;
- g. Conducting technical guidance in certain fields that is not possible by the district / city government;
- h. Inventory of provincial authorities carried out by villages;
- i. Carries out and supervises the determination of the regency / city Regional Budget in village financing;
- j. Conduct training for regencies / cities in the framework of village area management;

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Miskawati dan Heri Tahir. Perana Badan Permusyawaratan Desa (BPD) dalam Pembangunan Desa (Studi di Desa Tolajuk Kecamatan Latimojong Kabupaten Luwu). Makassar: Universitas Negeri Makassar. 2014. pp-41-42

Moch Musoffa Ihsan. 2015. Ketahanan Masyarakat Desa. Kementrian Desa. Jakarta: Pembangunan Daerah Teringgal, Dan Transmigrasi Republik Indonesia, p 32.

- k. Assist the government in the determination of the unity of customary law communities as villages;
- 1. Fostering and overseeing the establishment of regency / city BUM Desa and inter-village cooperation institutions.
- m. And others in accordance with local regulations

In relation to village financial management, the provincial government can allocate financial assistance to villages in the provincial budget which is one of the sources of village income that will be set forth in the village budget.

The village perspective is different from the government perspective, which sees the village as part of the government, or sees that the center, province, district / city, district and village / kelurahan are hierarchical structures in the Republic of Indonesia government. The government works under the control of the President which flows hierarchically and top down from top to village level. From a government perspective, the village is the smallest, lowest, front and closest government organization. Most "small" means that the area and the dutys of government carried by the village have the smallest scope or size compared to district / city, provincial and central government organizations. Most "bottom" means the village occupies the composition or the lowest layer of government in the governance of the Unitary Republic of Indonesia (NKRI). But "bottom" does not mean that the village is subordinate to the district / city, or the village head is not subordinate to the regent / mayor. The village is not domiciled as a government within the district / city government system as affirmed in Article 200 of Law Number 32 Year 2004. According to Law Number 6 of 2014, the village is domiciled in the district/city. This is congruent with the existence of districts/cities in the province.

Bottom also means that the village is a government organization that is directly related and integrated with the social, cultural and economic life of everyday people. The term "bottom" also has similarities to the terms "front" and "close". The term "front" means that the village is related directly with citizens in the fields of government, service, development, empowerment and society. Most Indonesians come to the village government every time they will get services or solve various social problems. Therefore the government and the village officials, which is different from the government and the regional apparatus, must be prepared to work serving the community for as long 24 hours non-stop, do not know leave and vacation. Whereas the term "close" means that administratively and geographically, the village government and community members are easy to reach and connect with. Socially, "close" means that

the village blends with the pulse of the daily socio-cultural life of the local community.

The two perspectives intersect and intersect. But according to constitutional, historical and sociological considerations, the portion of the village as a self governing community is far greater and stronger than the portion of the village as a local self government. Remember that Law Number 6 of 2014 is the Village Law, not the Law on Village Government. Village as a self governing community is very different from formal government, general government or regional government in terms of village authority, structure and apparatus, and village governance. 10

In accordance with the principles of recognition and subsidiarity, villages have authority based on the origin rights and local scale authority of the village, which is certainly very different from the authority of the regional government. In terms of governance, the village has a village meeting, as a collective forum between the village government, the Village Council, community organizations, traditional institutions and broad community components, to agree on strategic matters relating to the livelihoods of the village. All this illustrates that the character of the village as a *self governing community* is much bigger and stronger.

Adjustment of the implementation of the village government to the Village Law policy, there is a structuring and strengthening of the village government by giving recognition in respect of the existence of the village and the village community within the framework of a unitary state. This then gave the village government in the framework of a unitary state. This then gave the village government and village people more flexibility in managing the village. Furthermore, from the presentation of the implementation of the village law in the economic field, it is seen that the achievement of better development. It's just that the synergy and coordination functions at the central government need to be improved. Furthermore, it is related to political development, especially related to village governance, as has been explained that there is stuttering and also fear of the use of authority and a large budget. This is still a work in the village assistance program.

### d. Election of Village Head in Kalikayen

Village head election is the exercise of people's sovereignty in the village in order to elect village heads who are direct, public, free, secret, honest and fair. Election of Village Heads in Kalikayen Village is held simultaneously with other Villages in Semarang Regency in 2018. The

<sup>&</sup>lt;sup>10</sup> Ndraha, Taliziduhu. 2002. *Pembangunan Masyarakat*. Jakarta, Rineka Cipta, p.22

village head is a village government official who has the authority, duties and obligations to organize his village household and carry out the duties of the government and local government. Village head election activities are carried out by the pilkades committee formed by the Village Council to organize the village head election process.

Upon the implementation of this village head election, the community hopes that elected leaders who are fair, wise and have a clear vision going forward. The election of the new village head also ended the term of office of the village government in the previous period which will then be composed of the new village government organization structure through a selection process regulated in the legislation.

The election of village heads is carried out through several stages, including the stages of preparation, nomination, voting and determination. The Village Council forms a simultaneous election for village heads and an inter-village head election committee. The formation of the committee was determined by a Village Council decision consisting of village officials and community elements. The number of committee members is adjusted to the duty load and financial capacity. The committee is responsible to the Village Council. In the event that committee members do not carry out their duties and obligations, they can be dismissed with a Village Council decision. The committee conducts a selection and selection of prospective Village Heads from time to time. Screening of prospective Village Head candidates to become Village Head candidates, at least 2 (two) people and at most 3 (three) people. If the number of prospective candidates who meet the requirements is more than 3 (three), the committee makes additional selections using the criteria of having knowledge of Village Government, education level, age and other requirements set by the Regent / Mayor. If prospective candidates meet the requirements of less than 2 (two) people, the committee extends the registration time for 7 (seven) days. If the prospective candidate who meets the requirements remains less than 2 (two) after the extension of the registration period, the Village Council postpones the election of the Village Head until the time determined later.<sup>11</sup>

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Tim Kementerian Dalam Negeri dan Australian Government. Buku Panduan BPD 2018. Jakarta, KOMPAK Kemitraan Pemerintah Australia dan Indonesia, pp.29-30

### 2. Implementation of Legal & Community Services on Kalikayen

### a. Assistance in the Formation of Village Regulations

Designers of Village Regulations need to make Village Regulations on behalf of and for the benefit of the community. 12 The first step that must be taken is to ask questions about the types of problems faced by the community. Problems can include many things, including the degradation and deviation of resources which results in social unrest and inequality. In addition to identifying the problem, the draft designer must also identify the cause of the problem (root of the problem) and the parties affected by the various types of problems. To identify problems, there are several theories that can be used to identify, for example, the ROCCIPI method (Rule, Opportunity, Capacity, Communications, Interest, Process, and Ideology).

Rule (Regulations), which may be identified are: wording of rules is unclear or ambiguous, regulations may provide opportunities for problem behavior, do not deal with the causes of problematic behavior, provide opportunities for implementation that are not transparent, irresponsible, and not participatory, and provide unnecessary authority to implementing officials in deciding what and how to change problematic behavior.

Opportunity, to identify whether the environment around the intended party of a Village Regulations allows them to behave as instructed by the Village Regulations or not? And does this environment make suitable behavior impossible?

Capacity (ability), to identify whether the actors have the ability to behave as determined by existing regulations, In practice, opportunities and willingness to overlap. It does not matter which ROCCIPI category inspires a drafter of the RanVillage Regulations when formulating explanatory hypotheses. These categories succeed in stimulating draft draftsmen to identify the causes of problematic behavior that their designs must change.

Communications, the ignorance of a role behavior about Village Regulations may explain why he behaves inappropriately. Whether the authorities have taken adequate steps to communicate the existing regulations to the intended parties.

Interest, whether there are material or non-material (social) interests that affect the role holder in acting according to or not with existing rules.

Process, according to the criteria and procedures whether the process by which the role actors decide to comply with the Village Regulations or not. Usually, if a group of role actors consists of individuals, the process

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Marjoko, Saputra Iswan dan Hasibuan Hawari. 2013. Pemerintah Desa yang Baik. Medan, Bitra Indonesia, The Activator For Rural Progress, p.112

category produces several hypotheses that are useful for explaining their behavior. People usually decide for themselves whether to obey the rules or not

Ideology, whether the values, habits and customs that exist enough to influence the role holder to act according to or contrary to existing rules.<sup>13</sup>

In the preparation of the Village Regulations so far, it is still not equipped with academic studies. In order for the Village Regulations to be prepared to truly answer the needs of the village community and answer the problems to be arranged, the arrangement of academic studies becomes very important. Substantially, academic studies must examine three substance problems, namely: (1) Answering the question of why a new Village Regulations is needed, (2) the scope of material content and the main components of the Village Regulations, (3) the process that will be used to prepare and authorize Village Regulations.

In general the steps in the process of drafting new village regulations are as follows:

- (1) Step 1: Identify the Problem
- (2) Step 2: Identify the Legal baseline, and how new village regulations can solve the problem.
- (3) Step 3: Preparation of academic studies
- (4) Step 4: procedures for preparing Village Regulations: (a) the process of preparing RanVillage Regulations in Village Council and (b) the process of preparing Draft Village Regulation in the village government, (c) the process of obtaining Village Council approval, (f) the process of ratification and stipulation as village sheets.
- (5) Step 5: Village Regulations oversight mechanism

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Hendry Maddick & Hanif Nurcholis, 2007, Teori dan Praktik Pemerintahan dan Otonomi Daerah, Grasindo, Jakarta. p. 7



Figure 1. Mentoring Establishment of Village Regulations. *Source:* Authors' personal document date; July 25, 2019

### b. Development Planning Consultation Assistance

The village has the authority and right to regulate its territory in accordance with the aspirations of the people who live in the village area concerned. This authority will determine the position and role of Musrenbang towards development in the village because it sees the importance of Musrenbang in promoting village autonomy. The village musrenbang should not be narrowed down to routine activities, only to fill out a list of proposed activities that will be taken to the sub-district, but the direction of the policy is truly part of the implementation of village autonomy.

Village development planning covers the areas of village governance, implementation of village development, village community development and village community empowerment. Village development planning is arranged in a long term including (1) a medium-term development plan for a period of six years, and (2) an annual village development plan which is often called a village government work plan abbreviated as RKPDes is a translation of the Village RPJM for a period of 1 (one) year .<sup>14</sup>

The village medium term development plan contains at least the vision and mission of the village head, the direction of the village development policy, and the plan of activities covering the fields of village governance, the implementation of village development and village community empowerment, the preparation of the village medium term development plan is carried out taking into account the objective conditions of the village and the priority of the district's programs / activities City. In

Peraturan Menteri Dalam Negeri Nomor 114 Tahun 2014 tentang Pedoman Pembangunan Desa

the preparation of the Village RPJM carried out by activities (1) the formation of the Village RPJM drafting team, (2) alignment of district / city development planning policies, (3) assessment of village conditions, (4) preparation of village development plans through village deliberations, (5) preparation the village medium term development plan, (6) preparation of village development plans through village development planning meetings; and (7) determination of the Village RPJM.

The village RPJM drafting team consists of the village head as the coach, the village secretary as the chair, the head of the community empowerment agency as the secretary and members from the village officials, the community empowerment agency, the village community empowerment cadre and other elements of the community. The drafting team all numbered at least 7 people and at most 11 people. As law students who incidentally have learned about regional autonomy, it is useful for us to be able to convey and assist the community in the development planning process. <sup>15</sup> The things we do in assisting include:

- 1) Telling the community about the substance contained in Law No. 6 of 2014 concerning Villages, specifically the role of the community in development planning as outlined in the form of a special article MUSRENBANG Desa
- 2) Accompanying each stage of the village MUSRENBANG
  - 1. Village Pre-Musrenbang Stages
  - a) Organizing Musrenbang, consisting of activities:
    - i. Establishment of Musrenbang (TPM) organizing team;
    - ii. Formation of Village Musrenbang Guide Team by TPM (2-3 people);
    - iii. The technical preparation for implementing the Village Musrenbang, namely:
      - Arranging the village Musrenbang schedule and agenda;
      - Announcement of village Musrenbang activities and distribution of invitations to participants and resource persons (at least 7 days before D-day);
      - Coordinate logistics preparation (place, consumption, tools and materials).

Rianingsih Djohani, *Panduan Penyelenggaraan Musyawarah Perencanaan Pembangunan Desa*, Bandung, Perpustakaan Nasional Katalog dalam Terbitan (KDT). 2008. p. 6

- b) Participatory village assessment, consisting of activities
  - i. Study the conditions, problems and potential of the village (per hamlet/RW and/or per sector/development issue) With the community members;
  - ii. Village data/information compilation from the results of the study by the guiding team.
- c) Preparation of the initial draft RKP Desa, consisting of activities:
  - i. A review of the Village RPJM document and the results of the TPM and Tiim Guide study design,
  - ii. Review document / data / information on program policies and regional budgets by the TPM and the Guidance Team
  - iii. Preparation of the draft Initial Village RKP draft with reference to this study by the TPM and the Guidance Team



Figure 2. Deliberation of Kalikayen Hamlet, Kalikayen Village *Source*: Authors' personal document dated July 30, 2019

- 2. Stages of the implementation of the village Musrenbang
- a) Opening, the event is guided by the presenter with activities as follows:
  - i. Opening remarks and delivery of the Village Musrenbang agenda
  - ii. Report from the head of the Musrenbang committee (Chair of TPM);
  - iii. Message from the village head and official opening;
  - iv. Prayer Together.
- b) Presentation and discussion with resource persons (panel discussion) as input for deliberations:

- Presentation by community representatives on the description of village problems according to the results of the study, which were divided according to the affairs / fields of village development;
- ii. The village head's explanation of (1) the results of the Village RKP evaluation that has been running; (2) program priority framework according to the Village RPJM; (3) information on the estimated ADD and other budget sources for the year being planned;
- iii. Subdistrict exposure, UUPTD / SKPD kecamatan regarding policies and priorities of regional programs in the subdistrict region;
- iv. Responses / discussion with community members.
- c) Presentation of draft Initial Village RKP Draft by TPM (usually village secretary) and responses or checking (verification) by participants
- d) Agreement on priority activities and budget per sector / issue
- e) Deliberation on the determination of the Village Delegation Team
- f) Closing is the signing of the minutes of the Musrenbang and the closing remarks by the Chairperson of the TPM / guide.
- 3. Post-Musrenbang Village Stages
- a) Working meetings of the formulating team of the village Musrenbang results: (1) issuance of the Kades SK for the village delegation team; (2) compilation of priority list of village problems to be submitted in the subdistrict Musrenbang; (3) preparation of Village RKP to become Head Village Decree (based on SEB and Permendagri No.66 / 2007) or Head Village regulation (based on PP No.72 / 2005)
- b) Provision of the Village Delegation Team by the TPM (including the Guidance Team) so that: (1) mastering data / information and explanations about the proposals that the delegation team will bring to the Musrenbang in the sub-district, and (3) strengthening other capabilities (insight, communication techniques, presentations)
- c) Compilation of the Village Budget (APBDes) with reference to the Village Development Work Plan (RKP Desa) document.

Village Deliberation is the highest forum in the village that functions to make decisions on strategic matters. Placing Village Deliberation as part of the democratization framework is intended to prioritize Village Deliberation which is the main mechanism for Village decision making. As such, special attention to Village Deliberation is an integral part of the

Village democratization framework. The Village Law defines the Village Deliberation as follows: Village Deliberation or what is referred to by other names is a deliberation between the Village Council, the Village Government, and elements of the community organized by the Village Council to agree on strategic matters. 16

### 3. Community Enthusiasm

The situation in Kalikayen Village requires the village government to fight harder so that the implementation of MUSRENBANG Desa is not just a formality, but also the spearhead of development. This needs to approach the community about the general knowledge of the Village MUSRENBANG, the stages, the role of the community, as well as the procedures for compiling proposed activities for the Village RKP and the Village RPJM. The people of Kalikayen Village consider that the development intended in the MUSRENBANG Desa is only development related to infrastructure. Whereas what is stated in the Village Law is broader, including covering village development, organizing government, empowering village communities and fostering village community institutions.<sup>17</sup>

We facilitate the Kalikayen Village community with a brief article about MUSRENBANG Desa so that it can be conveyed to RW/RT and the wider community. The enthusiasm of the community should be supported by the regional government so that the community's enthusiasm in developing the area is encompassed through the aspirations put forward through the Hamlet Musrenbang and the Village Musrenbang.

# 4. Lack of Local Government Assistance in the Implementation of Musrenbang

The Village Government in carrying out its dutys is under the control of the Regency / City Regional Government, one of which is applied to the correction and evaluation of the raVillage Regulations formed by the Village. However, if you see Village Council conditions that lack knowledge about the functions and procedures to carry out their functions, according to the author it is still the responsibility of the government to foster Village Council so that in the future it can carry out its responsibilities properly and in accordance with the aspirations of the community, especially in Kalikayen Village.

Amanulloh, Naeni. *Buku 3: Demokratisasi Desa*. Jakarta, Kementerian Desa, Pembangunan Daerah Tertinggal, dan Transmigrasi Republik Indonesia: 2015, p.36

Interview with Mashudi, S.Ag. Head of Government Affairs on August 25, 2019 at 19.38 WIB

The implementation process in Kalikayen Village is far from perfect, because the Village Musrenbang that should have been able to take place a maximum of 3 months after the election of a new village head, until now in August 2019 there has not yet been formed a drafting team for the Village RPJM and the Village RKP. Furthermore, we were accompanied by the filling out of plans for proposed activities and priority issues in the village so that later they could become material for the hamlet head in leading / guiding the Development Planning Consultation at the hamlet level.

### D. Conclusion

The method of fostering the Village Council Post Village Head Election is carried out through a number of ways including education and training in the formation of Village regulations, assistance in the formation of Village Unity, and assistance in the Village Musrenbang. The above method is needed considering the lack of knowledge of the Village Council for village development planning and other fungal dutys. The community has not received assistance or guidance from the regional government, especially for members of the Kalikayen Village Council. The government is expected to give more attention to the village so that the village can exercise its authority to the fullest.

### E. Acknowledgments

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### H. References

- Amanulloh, N. (2015). *Buku 3: Demokratisasi Desa*. Jakarta : Kementerian Desa, Pembangunan Daerah Tertinggal, dan Transmigrasi Republik Indonesia.
- Aziz, N.L.Y. (2016). Otonomi Desa dan Efektivitas Dana Desa. *Jurnal Penelitian Politik*. 13(2):
- Djohani, R. (2008). Panduan Penyelenggaraan Musyawarah Perencanaan Pembangunan Desa. Bandung: Perpustakaan Nasional Katalog dalam Terbitan (KDT).
- Djogo, T. (2003). Kelembagaan dan Kebijakan Dalam Pengembangan Agroforesti. Word Agroforestry Centre (ICRAF) Southeast Asia.
- Ihsan, M.M. (2015). *Ketahanan Masyarakat Desa*. Kementrian Desa. Jakarta: Pembangunan Daerah Teringgal, dan Transmigrasi Republik Indonesia.
- Maddick, H., & Nurcholis, H. (2007). Teori dan Praktik Pemerintahan dan Otonomi Daerah. Grasindo: Jakarta.
- Marjoko, S.I., & Hawari, H. (2013). *Pemerintah Desa yang Baik*. Medan: Bitra Indonesia, The Activator for Rural Progress.
- Miskawati & Tahir, H. (2014). Peran Badan Permusyawaratan Desa (VILLAGE COUNCIL) Pembangunan Desa (Studi di Desa Tolajuk Kecamatan Latimojong Kabupaten Luwu). *Thesis*. Makassar: Universitas Negeri Makassar.
- Ndraha, T. (2002). Pembangunan Masyarakat. Jakarta: Rineka Cipta.
- Peraturan Pemerintah Nomor 43 Tahun 2014 tentang Peraturan Pelaksana Undang-Undang Nomor 6 tahun 2014 tentang Desa
- Peraturan Menteri Dalam Negeri Nomor 114 Tahun 2014 tentang Pedoman Pembangunan Desa
- Saparin, S. (2015). Luas Bidang Kegiatan Pemerintahan, Tata Pemerintahan dan Administrasi Pemerintahan Desa. Jakarta: Ghalia Indonesia.

- Silahudin, M. (2015). Kewenangan desa dan Regulasi Desa. Jakarta: Kementerian Desa, Pembangunan Daerah Tertinggal dan Transmigrasi Republik Indonesia.
- Tim Kementerian Dalam Negeri & Australian Government. *Buku Panduan VILLAGE COUNCIL 2018*. Jakarta: KOMPAK Kemitraan Pemerintah Australia dan Indonesia.
- Undang-Undang Republik Indonesia Nomor 6 Tahun 2014 tentang Desa.
- Waluyo, B. (1996). *Penelitian Hukum dalam Praktek*. Jakarta: Sinar Grafika.
- Widjaja, HAW. (2008). Otonomi Desa: Merupakan Otonomi yang Asli, Bulat dan Utuh. Jakarta: PT Raja Grafindo Persada.

## **Q**UOTE

# Service without humility is selfishness and egotism

Mahatma Gandhi



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# Implementation of Anti-Corruption Education through PENETRASI (Penanaman Sembilan Nilai Karakter Anti Korupsi) Method for the Urban Village Community of Jabungan

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Abstract: The importance of anti-corruption education for communities in the area of Jabunganan Village in particular among teenagers, because they were the agents of change for nation building Indonesia in order to form a generation that has integrity. Attempts are made to college student real work relating to the State University of Semarang 2019 in instilling the value of anti-corruption through the PENETRASI method (Penanaman Sembilan Nilai Karakter Anti Korupsi) by holding dissemination, training and games. In these efforts, contains multiple values, including the anti-corruption character: 1) Honest, 2) Fair, 3) Hardwork, 4) Caring, 5) Simple, 6) Daring, 7) Liability, 8) Independent, 9) Disciplines. These efforts include: Anti Corruption Week (Antik), Rumah Sampah (Ramah), Ruang Inspirasi (Rapi), dan Anti Suap (Asiap), Bank Sampah (Basah), Pelatihan Neraca Laba Rugi bagi UMKM, Lomba Pidato Tema Anti Korupsi (Ladang Tikus), Pelatihan Pembuatan Briket dari Sampah Organik, Psikodrama, Mitigasi Bencana, Infografis Anti Korupsi, Permainan Ular Tangga dan Festival Anak Sholeh.

**Keywords:** anti-corruption education; nine values of anti-corruption character

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### A. Introduction

Anti-corruption education is an education program on corruption that aims to build and increase citizens, especially concerning to the awareness of the dangers and consequences of acts of corruption. Anti-Corruption Education has a role in the lives of people who have a stake in corruption prevention because basically they are agents of national change in the history of the nation of Indonesia. Basically, the Government of Indonesia through the Corruption Eradication Commission (KPK) based on Law Number 30 of 2002 concerning the Corruption Eradication Commission, the Corruption Eradication Commission (KPK) was given the mandate to eradicate corruption professionally, intensively, and continuously. KPK is an independent state institution, which in carrying out its duties and authorities is free from any power. KPK has the task of coordinating with agencies authorized to eradicate corruption; supervision of agencies authorized to eradicate corruption; carry out investigations, investigations and prosecutions of corrupt acts; take steps to prevent corruption; and monitor the implementation of state government.<sup>2</sup> Although Government of Indonesia has endeavored to eradicate corruption in Indonesia mandated by the KPK, corruption continues to flourish from small corruption to corruption that harms the country. Therefore, the role of the community is very important and needed in combating non-criminal corruption.

Anti-Corruption Education that we did in this Real Work Lecture activity raised a title, namely "Anti-Corruption Education for Jabungan Village Residents in Efforts to Provide Education About Corruption through the PENETRATION Method (Planting Nine Anti-Corruption Character Values)", of which nine anti-corruption character values These consist of: 1) Honest, 2) Caring, 3) Independent, 4) Fair, 5) Hard Work, 6) Responsibility, 7) Courageous, 8) Simple, 9) Discipline. This Real Work Lecture Group seeks simple learning about anything that includes criminal acts of corruption and how to prevent them through these methods because the community here is still too ignorant about understanding what is a criminal act of corruption.

Planting the first nine values of anti-corruption character that is Honest which means the attitude of knowing, saying and doing what is

Maria Montessori, "Pendidikan Antikorupsi Sebagai Pendidikan Karakter di Sekolah", Jurnal Demokrasi Vol. 11 No. 1 2012, p. 294

M. Ishaq Dwi Putra, *Apa Saja Tugas dan Wewenang KPK*?, <a href="http://indonesiabaik.id/motion\_grafis/apa-saja-tugas-dan-wewenang-kpk">http://indonesiabaik.id/motion\_grafis/apa-saja-tugas-dan-wewenang-kpk</a>, accessed on 24 August 2019 10:30 WIB

right, can be trusted and not cheating. The second is Caring which means the attitude and action of paying attention and ignoring others. Third, Mandiri is the ability to solve, search for, and find solutions to one's own problems and not depend on others. The fourth is Adil, which means not taking sides and discriminating between certain groups or classes. Fifth, that is Hard Work, which means there is a sense of sincerity in completing a task or job. The sixth is Responsibility which means someone's attitude and behavior in carrying out the task. Seventh, that is Brave which means there is confidence in facing threats or difficulties. Eighth, namely Simple, which means to use something to taste. And the last is Discipline which means habits that are consistent with all forms of rules and regulations.<sup>3</sup>

The purpose of education is through the inculcation of anticorruption character values in the Jabungan Village because the people here especially teenagers have a low level of awareness about corruption. Therefore, because they are agents of change (agents of change) who will participate in realizing the future of Indonesia that is free from corruption, we as students who have already gained knowledge about anti-corruption education provide knowledge about education on anti-corruption values to the Jabunganan community. Join especially to teenagers.

In instilling anti-corruption education there needs to be several efforts. What are the efforts made to provide knowledge related to anti-corruption to the Jabungan Village community, especially teenagers?

### B. Method

Corruption for Jabungan Village Residents in Efforts to Provide Education about Corruption through the PENETRASI (Penanaman Sembilan Nilai Karakter Anti Korupsi) 'Embedding 9 Anti Corruption Character Values' ", consisted of various series of activities, namely socialization, discussion space, training, and games. In supporting the series of activities there are 13 work programs, each of which contains anti-corruption character values. The work program consists of Disaster Mitigation, PENETERASI PENETRASI (Penanaman Sembilan Nilai Karakter Anti Korupsi) through Psychodrama Method, Anti-Bribery, Anti Corruption Week, Anti-Corruption Theme Speech Competition, "Snake and Ladder" Sportsmanship Games, Inspiration Room, Anti-Corruption Infographic, Training on Making Briquettes from Organic Trash, Garbage Banks, Houses Trash, Income

Pusat Edukasi Antikorupsi, *Nilai-Nilai Antikorupsi*, <a href="https://aclc.kpk.go.id/materi/sikap-antikorupsi/infografis/nilai-nilai-antikorupsi">https://aclc.kpk.go.id/materi/sikap-antikorupsi/infografis/nilai-nilai-antikorupsi</a>, accssed on 22 August 2019 20:34 WIB

Balance Training for MSMEs, and the Sholeh Children's Festival. The entire work program is carried out in Jabungan Village with the target of all levels of society, starting from children, adolescents, to adults. Through the aforementioned program it is hoped that all Jabungan residents can fight corruption by understanding and implementing 9 values of anti-corruption character in their daily lives.

Based on activities that have been carried out to the layers of society such as children and adults, understanding of corruption is very lacking. Not only that, their concern for the dangers of corruption has not been neatly fostered. Good survival is the comfort of their lives, when they feel their lives are sufficient then feel safe and do not care about the conditions around. Seeing the problem, our group provides an anti-corruption education to the community. After a number of stages, there is a change in mindset as we expect. The community begins to realize how important it is to care about the environment when someone does small acts of corruption. The thing we give to the public is to provide an understanding of the 9 values of anti-corruption character as the key to fighting corruption.

The word corruption comes from the Latin word Corruptio which means damage, depravity and decay. Corruption is often said to be an extraordinary crime, one of the reasons is because the extraordinary impact can cause damage both in scope, personal, family, community and wider life. The damage does not only occur in a short period of time, but can have a long term impact Corruption is caused by two factors, namely internal factors and external factors. Internal factors are the cause of corruption from individual factors, while external factors come from the environment or system.

In Law Number 31 of 1999 jo. Law Number 20 Year 2001 regarding Eradication of Corruption, in Chapter II Article 2 states that corruption is: "anyone who unlawfully commits acts of enriching oneself or another person or a corporation that can harm the State finances or the State's economy". The potential to commit acts of corruption, the perpetrators of corruption do not recognize gender or age and the conduct of corruption is always done with planning, none of the acts of corruption are carried out suddenly like other criminal crimes, because corruption is different from other criminal acts. The forms of criminal corruption include:

- 1) Harm the country's finances
- 2) Bribes
- 3) Extortion
- 4) Darkening in position
- 5) Conflict of interest
- 6) Gratuities

### 7) Money laundering

Corruption prevention efforts can basically be done to reduce and eliminate the factors that cause corruption. Anti-corruption is an effort to prevent corruption by various efforts to increase individual awareness so as not to commit acts of corruption, as well as an effort to improve moral human resources. Unwittingly, many daily acts constitute a form of cadre of criminal acts of corruption, ranging from minor corruption to corruption that harms the country. This problem continues to increase so that it becomes a threat to the survival of the people of Indonesia, because corruption is a serious problem that we must eradicate through good habits by referring to 9 values of anti-corruption character. These values are:

### 1) Honest

The word honest in the Big Indonesian Dictionary (KBBI) means: righteous heart; not lying (stating as it is, not cheating, following the rules, sincere and sincere. Honesty is a basic value that is the main foundation for upholding one's integrity. Without honesty, it is difficult if someone can become a person of integrity. Someone is required to be able to speak honestly and not lying both to oneself and others, honesty will carry over to work so as to protect yourself against the temptation to cheat. Honest is one of the most important traits for social life, without honesty it cannot be trusted in socially if we believe that behavior Corruption is the evolution of corrupt behavior over small things and is considered trivial, so this fact is one of the worrying proofs, setting an example and accustoming children from an early age to say everything that happens according to what they do or know.

Examples of honesty in children, children told by their parents to buy goods and given more money he must return the change back to his parents in accordance with the nominal return must not be less. Small habits that they do continuously will be able to form a strong character of children. The output of honesty that is owned will produce results of people who have personalities who always tell the truth and do not lie.

### 2) Care

Caring is a basic value and attitude to pay attention and act proactively towards the conditions or circumstances around us. Caring is an attitude of our partisanship to involve ourselves in the problems, circumstances or conditions that occur around us. Everyone certainly has an opinion that we must respect their existence Respect for the opinion of fellow family members is a form of caring attitude that we can do in the

Fira Mubayyina, "SEMAI: 9 Nilai Anti Korupsi Dalam Pendidikan Anak Usia Dini", Al-Hikmah: Indonesian Journal of Early Childhood Islamic Education, Vol 1 (2), 2017 p. 225

home environment. Caring is those who are called to do something in order to inspire, change, kindness to the surrounding environment. When he sees a certain situation, when he witnesses the condition of society he will be moved to do something. What is done is expected to improve or help the surrounding conditions.

Caring is an attitude to pay attention to human values, always moved to help other human difficulties. A caring attitude is an attitude to try to awaken the independence that exists in society. People who care are people who cannot stay silent, see weaknesses, stand by and let bad conditions continue to occur in society, so the most important obligation is to always put themselves in a position to defend their interests, fight for their rights their rights, become companions and friends for their lives and advocate and help small and oppressed communities.

### 3) Independent

Independent is able to stand on its own feet, meaning that it does not depend much on others in any way. Independence is considered as an important thing that must be owned by a leader, because without independence a person will not be able to lead others. Independent in the life of the community is necessary because independence is opening the way. Whereas those who prefer to depend on others will forever be in the shadow of that person.

### 4) Discipline

Discipline is obedience or obedience to regulations. Conversely, to regulate human life requires a disciplined life. The benefit of discipline is that a person can achieve his goals in a more efficient time. Discipline has the same impact as other anti-corruption values, which can foster the trust of others in various ways. Discipline can be realized among others in the form of the ability to manage time well, adherence to all applicable rules and regulations, do everything in a timely manner, and focus on work. Examples of discipline in work are coming to work on time, not late, because we are late entering work together, including corruption, in this case time corruption.

### 5) Hard work

Hard work in the Big Indonesian Dictionary means a serious effort to achieve goals that are carried out continuously, not easily giving up in facing problems or challenges. An example that can be given in everyday life is to give a gift for the results of the work done by children in getting good grades at school. This is done in order that, to achieve something requires hard work and to introduce to children not to achieve something in an instant way. So that later when the child wants to become a rich person must work hard to get money, not by taking money that does not belong to

him. Hard work is based on a will within oneself. Hard work is important in order to achieve results that are in accordance with what is desired.

### 6) Responsibility

Responsibility is the state of being obliged to bear everything (if anything happens may be prosecuted, blamed and sued). Someone who has responsibilities will have a tendency to complete tasks better. Someone who can carry out even the smallest of responsibilities well will get the trust of others. The application of the value of responsibility can be realized in the form of study in earnest, graduating on time with good grades, doing academic tasks well, maintaining the mandate and trust given.

### 7) Fair

Fair is defined as the same behavior in everyone, treating people the way we want to be treated, impartial, balanced between rights and obligations. Examples of examples that can be adapted in a community environment are neighboring parents and socializing to all people not looking at their possessions, rich or poor. This can be imitated by children so that everyone is impartial and friends to see his background first.

### 8) Simple

Simple is an attitude or behavior not excessive to something and more concerned with the benefits and objectives. Show the attitude as it is, do not force yourself by making efforts that are prohibited by the norm to take that is not really his right, inviting children to be diligent in saving and using according to their needs, children who are accustomed to being modest will be realized will not take the opportunity to cheat, because one of the causes of someone committing acts of corruption is an opportunity other than their greedy intentions and nature.

### 9) Brave

Dare is a great sense of confidence in facing challenges, not afraid in facing something that is believed to be true. Examples of examples that can be given to children are parents who dare to remind others who make mistakes and break rules. It can be imitated by children to do courage if there is someone who does wrong that is found in the surrounding environment can be reminded when making mistakes not to make mistakes anymore. It is expected that courage behavior in children can be applied so that later adults when they encounter cheats that occur both in the environment his work or the environment outside his job he will have the courage to report also to the authorities.

### C. Result and Discussion

1. Implementation of PENETRASI (Penanaman Sembilan Nilai Karakter Anti Korupsi) in Jabungan Village

### a. Anti Corruption Week (ANTIK)

Teach anti-corruption values can be Teaching anti-corruption values can be started by introducing the children about good or bad behavior, right and wrong behavior, behavior that is appropriate or not in accordance with norms, this will provide good teaching to children and can be used as a foundation for behavior. by the child. Anti-corruption education is a conscious and planned effort to realize a teaching and learning process that is critical of the national anti-corruption values. The learning objectives of anti-corruption education are: 1) when they enter the community, students have enough provision to be able to understand ethics at every level of the "social leaders" they live in, 2) comprehensively understand the importance of ethics in both the public and private sectors, 3) recognize and understand the adverse effects of corruption on public trust and competition in the international world, and 4) have the courage and wisdom to eradicate corruption.<sup>5</sup> Thus anti-corruption education does not merely emphasize cognitive aspects or knowledge alone, but also emphasizes the formation of character (affective), and moral awareness in fighting corruption behavior. Anti-corruption education aims to create a generation of young people who have good moral and anti-corrupt behavior.6

The problem of corruption continues to increase, causing unrest for the community given the ongoing regeneration. Indonesian children as the golden generation of the nation have great potential to build the nation, create rapid progress, and realize the dream of the nation's predecessors to always advance Indonesia. In building a nation, a generation that is intelligent, independent and responsible for the tasks given is needed. This gives a warning to us that it is important to teach kindness to every Indonesian child. Provide broad knowledge, educate children to be a strong and independent generation, and teach anti-corruption behavior so as not to create harm to themselves, others, and the country.

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Eko Handoyo, et.al., "Penanaman Nilai-Nilai Kejujuran Melalui Pendidikan Antikorupsi di SMA Negeri 6 Semarang", *Jurnal Abdimas* Vol. 14 No. 2 (2010),hal. 2

Agus Wibowo, *Pendidikan Karakter, Strategi Membangun Karakter Bangsa Berperadaban*, Yogyakarta: Pustaka Pelajar, 2012, p. 28



Figure 1. Anti-Corruption Week Socialization at SDN Jabunganan. Source: Personal Document, 2019

Providing knowledge about the 9 values of anti-corruption character is not only applied to adults. It is very important we give this knowledge to children, where they are the next generation of the nation. Different understanding from adults, makes us think more broadly how to provide knowledge to children. We made a one-week work program that we named Anti Corruption Week, in this program consisting of a series of activities which provided an understanding of the 9 values of anti-corruption character and then provided an implementation container for the value of honesty, the honesty canteen.

Anti Corruption Week is a program that forms honest and disciplined behavior and increases students' sense of responsibility so that they have an independent nature and anti-corruption culture. As well as student participation and enthusiasm in participating in this program. The absence of a forum for applying anti-corruption values in the school environment. Providing information on what forms of petty corruption are commonly carried out by students they may not even be aware of. Providing honesty canteen facilities to implement anti-corruption values, namely honesty values. Anti-corruption education must be meaningful learning by experiencing or experiential learning so it does not merely condition the students only to know, but also to be given the opportunity to make decisions and choices for themselves.

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Nuriani Laura Malau Gurning, "Implementasi Pendidikan Antikorupsi Melalui Warung Kejujuran di SMP Keluarga Kudus", *Jurnal Teknologi Pendidikan dan Pembelajaran* Vol. 2 No. 1 (2014), p. 94

# b. PENETRASI (*Penanaman 9 Nilai Karakter Anti Korupsi*) by PSIKODRAMA Method

Corrupt behavior that is often found in elementary school children is cheating, lying, late coming to school, and yelling friends. However, corrupt behavior does not only originate from one's own behavior, it can also create corrupt behavior by listening to other people's stories that create a feeling of wanting to do the act so that it can be accepted in play groups. The story given becomes someone else's virus if in the future someone else experiences the same thing will choose to take the solution that he has heard and so on.<sup>8</sup>

Corruption eradication is not enough to overcome only by relying on law enforcement processes. Eliminating corruption also needs to be done with preventive measures, among others by instilling religious values, corruption-free morals or anti-corruption learning through various educational institutions. Educational institutions have a very strategic position in instilling an anti-corruption mentality. Instilling anti-corruption nature from an early age through primary, secondary and higher education institutions is expected to create students free of corruption. With the learning material provided is expected to save the golden generation so that it becomes a generation that is free of corruption. Elementary School is one of the educational institutions that used as a second home for children to gain knowledge, especially regarding anti-corruption. The simple corrupt behavior that we encounter in the elementary school environment is time corruption, when the entrance bell has rang sometimes there are still children who have not come to school. This behavior can be becomes a habit if not immediately acted upon. In this case education becomes a very important element for public awareness of the adverse effects of corruption. In the Indonesian context, combating corruption must use various instruments to be more effective. Through changes in values that are instilled since childhood, children will experience changes in mindset and are more sensitive to the problem of corruption. Changes in behavior since childhood are important considering the children will one day replace the older generation as well as the successor to the nation's leadership.<sup>10</sup>

One interesting learning method in providing knowledge about the value of anti-corruption through PENETERASI (Planting 9 Anti-Corruption

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Lailatul Izza, "Menumbuhkan Nilai-Nilai Anti Korupsi pada Anak untuk Membentuk Karakter Melalui Semai Games di MDTA Rabithatul Ulum Pekanbaru", *Phychopolytan: Jurnal Psikologi*, Vol. 2 No.3, February 2019, p. 85

Ahmad Zuber, "Strategi Anti Korupsi Melalui Pendekatan Pendidikan Formal dan KPK (Komisi Pemberantasan Korupsi)", *Journal of Development and Social Change*, Vol. 1, No. 2, October 2018, p. 180

Agus Pramusinto, "Mencari Alternatif Strategi Pemberantasan Korupsi", *Jurnal Kebijakan dan Administrasi Publik*, Vol. 13, No. 1, May 2009, p. 2

Character Values) through PSIKODRAMA. We teach this method to Jabungan State Elementary School students in a series of Anti-Corruption Education Scientific Work (KKN) activities. The implementation of this program begins by providing an understanding of 9 anti-corruption values to 5th grade elementary school students, after which division of roles is performed and provides text drama to 5 students who have been selected to play the drama Planting 9 anti-corruption values.



Figure 2. Psychodrama by fifth grade students of Jabungan State Elementary School. *Source:* Personal Document, 2019

Corey believes that psychodrama is a role play intended so that the individual can get a better understanding of himself, can find concepts in himself, state his needs, and express his reaction to pressures against him. With this psychodrama, it is hoped that school children can consciously understand themselves, understand the material of anti-corruption values and then apply it in their daily lives. <sup>11</sup>Through the psychodrama technique provided, it is hoped that it will increase future optimism in students and think about a more positive individual's future. Psychodrama is a training technique developed by Jacob L. Moreno. <sup>12</sup>

Psychodrama is a group therapy approach, in which the client plays the roles and situations of past, present, or future life in an experiment to

Tatiek Romlah, "Teori dan Praktek Bimbingan Kelompok", Malang, Universitas Negeri Malang, 2006, p.107

JohanaE. Prawitasari, "Psikologi Klinis Pengantar Terapan Mikro dan Makro", Jakarta, Penerbit Erlangga, 2011, p. 182

gain a deeper understanding so as to achieve emotion. Important events are played back to help clients connect with feelings that are not revealed and not realized, providing a channel for full disclosure of these feelings, leading to new behavior.<sup>13</sup>



Figure 3. Infographics of Anti Corruption. Source: Personal Document, 2019

Psychodrama was chosen as the method of delivering 9 material anticorruption character values because through this method it is hoped that students can easily understand one by one the value of anti-corruption characters by playing a drama. Practice the nine values of anti-corruption character as if they experienced the incident and find solutions to each problem.

In the drama it is divided into two drama groups, the first being the value of independent, honest, and responsibility. In this drama it tells about friendship between Sila and Winda, Sila who accidentally breaks winda crayons honestly and is responsible for replacing the crayons by independently saving using her pocket money. The second drama is about the value of discipline, courage, hard work. In this second drama tells about Dini who is always disciplined to leave on time, dare to come forward to answer the questions Mr. teacher and work hard to do the questions given by the teacher. The results achieved in this program are students of grade 5 in elementary school becoming aware of the 9 values of anti-corruption characters that have been practiced in the drama and it is hoped that students can practice the 9 values of anti-corruption in daily life.

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Ahmad Riyadi, et.al., "Effectiveness of Group Therapy: Psychodrama in Improving Positive Self-Concept Towards Captive Child", *Prosiding Seminar Nasional Psikologi Indigenous UMP* 2015, p. 22

### c. Anti-Bribery, Anti Suap (ASIAP)

Corruption is a phenomenon that is a culture, a person's behavior that has been built from the values they know and believe. They build these values through systematic socialization. Good habits are needed, starting from changing the mindset which then forms good habits and behavior so that later the behavior becomes a habit. It is very important to change the bad values found in social life.

The size of the corruption does not always indicate the size of the adverse effects caused. Small-scale corruption may have worse impacts than large-scale corruption. This is caused by the frequent practice of small-scale corruption directly related to marginalized communities. <sup>14</sup>Anti-corruption education is actually very important to prevent the occurrence of acts of corruption. If the KPK and several other anti-corruption institutions catch corruptors, then the anti-corruption education is also important to prevent new corruptors, it seems like the importance of morals, ethics, morals, and so on. Likewise, anti-corruption education is important in preventing the occurrence of criminal acts of corruption. <sup>15</sup>

Seeing the increasing tendency of corruption, we can see the tendency of governance practices as a whole. Judging from the number of disclosures in the case, we can interpret the data as follows: first, corruption practices during the day of smekain are rife; second, there is seriousness in controlling corruption. Therefore, it is not surprising that people's assessment of practicegovernance (voice and accountability, government effectiveness, rule of law, political stability, regulatory quality, control of corruption) show positive ratings.<sup>16</sup>

Listening to the causes of corruption, it can be concluded related to human aspects, regulations, bureaucracy, political will, commitment, and consistency of law enforcement and community culture. For this reason, the broad strategy adopted includes the following aspects:<sup>17</sup>

- 1) Increasing the integrity and ethics of state administrators
- 2) Strengthening and accelerating bureaucratic reform
- 3) Strengthening the anti-corruption culture of the community
- 4) Firm, consistent and integrated law enforcement

Based on point c above regarding strengthening of the anti-corruption culture of the community is one of the important things in efforts to

Agus Pramusinto, *Op.Cit.*, p.3

Jamaluddin Rabain, "Perspektif Islam tentang Korupsi", *Jurnal Pemikiran Islam*, Vol. 39, No. 2, July-December 2014, p. 188

Agus Pramusinto, *Op.Cit.*, p. 7

Bambang Waluyo, "Optimalisasi Pemberantasan Korupsi", *Jurnal Yuridis*, Vol. 1 No.2, December 2014, p. 175

eradicate corruption. In this case the community's attitude towards corrupt practices is crucial in efforts to eradicate corruption. By making efforts to straighten the values of the community it is felt able to fortify them from corrupt behavior. This effort was carried out through counseling and anti-bribery campaigns. The existence of this campaign is expected to be able to shape the attitude and mental attitude of the society that is anti-corruption because the benefits derived from corruptive behavior are not worth the suffering that will be obtained later. Anti-bribery is a program in an effort to increase the understanding of residents and village officials

in Jabungan Sub-district, Banyumanik District, Semarang City regarding the category or type of bribery, who can bribe and who can be bribed, the threat of punishment in the event of bribery, and quick response to if knowing that bribery has taken place in his environment on a daily basis. The community, especially in Jabungan Village, does not yet know what bribery is and how the bribery category is in the community or in the village government environment. From various scope of society, most of them do not know about bribery. So from the need to be given knowledge about the categories of bribery which are included in corruption.

The activity is carried out with counseling and the "Bribery Identification" campaign begins by providing knowledge of what bribes are, categories or types of bribes, who can bribe and who can be bribed, the threat of punishment in the event of bribery, and quick response when they find out that bribery has occurred in its environment.

This activity aims to build a community that is aware of the importance of honest and disciplined behavior as an effort to create an anti-corruption culture and good governance for the government at the village / Village level.

The results of activities in the provision of counseling and this campaign are citizens aware of the threat of bribery in the daily environment and if there is an indication of bribery then residents can immediately report to the KPK according to the mechanism we have explained at the time of counseling without fearing that their identities will be revealed. This is in line with the theme of Scientific Community Service which is true to provide knowledge and awareness in life by instilling anticorruption values.

### d. Disaster Mitigation, Mitigasi Bencana (SINCAN)

Disaster is a situation that our arrival is not unexpected before, where in that condition there can be damage, death to humans or objects or houses and all the furniture that we have and does not rule out the possibility of animals and plants to die. While natural disasters are

disasters caused by natural events, disasters can occur through a long process or a certain situation in a very fast time without any signs.

Disasters often cause public panic and cause prolonged suffering and sadness, such as: injury, death, economic pressure due to loss of business or work and property, loss of family members and damage to infrastructure and the environment. Natural disasters often occur in Indonesia. This requires knowledge and understanding of natural disasters that might occur in the future. Natural disasters also become the center of great attention in attracting and inviting responses from various parties towards disaster victims.

The disaster mitigation program was a direct speaker from the Semarang City BPBD, disseminating information to the community of Jabungan Village. Implemented by disseminating material on disaster, both natural disasters and social disasters, prepared to face disasters and teach responsive attitudes in dealing with disasters by applying methods of socialization and discussion. In this case the community is equipped with knowledge and understanding of disasters, to be able to deal with them when exposed to disasters and contribute to disaster management efforts themselves.

Because after all it is realized that disaster management does not only involve the government and other parties, but the role of the community in it is very important. Everyone has their own definition of the word natural disaster. The result achieved from disaster mitigation is to instill community understanding that each of them is an important component so that the Jabungan sub-district becomes a Tangguh sub-district when natural and social disasters occur. After the next stage of disaster mitigation socialization, FPRB (Youth Disaster Volunteer Forum) was made up consisting of LPMK, BKM, PKK, Youth Organization, FKK, KSB, Linmas.

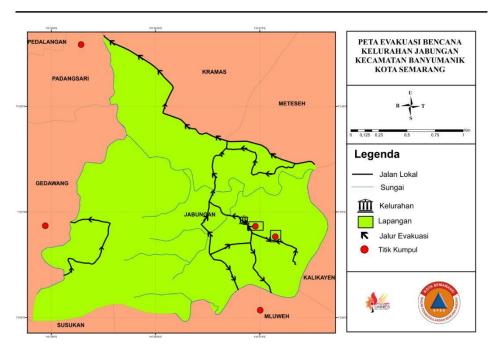


Figure 4. Outcome of the Combined Area Disaster Mitigation Program Disaster Mitigation. Source: Badan Penanggulangan Bencana Daerah Kota Semarang, 2019

### D. Conclusion

Because there is not yet a forum for applying anti-corruption values in the school environment, we teach the Anti-Corruption Week teaching method to give students an idea of anti-corruption values to the Jabungan State Elementary School through planting knowledge of nine anti-corruption values through counseling any forms of petty corruption. which is usually done by students who may not themselves be aware of who then provide an implementation container of the value of honesty that is the honesty canteen.

As well as interesting learning in providing knowledge about the value of anti-corruption through PENETERASI (*Penanaman 9 Nilai Karakter Anti Korupsi*) through Psychodrama. Psychodrama is a group therapy approach, in which the client plays the roles and situations of past, present, or future life in an experiment to gain a deeper understanding so as to achieve emotion. Through the psychodrama technique provided, it is hoped that it will increase future optimism in students and think about a more positive individual's future.

Efforts to educate and campaign against bribery through the Anti-Bribery Socialization method. This activity is carried out with counseling and the "Bribery Identification" campaign begins by providing knowledge of what bribes, categories or types of bribes, who can do bribes and who can be bribed, the threat of punishment in the event of bribery, and quick response when knowing that bribery has occurred in the environment. Anti-bribery is a program in an effort to improve the understanding of residents and village officials in Jabungan Village regarding the category or type of bribery, who can bribe and who can be bribed, the threat of punishment in the event of bribery, and quick to be responsive to know that bribery has occurred in their environment. day-to-day aim to build a community that is aware of the importance of honest and disciplined behavior as an effort to create an anti-corruption culture and good governance for the government at the village / Village level.

The disaster mitigation program was a direct speaker from the Semarang City BPBD, disseminating to the people of Jabungan Village the material on disaster, both natural disasters and social disasters, being prepared to face disasters and teaching responsive attitudes in dealing with disasters by applying socialization and discussion methods. In this case the community is equipped with knowledge and understanding of disasters, to be able to deal with them when exposed to disasters and contribute to disaster management efforts themselves. The result achieved from disaster mitigation is to instill community understanding that each of them is an important component so that the Jabungan Village becomes a Tangguh Disaster Village.

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benefits and a large positive impact on the progress of this Village, especially in the willingness of citizens to practice the simple knowledge we have given during lectures. Real Work in Jabungan Sub-District, as well as being honest and open with each other about the loopholes to commit criminal acts of corruption.

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The authors state that there is no potential conflict of interest in the research, authorship, and / or publication / publication of this article.

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### G. References

- Gurning, N.L.M. (2014). Implementasi Pendidikan Antikorupsi Melalui Warung Kejujuran di SMP Keluarga Kudus. *Jurnal Teknologi Pendidikan dan Pembelajaran*, 2(1), 93-102.
- Handoyo, E. et.al. (2010). Penanaman Nilai-Nilai Kejujuran Melalui Pendidikan Antikorupsi di SMA Negeri 6 Semarang. *Jurnal Abdimas*, 14(2), 1-7
- Izza, L. (2019). Menumbuhkan Nilai-Nilai Anti Korupsi pada Anak untuk Membentuk Karakter Melalui Semai Games di MDTA Rabithatul Ulum Pekanbaru. *Phychopolytan: Jurnal Psikologi*, 2(3), 84-95.
- Montessori, M. (2012). Pendidikan Antikorupsi Sebagai Pendidikan Karakter di Sekolah. *Jurnal Demokrasi*, 11(1), 293-301.
- Mubayyina, F. (2017). SEMAI: 9 Nilai Anti Korupsi Dalam Pendidikan Anak Usia Dini. Al-Hikmah: Indonesian Journal of Early Childhood Islamic Education, 1(2), 223-238.
- Pramusinto, A. (2019). Mencari Alternatif Strategi Pemberantasan Korupsi. Jurnal Kebijakan dan Administrasi Publik, 13(1), 1-7.
- Prawitasari, J.E. (2011). *Psikologi Klinis Pengantar Terapan Mikro dan Makro*. Jakarta: Penerbit Erlangga.

- Pusat Edukasi Antikorupsi. (2019). Nilai-Nilai Antikorupsi. Accessed on 22 August 2019, retrieved from <a href="https://aclc.kpk.go.id/materi/sikap-antikorupsi/infografis/nilai-nilai-antikorupsi">https://aclc.kpk.go.id/materi/sikap-antikorupsi/infografis/nilai-nilai-antikorupsi</a>
- Putra, M.I.D. (2019). *Apa Saja Tugas dan Wewenang KPK*?. Accessed on 24 August 2019, retrieved from <a href="http://indonesiabaik.id/motion\_grafis/apa-saja-tugas-dan-wewenang-kpk">http://indonesiabaik.id/motion\_grafis/apa-saja-tugas-dan-wewenang-kpk</a>
- Rabain, J. (2014). Perspektif Islam tentang Korupsi. *Jurnal Pemikiran Islam*, 39(2), 187-198.
- Riyadi, A. et.al., (2015). Effectiveness of Group Therapy: Psychodrama in Improving Positive Self-Concept towards Captive Child. *Prosiding Seminar Nasional Psikologi Indigenous UMP*.
- Romlah, T. (2006). *Teori dan Praktek Bimbingan Kelompok*. Malang: Universitas Negeri Malang.
- Waluyo, B. (2014). Optimalisasi Pemberantasan Korupsi. *Jurnal Yuridis*, 1(2), 169-182.
- Wibowo, A. (2012). Pendidikan Karakter, Strategi Membangun Karakter Bangsa Berperadaban. Yogyakarta: Pustaka Pelajar.
- Zuber, A. (2018). Strategi Anti Korupsi Melalui Pendekatan Pendidikan Formal dan KPK (Komisi Pemberantasan Korupsi). *Journal of Development and Social Change*, 1(2), 178-190.

## **Q**UOTE

# The best way to find your self is to lose yourself in the service of others

Mahatma Gandhi



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# Increasing Legal Capacity for Communities in the Context of Realizing a Village of Law Awareness and Child Friendly

Study of Kedungkelor Village, Tegal Regency, Indonesia

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**Abstract**: The purposes of community services program and research are to support, analyze, and create an accountable, transparent, independent, legally-aware and child-friendly village in Kedungkelor village, Warureja sub-district, Tegal regency. The paper analyzed two major parts are taken in the title of the service as well as aware of the law and child worth. Legal awareness and worthy of children are considered important because the child's world is very determining how the child will grow up later so that the village apparatus and the community need to increase of awareness related to the law and in the policies formulated by the village government or the community itself must be child-oriented. The program implemented a to realize a village that is aware of the law and suitable for children in our service is providing free legal assistance, door-to-door programs for families aware of the law and the environment, leadership training, healthy snacks and hand hygiene programs, and anti-bullying programs. The paper concluded that there are some forms of activity that will initiate the formation of a village that is aware of the law and is suitable for children.

**Keywords:** child friendly; law awareness; legal capacity; legal services; village community

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### A. Introduction

Indonesia is a country rich in good diversity ethnicity, religion, and culture, therefore every person held in high esteem on the same rights and duties before the law. or we are familiar with the principle of equality before the law, recognition of Human Rights (HAM) is a matter that must be done by the State of Law, Indonesia as one of the country's law has been expressed both in the preamble and 1945.

Bagir Manan<sup>1</sup> stated that prior to the 1945 changes, quite evenly opinions of jurists and political experts and observers who said that one of the fundamental flaws of the 1945 Constitution which is set on August 18, 1945<sup>2</sup>, Because it does not load or full load of human rights. Indonesian human rights as a paradigm of thought and was not born along with the United Nations Declaration of Human Rights 1948<sup>3</sup>,

Human Rights in the 1945 Constitution before the amendment is not listed in a separate Charter but scattered in several articles. Limited and defined briefly. The position of explicitly recognized in constitutional contained in the 1945 Constitution, which is the application as a legal state ideology. As an important element of human rights for the fulfillment of guarantee equality in the welfare and justice, then the most important is the equity of the law without any discrimination in the implementation, the principle of equality before the law emphasizes that each person actually seen not on the basis of the object alone, but as legal subjects.

Synergy between the authorities and the public would have improved its capacity to support the implementation. In fact we often encounter the opposite field where there is friction or turbulence in fulfilling justice in society and citizenship, as if the law becomes sharply downward and upward blunt. So often is known in the community that the law only synonymous with money, prison, and the means to intervene datu each other, but actually the law is there to protect and respect each other.

With the imbalance in this law leads to ignorance anymore or we used to know as apathetic, and if left unchecked will lead to legal uncertainty. if we still can not admit that the legal issues is a disease that we should not be underestimated and leave. As developing countries are heterogeneous certainly often encountered various educational backgrounds and economic

Astim Riyanto,, Pengetahuan Hukum Konstitusi Menjadi Ilmu Hukum Kosntitusi, Jurnal Hukum dan Pembangunan, Vol. 44 No.2 April-June, 2015, pp. 185-208

Bagir Manan & Susi Dwi Harijanti, Konstitusi dan Hak Asasi Manusia. *Padjajaran Jurnal Ilmu Hukum*, Vol. 3 No. 3 , 2016, pp. 448-467

Marilang, Menimbang Paradigma Keadilan Hukum Progresif. Jurnal Konstitusi Vol. 14. No 2, 2017, pp. 315-331

inequality, and coupled with the industrial revolution 4.0 causing challenges and problems of life which require them to cope and survive even need to be able to innovate. But the dynamics of this kind do not always run smoothly, it gives birth to problems that arise in society of course also related to legal matters therein. One of them in the village Kedungkelor.

Kedungkelor village is a village located in District Warureja Tegal, Central Java. The village is currently Kedungkelor included in the category of developing village. Kedungkelor village has 5 hamlet, 5 neighbourhood in 3 hamlets namely: Bojongkelor Hamlet, dispersed Kedungkesambi and geographical panjatan. Condition village hamlet Kedungkelor a low-lying coastal areas or ground height 0:00 m above sea level. By typological like it then generally Village Kedungkelor has a hot climate. Kedungkelor village is one of the villages that are in the districts of Warureja, Tegal, Central Java province which has an area of 795.00 m2 with -6.890391,109.307820 coordinates. Kedungkelor north lies the village immediately adjacent to the Java Sea, south by the village Banjarturi, Banjaragung village, District Warureja. East by District pemalang. And west by the village Demangharjo. The Distance Village Kedungkelor the administration center (orbitasi) is as following: Distance to the capital district Warureja: 6 Km, Distance from Ibokota Tegal: 27.4 Km Distance from the capital of Central Java Province: 134 Km.

Kedungkelor Village area most of the tourism potential of the Sea. This is because it is located fairly close to the coast, the island travel, marine parks, historical sites nautical, and others. Many types of jobs occupied Kedungkelor Village community, such as shrimp farmers, fishermen, farmers, civil servants, artisans jasmine and others. Kedungkelor village has a vast territory with a population that is fairly solid. Kedungkelor village has a natural potential is quite good, especially in the field of fisheries and perekebunan. However, there are serious problems in terms of the organization of village government, giving rise to a lack of public awareness Kedungkelor village.

The lack of public awareness Kedungkelor village had an impact on the number of violations of the existing regulations. Violations are almost done by all the people of the lightest example, littering and violation on a deeper level such heavy traffic violation Habits Village community Kedungkelor who has a level of legal awareness lower will certainly affect the growth and development of children who live in the village. Children who still behave according to what is seen and heard of course will follow the customs of the people around him. When children grow up in an environment that has a low level of legal awareness of the children will

apply it when he grows up later. In fact, as the future generation is expected to bring the Indonesian nation toward a better again. For that we need to do things that can overcome these problems and make the village into the village proper Kedungkelor children. Son was the forerunner of the nation and the state, which will become the main pillars of development as well determinants atautidaknya quality of Indonesian human resources that need to be considered properly so that the quality of Indonesian children may continue to grow and also get optimal protection dariseluruh society.

Based Population Survey between Census 2015 predicted in 2019 the Indonesian population reached 266.92 million, as for the population in the age group 0-14 years (Age of the children) reached 66.17 million, or approximately 24.8% of the total population, In accordance with Act No. 23 of 2002 on Protection of Children, with their child protection is useful to ensure the fulfillment of the rights of children to live, grow, develop and participate optimally in accordance with human dignity, and protection from violence and discrimination.<sup>4</sup>

However, the facts show that there is a gap between what is aspired to the real conditions of Indonesian children. Lately we often hear and see the social problems that occur to children and that all deserve special attention, as many children yangterpaksa risk as a result of negligence or incompetence of adults dalammelindungi them, there are cases in manaseorang olds schools must be willing putussekolah order to keep younger siblings because her mother left for a living, in case of murder of children aged three years by his own father, and still adanyakebijakan government in planning the development of a less pro-child.

Beautiful child is a gift for parents. Wherein at every birth of a child becoming a highly anticipated event. Even the process of development and growth of a child would be a serious concern for parents. Educating children is like taking care of a tree where with patience, seriousness can produce the next generation who are able to bring major changes to the nation, with a superior generation, then the quality of human resources (HR) Indonesia as a central pillar of national development, so the need to improve the quality and capacity to get serious protection from the elements of society. Qualified human resources can not be born in an instant, when children are allowed to grow and flourish without the protection and education, then they will be a burden in the future because it has a low power struggle and lack of innovation. whereas their number more than a third of the population of Indonesia. Providing food and clothing are not sufficient to

Zuraidah & Muhamad Sadi Is Perlindungan Hukum Terhadap Hak Asasi Anak Yang Menjadi Korban Kekerasan, Nurani, Vol 18, No. 1, June, 2018, pp. 151-162

make the child as an agent of change quality, creative, competitive spirit of nationalism which has the breath of Pancasila.

It takes commitment and a strong awareness that the environment presents a caring and responsive to the interests and needs of children. Children's rights is a part that should not be separated by the Human Rights relating to the role of the state, every state is obliged to protect (melindungi), meet (memenuhi), and respect (menghargai) the rights of children, with the obligation of the state to protect and educating children, the required implementation of policies top to the bottom one with the presence of child-friendly village.

Because children as social beings as well as individual beings, which means that every child was a typical personal style of his personality according to the indispensable protection of children done by the parents or the government, because the child's future is the future of the nation. Do not let children become victims of violence either by the family themselves or carried by people around the neighborhood or the community at large which can make children lose their future. Barda Nawawi Arief explained true in Human Rights (Human Rights) does not distinguish rights from a gender (female or male). Both of are human beings who have the same rights.

Indonesian state guarantees women's rights without discrimination. In the explanation of the Constitution of the Republic of Indonesia Year 1945 stated that Indonesia is a state based on law (Rechtsstaat) is not based on power alone (*machtsstaat*). As a state child protection measures need to be implemented as early as possible, ie, since the fetus in the womb until the child is aged 18 (eighteen) years. Then the state must provide a real child protection, thorough, and comprehensive, because this law laid the obligation to provide protection to children based on the following principles: a). non-discrimination; b) .Interest is best for the child; c). right to life, survival and development; and D). respect for the views of the child.

Judging from the nature protection, child protection can be divided into juridical protection, including protection in the field of criminal law perdatadan law, and protection of non juridical, including protection in the social and educational fields.<sup>5</sup>

Service Program, strives to provide solutions for problems Legal Capacity for People in the village of Tegal Kedungkelor in Order To Achieve Children's Village Laak and Legal Literacy and Eligible Children. The program involves an element of synergy between village officials, parents, students, and teachers.

Maulana Hassan Waddong, *Pengantar Advokasi dan Hukum Perlindungan Anak*, Jakarta, Gramedia Indonesia, 2000, p. 45.

The first target is the existence of this service is expected to improve the capacity of law for village officials, community Kedungkelor In the village, in the running of public life in the village. The second with the dedication is expected to make the village as the village is worth a child Kedungkelor.

### B. Method

The paper is focused on on analysing of implementation on improvement the legal capacity on the levers students and teachers as well as establish childfriendly village in the village of Tegal Kedungkelor. The program is also dedicated to village officials, the parents, teachers and of course students in understanding the implementation of education and enhancement legal capacity as a shared responsibility. This devotion Kedungkelor located in the village of Tegal. The method used in the implementation of this service is in several ways, namely: (1) model of lecture door to door, (2) simulation model of educational leadership, (3) training model and Assistance Legal Assistance. Model lectures conducted to introduce the parents by visiting the houses door to door to discuss the importance of education in the context of law and human rights. Model simulations more encourage students to simulate a variety of issues in education and how to deal with it. Model training and mentoring models of legal aid made to see the development of legal capacity for village officials, parents and teachers in dealing with cases in the community

### C. Result and Discussion

Community Service held in the village Kedungkelor, District Warureja lasted for 45 days, from July 15 until August 26, 2019, with a superior program that Law and Eligible Children Village. The result of the program describe and explain as follows.

### 1. Implementation of Legal Capacity for Establishment of Law Awareness in Legal Services Sector

In the legal services sector, in order to create a society that is aware of the law, has implemented several program, as follows:

### a. Establishment of Legal Aid Center

Legal Aid Center or Legal Aid Post (hereinafter called as POSBANKUM) is a legal services specifically given to the people who need a defense free of charge, both outside and inside the court, in criminal, civil

and administrative, from someone who understands the ins and outs of legal defense, the principles and the rule of law, and human rights. In law it is said, is a legal aid service law given by the legal aid free of charge to the recipient of legal aid. So that legal aid is provided free of charge or not charge. In this legal aid services can include the provision of information, consultation, advice and the making of a claim/appeal in court.<sup>6</sup>

In practice, the Legal Aid Post held on two points, the first is the Kedungkelor village hall, village hall chosen because in addition to its strategic location, Village Hall is also a place that has been known and known by the whole community. The second point is on one of the device houses the village, in the hamlet Bojongkelor, the location was chosen as a strategic place and also a location that is already known by the public, as before, they had become a fixed location RUSELA activity (*Rumah Sehat Lansia*, Home Healthy Elderly) Melati Putih. POSBANKUM Event held every Monday to Friday, at 09.00-15.00 hrs.

# b. Legal Aware Family Socialization (KADARKUM, Keluarga Sadar Hukum)

Conscious Family Law, here in after abbreviated family aware of the law is one method of legal education as a container that serves to collect citizens on their own accord seeks to raise awareness of the law for themselves.<sup>7</sup> This is a star family aware of the law up of the establishment of Legal Aware Village.

In practice, socialization Family Literacy Law implemented in two activities: socializing in one place and socialization by visiting houses (door to door), socialization in one place, held on July 21, 2019, which is housed in Smart House Village Kedungkelor, whereas socialization by means of Door to Door held for 3 days, on 6-8 August 2019, which is implemented evenly in

Frans Hendra Winarta. 2000. Bantuan Hukum Suatu Hak Asasi Manusia Bukan Belas Kasihan, Jakarta, Elex Media Komputindo, p. 23; Suradji, Etika dan Penegakan Kode Etik Profesi Hukum (Advokat), Badan Pembinaan Hukum Nasional Departemen Hukum dan HAM RI, Jakarta, 2008, p. 77; YLBHI, Panduan Bantuan Hukum di Indonesia, Yayasan Obor Indonesia, Jakarta, 2014, p. 462; Suyogi Imam Fauzi & Inge Puspita Ningtyas, Optimalisasi Pemberian Bantuan Hukum Demi Terwujudnya Access to Law and Justice Bagi Rakyat Miskin, Jurnal Konstitusi, Vol. 15 No. 1, March, 2018, pp. 58-59; Frans Hendra Winata, Probono Publico, Hak Konstitusional Fakir Miskin Untuk Memeperoleh Bantuan Hukum, PT. Gramedia Pustaka Utama, Jakarta, 2009, p. xii.

Batari Laskarwati, Implementasi Nilai Kemanfaatan Hukum dalam Pencegahan Penyalahgunaan Narkoba Melalui Lomba Keluarga Sadar Hukum (KADARKUM), Lex Scientia Law Review. Vol. 2 No. 1, May, 2018, p. 54; Ibrahim Ahmad, Rencana Dan Strategi Peningkatan Kesadaran Hukum Masyarakat, Gorontalo Law Review. Vol. 1 No. 1, April, 2018, p.16.

three hamlets namely Kedungsambi hamlet, hamlet and hamlet Panjatan Bojongkelor.

#### c. Aware Village embodiment Law and the Environment

Realizing people who are not blind to the law is a challenge to the rule of law such as Indonesia. Thus the villagers realize the litigious and conscious also of the environment is necessary. The expected target is as follows

- i. Educate and enlighten the villagers about the importance of legal literacy
- ii. Provide legal assistance to the public so that people feel the presence of law around the community
- iii. Provide education and public awareness related to the environment both in environmental management, awareness, education, as well as in law.

#### 2. Implementation of Legal Capacity on Child Friendly Village Establishment in Kedungkelor Village

Friendly Children Villages is a condition in an environment where children feel free to play, appreciated its existence and also a lot of activities that are relevant to children. To make it happen, then in this devotion, there are several programs that we do, in order to create child-friendly village, as follows.

#### a. Anti Bullying Education

The school is one place that should be a safe, comfortable, and conducive to the people in it, including students. But the phenomenon is happening today is not so, as an example of the bullying activity not only among students and even students to teachers. Some studies suggest that victims of bullying being personally shy, passive, depressed, traumatized and withdraw from social. In addition to the victim, bullying also have an impact on the perpetrators themselves. Perpetrators be individuals with the level of anger and depression, tend to join in criminal activity, and has no empathy.

Most cases of bullying occur due to lack of knowledge and a good understanding of the students themselves as well as school and family members about bullying and what impact resulting from these activities, so that the perpetrators do not feel it is something quite disturbing even lead to danger. Based on these explanations, the students will provide psychoeducation about bullying activity with students better understand the expectations so it does not do so in the future.

Socialization is done to children is also needed attention and guidance from parents and the surrounding environment. The participation of parents is vital in guiding a child to bersosialsasi and mengebangkan potential of children so that children do not fall into adverse environmental conditions such as harassment. Indicators crucial role of parents can be observed with their child's behavior when socializing, there occurs a change how children face environment. Now therefore, one in the village Kedungkelor service programs also focuses on Anti-Bullying Education, which was held on 25-26 July 2019, which was implemented in two places, namely Kedungkelor 01 Elementary School, and Elementary School Education Kedungkelor 02.

Anti Bullying implemented with the goal of 3rd grade elementary school students, in this case because at the age that students sedangn in a period of growth and development that will be very active, if the age is not introduced to things that are good, the future for tumbub fireworks and the active period is actually may be directed to things that postitif one through bullying.

#### b. Leadership Training

Studying in school is important, but besides that students should also be balanced with a good character ownership. This is particularly important given the many examples of cases in Indonesia, which shows the decline in the character and morals of the nation, such as drug abuse, sex, fights, and many more. So far that has happened is designed character education in the form of religious studies, civics, or manners in which it is only a cognitive understanding. The character education program should also be internalized by the participants of affection for and then implemented in day-to-day activities.<sup>8</sup>

Characters are formed inside these students will eventually also affect students in determining their future, as examples of students who do not have a position strong, easily affected by the environment would be perpetrators of conformity, such as attending school activities just because most of her friends to follow, when students were not have an interest in it. Departing from the problem, it needs to be instilled self-leadership or leadership characters themselves who will make the students better understand about themselves, understand the purpose or ideals, and to develop a strategy to achieve it.

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Tirta Mulya Wira Pradana, Model Pengajaran Hak Asasi Manusia (Antara Tekstual Dan Kontekstual), *Prosiding Semdikjar ke-II 4 August*, 2018,pp. 1161-1168.

Therefore, it needs to be grown character of a leader for the younger generation, which is in the service, has implemented a Training Activity Leadership was held on July 23, 2019, which is housed in Junior High School 1 Warureja, whose target is a member of the student council of Junior High School 1 Warureja, it is because the members of the council who usually become role models for other students, so it is necessary if introduced to educational leadership.

#### c. Gareng (Gemar Ngaji Bareng)

Qur'an refers to the activity of reading the Qur'an or discuss books by Muslims. These activities include worship in the Islamic religion and those who do will be rewarded by God. In language Koran has a sense of learning or studying. Qur'an courses together is done in an effort to educate the younger generation especially the field of Islamic knowledge. The benefits of this program of work is as a place for children to learn the Qur'an, so that children are more optimal in reading the Koran. The purpose of the Gareng (Gemar Ngaji Bareng) is to improve religious values and create akhlakul karimah in children early age.

In practice, this activity is carried out in TPQ Kedungkelor, namely the Islamic video playback is also providing motivation of gratitude, sincerity and recognition that a smile is worship.

#### d. Hands Hygiene and Healthy Food Education

Childhood identical with their penchant for eating good food diverse sweet or other flavors. Unfortunately craze these children is often underestimated by parents or allow them to eat the food they like regardless of the impact on the health of the body. Parents often less oversee the activities of this child, especially when they are in school, they often buy food less healthy basic ingredients, such as food with excess oil, dip dye, and ice in plastic packaging that are less clean. Coupled with children who do not understand about the germs in their body, especially hands when going to eat they do not wash properly or even not wash.

It is certainly quite disturbing if left unchecked, because it can lead children to various diseases, especially in the digestive tract. Therefore, students took the initiative to teach children about how to wash hands properly, and how to choose healthy snacks to be consumed.

In practice, Gestures Clean and Healthy Snacks socialization and practices implemented in five places, namely in the Primary School Kedungkelor 01, Primary School Kedungkelor 02, Panjatan early childhood education, early childhood and early childhood *Anugerah* Tunas Bangsa. Its activities include socializing the form of materials, followed by a clean hand washing practices.

#### e. Embodiment of Fiendly Children Village

Same with the concept of decent Children's City, Village Eligible Children also fulfillment of child rights strategy (PUHA) as homage, which means doing the integration of children's rights into:

- i. Each formulation process: policy, programs and activities.
- ii. Each stage of development: planning and budgeting, implementation, monitoring and evaluation.
- iii. Each regional level: national, provincial, district / city, district, to the village / village

In addition, child-friendly village is later to realize the City of eligible children in the county or city and make Indonesia Eligible Children. Eligible Children program will realize several things, including:

- 1) Mainstreaming fulfillment of child rights (PUHA)

  That is an effort to integrate the fulfillment of children's rights in the legislative regulations, policies, programs and activities mulaidari the planning, implementation, evaluation pemantauandan in principle to provide the best interests of the child
- 2) Institutional strengthening
  - That is an attempt to strengthen the institutional PP danPA, Non Governmental Organizations (NGO) and DuniaUsaha in all areas of government administration to be proactive in trying to address child rights yangdilakukan through advocacy, outreach and fasilitasidi the field of energy, budget, infrastructure, methods and technologies.
- 3) Expansion of the range
  - Namely to build a pilot area county, district, sub-district and village / sub sertakawasan eligible children at the center of economic growth then replicate into the buffer zone and the border areas and the outer islands.
- 4) Build a network
  - Developing cooperation and commitment of policy operationalization Village Eligible Children with institutions working in the field of planning and urban development, spatial planning, the relevant task forces and substantial build Eligible Children Village.
- 5) Institutionalization and familiarization Eligible Children Village. Namely institutionalizing and sikapdan cultivate friendly behavior towards the child from the family environment and the core of a large family (nucleous and etenedfamilies) to ensure intergenerational interaction that children, adults, the elderly and the elderly. This meant that the noble values of national culture does not disappear or fade.

- 6) Promotion, Communication, Information, and Education (PKIE). That is an attempt to capitalize on dalammembangun media communication and mutual understanding, dissemination of information and memberikanedukasi on society in instituting and cultivate Eligible Children Village. Tersebutdiklasifikasikan media into the media room, outdoor, print, electronic and web-based electronic media or social media networks.
- 7) Certification and appreciation
  That is an effort to provide certificates of attainment and achievement award in developing village Village .Apresiasi Eligible Children Eligible Children categorized into groups: pratama, middle, nindya, main and Eligible Children Village.

#### D. Conclusion

The conclusion of the article submission is that in realizing Aware Village Law and Eligible Children need to be done through several activities, including through socialization conducted in general, and in particular (door to door), with regard to the introduction of the law in the community and in statecraft, so aim to build a strong community of its own accord seeks to raise awareness of the law for themselves, can be realized. Meanwhile, to realize village eligible children, also need to do some activities related to the increase in the potential of the child, such as leadership training, educational wash your hands clean and healthy snacks, the movement of the Koran together and educational anti-bullying, so aim to create an environment that is caring and respect children's rights can be realized.

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#### H. References

- Fauzi, S.I., & Ningtyas, I.P. (2018). Optimalisasi Pemberian Bantuan Hukum Demi Terwujudnya Access to Law and Justice Bagi Rakyat Miskin. *Jurnal Konstitusi*. 15(1), 51-72.
- Ibrahim, A. (2018). Rencana Dan Strategi Peningkatan Kesadaran Hukum Masyarakat. *Gorontalo Law Review*. 1(1), 15-24.
- Laskarwati, B. (2018). Implementasi Nilai Kemanfaatan Hukum dalam Pencegahan Penyalahgunaan Narkoba Melalui Lomba Keluarga Sadar Hukum (KADARKUM). Lex Scientia Law Review. 2(1), 47-64.
- Manan, B., & Harijanti, D.S. (2016). Konstitusi dan Hak Asasi Manusia. Padjajaran Jurnal Ilmu Hukum. 3(3), 448-467.
- Marilang. (2017), Menimbang Paradigma keadilan Hukum Progresif. Jurnal Konstitusi. 14(2), 315-331.
- Pradana, T.M.W. (2018). Model Pengajaran Hak Asasi Manusia (Antara Tekstual dan Kontekstual). *Prosiding Semdikjar ke-II*, ISSN 2598-6139, 4 August, 1161-1168. Retrieved from http://conference.unpkediri.ac.id/index.php/semdikjar/semdikjar2/paper/viewFile/260/219
- Riyanto, A. (2015), Pengetahuan Hukum Konstitusi Menjadi Ilmu Hukum Kosntitusi. *Jurnal Hukum dan Pembangunan* 44(2), 185-208.
- Republik Indonesia. (2011). *Undang-Undang Nomor 16 Tahun 2011 tentang Bantuan Hukum*. Kementrian Hukum dan HAM RI, Lembaran Negara Republik Indonesia Tahun 2011 No. 104, Menteri Sekretaris Negara: Jakarta
- Suradji. (2008). Etika dan Penegakan Kode Etik Profesi Hukum (Advokat). Jakarta: Badan Pembinaan Hukum Nasional Departemen Hukum dan HAM RI.

- Waddong, M.H. (2000). *Pengantar Advokasi dan Hukum Perlindungan Anak*. Jakarta: Gramedia Indonesia.
- Winarta, F.H. (2000). Bantuan Hukum Suatu Hak Asasi Manusia Bukan Belas Kasihan. Jakarta: Elex Media Komputindo.
- Winata, F.H. (2009). Probono Publico, Hak Konstitusional Fakir Miskin Untuk Memeperoleh Bantuan Hukum. Jakarta: PT. Gramedia Pustaka Utama.
- YLBHI. (2014), *Panduan Bantuan Hukum di Indonesia*. Jakarta: Yayasan Obor Indonesia.
- Zuraidah, & Sadi Is, M. (2018). Perlindungan Hukum Terhadap Hak Asasi Anak Yang Menjadi Korban Kekerasan. *Nurani*. 18(1), 151-162.



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## Brand Registration as a Marketing Strategy and Customer Loyalty of Natural Color Batik in Kampung Alam Malon Village

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**Abstract**: Brand is a name, symbol, mark, design or combined of them for use as an individual identity, organization or corporations on goods and services possessed of discernment with the other service. Globally, the right brands Brand will be used as strategy to market products or services. Considering the registration brand will need as an id to distinguish the results of the production of produced a person or some people in together or legal entity with the production of another person or another law office. The writer applied law and sociological approach to study these issues so that the brand registration is importat to marketing product and customer loyality Batik of Malon Nature Village.

**Keywords:** brand registration; customer loyality; intellectual property rights; Malon Nature Village; product marketing

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#### A. Introduction

Kampung Alam Malon is located in RW 6, Gunungpati Subdistrict, Gunungpati Subdistrict, Semarang City, which since 2016 has been designated as one of 16 regions to receive the Semarang City "Thematic

Kampung" program. The Malon region in the hills has a variety of potential human and natural resources that can be developed further. Malon Village has the potential of livestock and plantation products. Besides that, Malon Village also has well-known batik craftsmen, namely Batik Zie and Batik Salma and "batik children" from Batik Salma, namely Citra, Mangosteen, Pomegranate and Crystal.

Batik Zie, who first started the batik business, has developed into a batik industry that is well known even to the international scene. The development of Batik Zie is certainly not easy, many challenges are faced, ranging from human resources, marketing, registration of legal entities and so forth. But one of the keys to the success of Batik Zie is its products that have been registered with the Directorate General of Intellectual Property regarding brand rights. With a registered brand as well as by maintaining the quality of batik production, this has led to zie batik customers becoming loyal to their products, therefore Batik Zie has developed into a well-known batik brand. In addition to Batik Zie, there is Batik Crystal already registered with its brand rights, but marketing problems make customer loyalty less. While other batik industries in Kampung Alam Malon have not yet registered trademark rights. Even though the production of Batik Salma and its "batik child" is not inferior to Batik Zie, but due to marketing problems, brand registration and brand rights have not been obtained making marketing difficult because the product is not widely known, so the batik industry is less developed.

Consumers know the product through the brand, supported by the quality of the product that has the perception of quality (perceived quality) that is truly in accordance with the function and use. Purchasing decisions are defined as a process of selecting alternative choices faced by someone in the context of the type of consumption choices, ranging from the use of new products to the use of old products and are well known. Manufacturers who are able to build a brand well, will provide added value to the value offered by the product to consumers who are stated as brands that have strong brand equity. According to Durianto Brand equity (brand equity) is a multi-dimensional concept consisting of brand awareness, perceived quality, brand association, brand loyalty and other objective indicators. Competition is increasing among brands operating in the market, only products that have

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Durianto et.al., *Brand Equity Tren Strategy Memimpin Pasar*, Jakarta, PT Gramedia Utama Pustaka, 2004, p. 96.

<sup>&</sup>lt;sup>2</sup> Schiffman, Kanuk, *Perilaku Konsumen Dalam Perspektif Kewirausahaan Edisi Ketujuh*, Jakarta, Indeks, 2008, p. 485.

<sup>&</sup>lt;sup>3</sup> Durianto et.al, *Op.cit.*, p. 40.

strong brand equity will still be able to compete, seize and dominate the market.<sup>4</sup>

After the brand is known, customer loyalty will arise, the term customer loyalty shows the customer loyalty to certain objects, such as brands, products, services, or stores. In general, brands are often used as a benchmark for customer loyalty (brand loyalty). Likewise with brand loyalty which reflects customer loyalty to certain brands.

The purpose of this study can be divided into two, namely the first is a general goal which is to provide education to the public regarding the importance of brand rights for marketing products or services as a means of identification or identity to increase customer loyalty. Then the specific purpose is to provide education and problem solving for batik marketing and brand influence on batik marketing in Kampung Alam Malon so as to improve people's lives.

#### B. Method

The research method is a way to do something using the mind carefully to achieve a goal by recording, searching, formulating and analyzing to compile the report. Research is a systematic, directed and purposeful scientific activity.<sup>5</sup> Therefore, data or information collected in research must be relevant to the problem at hand. That is, the data are related, familiar and appropriate.<sup>6</sup>

The method used is sociological juridical, meaning that a study is conducted on the real condition of the community or community environment with the intent and purpose of finding facts (fact-finding), which then leads to identification (problem-identification) and ultimately towards the resolution of problems (problem-solution).

In conducting research, the authors who are members of the Phase 1 Intellectual Property Scientific Work Lecture Semarang State University in 2019 went directly to the field or in this case batik entrepreneurs in Kampung Alam Malon from July 16 to August 26, 2019.

The approach to search for data is carried out by direct interviews with sources, namely batik entrepreneurs from the chairman to its members, who

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<sup>4</sup> *Ibid.*, p 7.

Cholid Narbuko & Abu Achmadi, Metodologi Penelitian, Jakarta: PT. Bumi Aksara, 2003, p 1.

<sup>&</sup>lt;sup>6</sup> Kartini Kartono on Marzuki. *Metodologi Riset*, Yogyakarta, UII Press, t.t, p 55.

<sup>&</sup>lt;sup>7</sup> Bambang Waluyo, *Penelitian Hukum Dalam Praktek*, Jakarta: Sinar Grafika, 2002, pp. 15-16.

are then analyzed by expert opinions from books, journals and other reliable sources.

#### C. Result and Discussion

# 1. Implementation of Brand Registration for Batik Brand on Malon Village

According to the Trademark Law is a name, symbol, sign, design or combination thereof to be used as the identity of an individual, organization or company on goods and services owned to distinguish it from other service products. Brand characteristics play a very important role in determining whether a customer decides to trust a brand or not. Based on interpersonal trust research, individuals who are trusted are based on reputation, predictability, and competence.

Regarding brand image is the perception and belief carried out by consumers, as reflected in the association that occurs in consumer memory.<sup>8</sup> Nugroho stated that image is real and therefore if market communication does not match reality, normally reality will win. The image will eventually become good, when consumers have enough experience with the new reality.<sup>9</sup>

The value of a brand name that is added to a product is a picture of brand equity, or it can be said that brand equity is a set of brand assets and liabilities associated with a brand, name, and symbol that increase or decrease the value given by a brand goods or services to companies or company customers or business actors.

In terms of marketing Hasan stated that marketing is a scientific concept in business strategy which aims to achieve ongoing satisfaction for stakeholders (customers, employees, shareholders). The market is changing very fast, customers are very price sensitive, new competitors are emerging new distribution channels and new communication channels are also increasingly sophisticated, the internet, teleconferences and technology that support the market are supporting the rise of sales and marketing automation. Based on these definitions, several terms can be known, such as: needs (needs), wants (wants), demands (demands), products (products), exchanges (transactions), and markets (markets).<sup>10</sup>

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<sup>&</sup>lt;sup>8</sup> Kotler Philip & Kevin L. Keller, *Manajemen Pemasaran Jilid 1 Edisi Ketigabelas*, Semarang, Erlangga, 2009, p. 346.

Nugroho Setiadi, Perilaku Konsumen Cetakan Ketiga, Jakarta, Kencana Prenada Media Group, 2008, p. 182

Hasan Ali, *Marketing*, Yogyakarta, Penerbit MedPress, 2009, p. 1.

Kotler and Armstrong suggested: "Marketing is a social and managerial process by which individual and group obtain what they need and want through creating and exchanging product and value with others" which means marketing is a social and managerial process where individuals and groups get what they need and want by creating and exchanging products and values with others. Lamb & Mc. Daniel, stated marketing is a process of planning and carrying out concepts, prices, promotions, and distribution of a number of ideas, goods and services to create exchanges that are able to satisfy individual and organizational goals. 12

Kotler and Keller put forward marketing management as the art and science of choosing target markets and obtaining, maintaining, and requiring customers by creating, delivering and communicating superior customer value. <sup>13</sup> One understanding states that marketing management is an activity of analyzing, implementing planning, and controlling programs designed to establish, build, and maintain profits from exchanges through market targets to achieve organizational goals (the company) in the long run). <sup>14</sup>Schiffman and Kanuk state that the study of consumer behavior as a separate marketing discipline begins when marketers realize that consumers do not always act or react as proposed by marketing theory. It can be concluded that within a scope of marketing management as a combination of science and art that implements every management function in terms of exchanging products and services distributed from producers to consumers to achieve satisfaction and targeted targets in order to achieve company goals. <sup>15</sup>

Increasingly fierce business competition and growing customer expectations encourage companies or business actors to focus more on efforts to retain existing customers. Maintaining existing market targets through developing customer loyalty is one of the strategic objectives of the company or business actor to maintain their business and profits. In the long run, customer loyalty is an important priority for the development of

Kotler, P. & Armstrong G, *Principles of Marketing* 11th Edition, New Jersey: Prentice Hall International Inc., 2006, p. 5.

Lamb Hair & Mc Daniel, *Marketing Management and Strategy*, New Jersey: Prentice Hall, 2001, p 1.

Kotler Philip & Kevin L. Keller, Op.cit., p. 6.

Assauri Sofjan, Manajemen Pemasaran: Dasar, Konsep & Strategi, (Jakarta: Raja Grafindo Persad, 2010). hlm 12.

Schiffman & Kanuk, *Perilaku Konsumen Dalam Perspektif Kewirausahaan. Edisi Ketujuh*, Jakarta,Indeks, 2010, p. 5.

sustainable competitive advantage, namely excellence that can be realized through marketing efforts.<sup>16</sup>

# 2. Analysis on Customer Loyalty on Natural Color Batik of Kampung Alam Malon

The term customer loyalty refers to customer loyalty to certain objects, such as brands, products, services, or stores. In general, brands are often used as a benchmark for customer loyalty. Likewise with brand loyalty which reflects customer loyalty to certain brands.

The concept of customer loyalty has shown much attention in the marketing literature and consumer behavior. Customer loyalty has a significant impact on the profitability of a company or business actor. Loyal customers are likely to show positive attitudes and behaviors, such as repurchasing the same brand and positive recommendations that can affect customers actually and potentially. As we know that customer loyalty provides many benefits for the company with regard to a substantial entry barrier for competitors, increase the company's ability to respond to the threat of competition, increase revenue and sales, and make customers less sensitive to the efforts of competitors.<sup>17</sup>

The importance of customer loyalty as a primary goal for many companies or business people, academics and marketing professionals have tried to find antecedent customer loyalty. Some previous studies have led to customer satisfaction as the starting point for growing customer loyalty. <sup>18</sup> Customer satisfaction has been recognized as an important determinant of customer loyalty. Customer satisfaction can be conceptualized as an overall customer evaluation of the performance of an offer. <sup>19</sup>

Talking about consistent behavior requires understanding the principles of consumer learning, because learning theory focuses on conditions that produce consistency of behavior over time. The explanation provides an illustration that learning, habits, and loyalty are interconnected concepts. Loyalty is the result of consumer learning in a particular entity (brand, product, service, or store) that can satisfy their needs. So, this concept

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Dick, A.S & Basu, K., Customer Loyalty: Toward an Integrated Conceptual Framework, *Journal of The Academy Marketing Science*, Vol. 22, 1994, p. 99.

Delgado-Ballester, E and Munuera-Aleman, J. L. Brand Trust in the Context Consumer Loyalty, *European Journal of Marketing*, Vol. 35, No. 11, 2001, p 1238.

Bowen, J. T., & Chen, Shiang-Lih, The relationship between customer loyalty and customer satisfaction, *International Journal of Contemporary Hospitality Management*, Vol. 13 No. 5 2001, p.213.

Bearden & Teel. Selected Determinan of Consumer Satisfaction And Complain Reports. *Journal of Marketing Research*, Vol. 20 No.2, 1983, p. 25.

becomes very important for marketers because it provides many benefits for the company, including repeat purchases and can reduce marketing costs.

Customer loyalty investigations continue to be a major issue in the literature and marketing research. In general, research on customer loyalty only focuses on behavioral dimensions in measuring loyalty or focuses on the attitudinal dimension in measuring loyalty.<sup>20</sup> This shows that the concept of customer loyalty has not been clearly defined and operationalized, although the importance of customer loyalty has been recognized in the marketing literature for three decades.

Research on customer loyalty has used various behavioral measurements to define customer loyalty to a particular object. Loyalty based on behavioral measures is defined as repeat purchases, proportion of purchases, series of purchases, and purchase probability.<sup>21</sup> Kotler & Armstrong state that products are all that can be offered to the market to be considered, owned, used or consumed that can satisfy the wants or needs of the wearer.<sup>22</sup> In developing a product, marketers must first choose a quality level that will support the product's position in the target market.<sup>23</sup> Product Quality is an overall combination of the characteristics of the product produced from marketing, engineering, production and maintenance that makes the product can be used to meet customer or consumer expectations.<sup>24</sup>

Attitudes are evaluations, feelings, and tendencies of a person towards an object or idea that is relatively consistent.<sup>25</sup> Attitude puts people in a framework of thinking about liking or disliking something, about approaching or avoiding it. Attitude is also called the most special concept and is very much needed in contemporary social psychology. Attitude is also one of the most important concepts used by marketers to understand consumers. <sup>26</sup>

Bowen, J. T., and Chen, Shiang-Lih, 2001, The relationship between customer loyalty and customer satisfaction, International Journal of Contemporary Hospitality Management, 13(5), p.214.

Dick, A.S & Basu, K., Customer Loyalty: Toward an Integrated Conceptual Framework, *Journal of The Academy Marketing Science*, Vol. 22 No. 1, 1994, p. 100.

<sup>&</sup>lt;sup>22</sup> Kotler, P. & Armstrong G, *Principles of Marketing* 11th Edition, New Jersey: Prentice Hall International Inc, 2006, p. 337.

Machfoedz M, Komunikasi Pemasaran Modern. Cetakan Pertama, Jakarta, Penerbit. Cakra Ilmu. Jakarta, 2010, p. 6.

<sup>&</sup>lt;sup>24</sup> Wijaya T, Manajemen Kualitas Jasa Edisi 1, Jakarta, Indeks, 2011, p. 11.

<sup>&</sup>lt;sup>25</sup> Kotler, P. & Armstrong G, *Principles of Marketing* 11th Edition, New Jersey, Prentice Hall International Inc., 2006, p. 338.

Peter, J.P. & Olson, J.C, Consumer Behaviour & Marketing Strategy, Seventh Edition. New York: McGraw-Hill Companies, Inc, 2006, p. 23.

# 3. Protection of Intellectual Property Rights for Batik Alam Kampung Malon

The economy of a country cannot be separated from the important role of SMEs (Micro and Small and Medium Enterprises). Why SMEs holds an important element because with the existence of SMEs open new jobs for the community and increase income so that it can indirectly reduce poverty in Indonesia.

Kampung Alam Malon has a lot of potential in it, one of the products produced is batik. However, if batik is usually produced from synthetic colors, batik production produced in Malon Nature Village comes from natural colors, thus making this batik product different from other batik production results.

The hallmark of batik made by Kampung Alam Malon batik artisans is in terms of batik coloring using natural dyes that have been used for generations until now. Even the craftsmen have a private garden to plant plants used for natural dyes, one of which is indigo cultivation.

Since the formation of batik crafters' groups in Kampung Alam Malon, which have been named as thematic villages and working together with Indonesia Power, Batiksem SMEs have consistently used natural dyes. The results of natural coloring are far different from chemical dyes, because natural dyes produce colors that are soft, inconspicuous and cool to the eye. This type of batik is in great demand both domestic and foreign tourists.

In terms of the source of textile dyes obtained can be divided into two, namely synthetic dyes and natural dyes. Synthetic dyes are artificial substances (chemical dyes). Color synthesis is a dye that can be used in temperatures that do not damage the wax, which belongs to the group of dyes are: indigosol, naphtol, rapid, base, indanthreen, procion, and others.<sup>27</sup>

Utilization of natural dyes for textiles is an alternative to chemical dyes. As for natural coloring agents obtained from nature derived from animals (lac dyes) or plants such as from roots, stems, leaves, skins and flowers. Natural colors are obtained from plant parts such as roots, stems, wood, skin, leaves and flowers, or from animal lac dye. Examples of natural colors include plants high, jambal, tegeran, mahogany and others. Natural dyes obtained from processing plants and several other natural ingredients.

These natural dyes include pigments that are already present in the material or formed in a heating, storage, or processing process. Some natural pigments that are abundant around us include: chlorophyll,

Pringgenies, D., E. Supriyantini, R. Azizah, & R. Hartati. Aplikasi Pewarnaan Bahan Alam Mangrove Untuk Bahan Batik Sebagai Diversifikasi Usaha Di Desa Binaan Kabupaten Semarang. *Jurnal Info* Vol. 15 No. 1, 2013, p. 7.

carotenoids, tannins, and anthocyanins. Natural dyes are generally safe and do not cause side effects for the body.  $^{28}$ 

The natural color for batik coloring is in great demand by consumers from abroad because batik or materials that use natural colors will make the user more comfortable and guaranteed not to cause allergies. The emergence of movement back to nature, fear of the effects of pollution by synthetic dyes that cause cancer and the desire to produce unique products encourage the rise of the use of natural dyes.<sup>29</sup>



Figure 1. Natural Color Batik Results of Malon Nature Village with designs and logos created from the results of the mentoring team of Semarang State University's Real Scientific Work Lecture in the field of Intellectual Property.

Batik with natural dyes has its own uniqueness in the manufacturing process. Especially in the dyeing process, although using the same technique and color composition, but not necessarily produce the exact same color. Therefore, there are actually some legal protection of IPR (Intellectual Property Rights) that can be applied to batik created by batik craftsmen of Malon Alam Village. The protection of IPR covers several scope of IPR. It should be noted that a product can be protected by a variety of rights as well as being covered by Intellectual Property Rights (IPR). The scopes of IPR that can protect batik works made by batik SMEs Batik craftsmen in Kampung Alam Malon as shown on Table 1.

<sup>&</sup>lt;sup>29</sup> *Ibid.*, p. 8.

Table 1. IPR coverage that can protect the work of MSME Batik Kampung Alam Malon

Legal Protection Category	n Maion		
Intellectual Property Rights	Explanation		
Copyright	The new batik motif designs created		
	and created by batik craftsmen can		
	be protected with copyright. This		
	was stated in copyright protection in		
	the sphere of batik art Act No. 19 of		
	2002.		
	The exclusive rights possessed by		
	batik artisans give their creator the		
	right to publish or reproduce their		
	own new batik designs.		
Simple Patent	Simple protected patents are		
	creations in dyeing and coloring		
	batik. The process of making dyeing		
	and dyeing batik, especially with		
	natural coloring agents, although		
	done using simple technology, but		
	has high value and produces a		
	unique and distinctive color that is		
	also the scope of patent protection.		
Brand rights	Brand rights can also be given to the		
	work of batik artisans. The function		
	of the brand itself is as an identifier		
	to distinguish the results of		
	production produced by batik		
	artisans or one UMKM Batik from		
	one another, as a promotional tool, so		
	as to promote their production		
	results simply by mentioning their		
	brands, as a guarantee of the quality		
	of their goods and a pointer to the origin of the goods / services they		
	e e		
	produce or usually called by geographical indication.		
Rights to Geographical Indications	The right to Geographical Indication		
rugnus to deographical mulcanons	is a sign that indicates the area of		
	is a sign mai mulcates the area of		

origin of a good which due to geographical environmental factors including natural factors, human factors, or a combination of the two factors gives certain characteristics and qualities to the goods it produces.

So that by providing protection for geographical indications, certain characteristics that are only found in the Kampung Alam Malon batik can be protected legally.

As a first step to introduce the work of natural color batik in Kampung Alam Malon, a strategic thing to do is to carry out legal protection of Intellectual Property Rights (IPR) in the brand rights category. Trademark registration must take precedence because the trademark plays a very important role in the world of trade in goods and services to differentiate one product from another, especially similar products. Trademark registration is a valid proof of registered trademark, and trademark registration is also useful as a basis for rejection of the same trademark as a whole or the same in principle that is requested by others for similar goods or services. In this way, trademark registration as a basis prevents others from using the same mark in principle or as a whole in the circulation of goods or services.

Law on Trademark Rights in Indonesia adheres to the constitutive system (first to file), which means that anyone who registers first will be accepted by registering without questioning whether the registrant actually uses the mark for the benefit of his business. This is also to guard against counterfeiting, complication, or the existence of a similarity in whole or in essence with the property of others. Only trademarks that are registered will get legal protection and those trademarks that are not registered are not protected by law.

By providing legal protection for goods and or services, it will anticipate violations of the brand rights of the product and also the owners of the trademark rights can report to the rightful party if there is a violation of brand rights. In general, trademark rights violations that often occur in the trade of goods or services include:

1) Brand Impersonation Practices

In this case the entrepreneur competes dishonestly by trying to imitate an existing brand so that the brand of the product or service he produces is essentially the same as the brand of the goods or service being imitated.

This practice is usually applied to products or services that already have a name on the market or commonly known as well-known trade marks. It aims to give the impression to the general public that the product is the same as the original product. That way the business actor expects that with this similarity he can obtain a large profit without spending a large fee for the promotion of introducing the production. This is because consumers can be deceived by the similarity of the brand.

Whereas the practice of impersonation of a mark may be subject to sanctions in accordance with Article 91 of the Trademark Law which states "Whosoever intentionally and without the right to use a Mark is the same principally as a registered trademark of another party for similar goods and/or services that are produced and/or traded, convicted with a maximum imprisonment of 4 (four) years and/or a maximum fine of Rp. 800,000,000.00 (eight hundred million rupiah)".

#### 2) Brand Counterfeiting Practices

Examples currently being rife are imitation goods from famous brand products with the term "KW", usually there are categories of "KW 1", "KW 2", "KW Super", and so on. Although the imitation goods are usually sold at a lower price than the price of the original goods, the loss is still experienced by famous brand holders because people who cannot afford to buy the original product will switch to buying the imitation goods. So that it can result in a decrease in sales turnover so it reduces the expected profits from the more well-known brand. It can even reduce people's trust in the brand, because consumers think that brands that were once believed to have good quality have started to decline in quality.

Not only that, the practice of counterfeiting brands is also very detrimental to consumers because consumers will obtain goods or services that are usually of lower quality than the well-known original brands, and even at times the fake production endangers the health and lives of consumers.

The practice of counterfeiting the mark may be subject to sanctions in accordance with Article 90 of the Trademark Law which states "Whosoever intentionally and without the right to use Trademarks is the same in whole as the registered Trademarks of other parties for goods and/or services of the same type produced and/or traded, convicted with a maximum imprisonment of 5 (five) years and/or a maximum fine of Rp. 1,000,000,000.00 (one billion rupiah)".

This trademark violation is called passing off (pillion reputation). Passing off is indeed a term known in the Common Law system.<sup>29</sup> "In the common law system, passing a mark is an act of unfair competition, because this action results in other parties as trademark owners who have registered their trademarks in good faith experiencing losses in the presence of parties who fraudulently piggybacked or piggybacking on his brand to get financial benefits".

The existence of this legal protection results in business competitors not entitled to use the brand, letters and form of packaging in the products they use. Passing off prevents other parties from doing several things, such as:

- i. Present goods or services as if the goods / services belong to someone else; and
- ii. Running a product or service as if it has a relationship with goods or services that belong to someone else.

With regard to this act of passing off, the basic provisions violated are Article 3, Article 4, and Article 5 of the Trademark Law. In addition to special provisions regarding the mark, passing off actions may also be subject to criminal provisions, because this passing off action is fraught with fraudulent elements. This is as stated in Article 382 bis Chapter XXV of the Indonesian Criminal Code concerning cheating which reads: "Whoever to obtain, carry out or expand the results of trade or companies owned by themselves or others, commit fraudulent acts to mislead the general public or a certain person, threatened, if the act can cause harm to his concurrent or other people's concurrent because of fraudulent competition, with a maximum imprisonment of one year and four months or a maximum fine of thirteen thousand five hundred rupiah". 30

There are five batik SME industry players in Kampung Alam Malon, including the following:

Table 2. Batik SMEs Business in Kampung Alam Malon

_					
	No	Batik Names	Brand Rights Status		
1 Batik Zie Registered		Registered			
2 Batik Cristal Registered		Registered			
	3	3 Batik Salma Not registered			
	4	4 Batik Delima Not registered			
	5	5 Batik Manggis Not registered			

Source: Personal Identification, Authors, 2019

Nur Hidayati, Perlindungan Hukum Bagi Merek yang Terdaftar, *Ragam Jurnal Pengembangan Humanivora*, Vol. 11 No. 3, 2011, p.180.

<sup>&</sup>lt;sup>31</sup> *Ibid*.

Unfortunately, besides Batik Zie, the other batik industries are less developed and well known. Salma Batik, Delima Batik and Batik Manggis have difficulty in marketing their products because the products are not yet known. This is where brand rights should play a role, consumers will basically choose a product that is already known, a product whose brand is registered and maintain the quality of its products will certainly be more attractive to customers to buy the product. Meanwhile, Cristal Batik, whose brand has been registered, is still difficult to market its products because it has just gained brand rights, so it is not too well known to many people, so that customer loyalty has not been created for the batik product.

The key to SMEs being able to survive in market competition is especially to face the free market competition of MEA 2020 in terms of product quality and good management. The management generally covers the fields of marketing, production, human resources (HR), and finance.

In the field of marketing management it is necessary to analyze the market by determining the strategy of market segmentation, target market determination strategies and market positioning strategies. These three strategies are keys in marketing management:

#### i. Market Segmentation Strategy

Market segmentation is the process of dividing markets into different groups of buyers based on needs, characteristics or behaviors that require a separate product mix and marketing mix. Or in other words market segmentation is the basis for knowing that each market consists of several different segments. Market segmentation is the process of placing consumers in sub-groups in the product market, so that buyers have responses that are almost the same as marketing strategies in determining the company's position.<sup>31</sup>

#### ii. Target Market Determination Strategies

Selection of the size or breadth of the segment is in accordance with the ability of a company to enter the segment. Most companies enter a new market by serving one single segment, and if proven successful, then they add segments and then expand vertically or horizontally. In examining the target market it must evaluate by examining three factors:<sup>32</sup>

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Setiadi & Nugroho J, Perilaku Konsumen: Konsep dan Implikasi untuk Strategi dan Penelitian Pemasaran, Kencana, Jakarta, p 55.

Umar H, Strategic Management in Action, Konsep, Teori, dan Teknik Menganalisis Manajemen Strategis Strategic Business Unit Berdasarkan Konsep Michael R. Porter, Fred R. David, dan WheelanHunger, PT Gramedia Pustaka Utama, Jakarta, 2001, p. 46.

- a. The size and growth of the segment.
- b. Structural victory in segments.
- c. Objectives and resources.
- iii. Target Market Determination Strategies

Positioning the market (positioning) is a strategy to seize the position of the minds of consumers, so this strategy involves how to build trust, confidence, and competence for customers. Marketing is very important to do, because marketing is a science concept in business strategy that aims to achieve ongoing satisfaction for stakeholders both for customers and the batik craftsmen themselves. For that product, batik production results are always intended to meet the needs and desires of consumers.

The right marketing will bring customers who are loyal to a product. Customer loyalty has an important role in a product, maintaining customer loyalty means improving the financial performance of business actors so that it can indirectly maintain business continuity.

#### D. Conclusion

Kampung Alam Malon holds the potential for batik that has not yet maximized its benefits. The basic problem is that the trademark has not been registered at the Directorate General of Intellectual Property of the batik product. Brands can increase the level of public knowledge about a product, so customers can get to know the product. When the brand goal is reached, only the business actor must work hard to maintain the quality of the product produced so that customer loyalty comes. If all aspects have been fulfilled, then the main problem, namely marketing, will be solved, because automatically if the customer is satisfied and familiar with the product, the sale will also proceed, so that it can indirectly improve the standard of living of the people of Kampung Alam Malon and also the natural color batik that remains sustainable.

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#### H. References

- Assauri, S. (2010). *Manajemen Pemasaran: Dasar, Konsep & Strategi*. Jakarta: Raja Grafindo Persada.
- Bearden & Teel. (1983). Selected Determinan of Consumer Satisfaction and Complain Reports. *Journal of Marketing Research* 20(2), 21-28.
- Bowen, J. T., & Chen, S.L. (2001). The relationship between customer loyalty and customer satisfaction. *International Journal of Contemporary Hospitality Management* 13(5), 213-217.
- Delgado-Ballester, E. & Munuera-Aleman, J. L. (2001). Brand Trust in the Context Consumer Loyalty. *European Journal of Marketing*, 35(11), 1238-1258.
- Dick, A.S. & Basu, K. (1994). Customer Loyalty: Toward an Integrated Conceptual Framework. *Journal of The Academy Marketing Science* 22(2), 99-113.
- Durianto, et.al. (2004). Brand Equity Tren Strategy Memimpin Pasar. Jakarta: PT Gramedia Utama Pustaka.
- Hair, L., & McDaniel. (2001). *Marketing Management and Strategy*. New Jersey: Prentice Hall.
- Hasan, A. (2009). Marketing. Edisi Baru. Yogyakarta: Penerbit MedPress.
- Hidayati, N. (2011). Perlindungan Hukum Bagi Merek yang Terdaftar. Ragam Jurnal Pengembangan Humanivora 11(3), 174-181.
- Kotler, P., & Keller, K.L. (2009). Manajemen Pemasaran Jilid 1. Edisi Ketigabelas. Jakarta: Erlangga.
- Kotler, P. & Armstrong G. (2006). *Principles of Marketing. 11th Edition*. New Jersey: Prentice Hall International Inc.

- Kwartiningsih, E., Setyawardhani, D.A., Wiyatno, A., & Triyono, A. (2009). Zat Warna Alami Tekstil Dari Kulit Buah Manggis. *Jurnal Ekuilibrium* 8(1), 41-47.
- Lau, G.T., & Lee, S.H. (1999). Cunsomers' Trust in a Brand and Link to Brank Loyalty. *Journal of Market Focused Management*, 4(4), 341-370.
- Machfoedz, M. (2010). Komunikasi Pemasaran Modern. Cetakan Pertama. Jakarta: Penerbit Cakra Ilmu.
- Nugroho, S. (2008). *Perilaku Konsumen. Cetakan Ketiga*. Jakarta: Kencana Prenada MediaGroup.
- Peter, J.P. & Olson, J.C. (2005). Consumer Behaviour & Marketing Strategy, Seventh Edition. New York: McGraw-Hill Companies, Inc.
- Pringgenies, D., Supriyantini, E., Azizah, R., & Hartati. R. (2013). Aplikasi Pewarnaan Bahan Alam Mangrove untuk Bahan Batik Sebagai Diversifikasi Usaha di Desa Binaan Kabupaten Semarang. *Jurnal INFO* 15(1), 1-10. Retrieved from <a href="https://ejournal2.undip.ac.id/index.php/info/article/view/1282/968">https://ejournal2.undip.ac.id/index.php/info/article/view/1282/968</a>
- Schiffman & Kanuk. (2008). Perilaku Konsumen dalam Perspektif Kewirausahaan. Edisi Ketujuh. Jakarta: Jakarta.
- Wijaya, T. (2011). Manajemen Kualitas Jasa. Edisi 1. Jakarta: Indeks.

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Kalyan C. Kankanala, Fun IP, Fundamentals of Intellectual Property



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## Urgency of Legal Aspects in Management of Featured Products as an Effort to Empower Communities in the Campus Circle Area

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**Abstract**: The strategy of strengthening a competitive domestic economy supported by agricultural development is a strategy that is close to the countryside. Pakintelan is a village located in Gunungpati District, Semarang City. The vast area of the Pakintelan Village is a capital or asset for the people of Pakintelan to make a living because most of the people of Pakintelan are farmers and traders. The purpose of this program is to identify the legal aspects in the management and marketing of superior products in Pakintelan Gunungpati Semarang. The method used in this program in addition to socialization, also carried out observation and documentation of existing resources. This paper confirms strengthening the legal aspects in the management and marketing of superior products in Indonesia, especially in Pakintelan, Semarang, Central Java, is becoming very important in the midst of globalization and industrial growth. Strengthening these legal aspects must also be supported and carried out by various elements of society including the sword community and the community around the Semarang State University campus which is one of the target markets in the Pakintelan community's small business.

**Keywords:** campus circle area; empower communities; legal aspects; protection

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#### A. Introduction

Indonesia is a country rich in natural resources but it cannot be denied that Indonesia has lagged in several fields. The lags are in the fields of technology, industry, infrastructure, skills (ability), intellectual property, economy, etc. Indonesia's backwardness in these fields has become the Government's priority in realizing prosperity and stability in Indonesian society. Existing natural resources are well managed and intended for the welfare of the people of Indonesia.

The Government of Indonesia is making efforts to improve the welfare of the people. The government's efforts to carry out development or improve people's welfare by removing subsidies and diverting subsidies for infrastructure, social and education development. In addition, the government also carried out strategies to improve the welfare of the community by: (1) accelerating the improvement of the welfare of the poor; (2) improving the quality of Indonesia's human resources; (3) strengthening bureaucratic and legal reforms and strengthening democracy and national security; (4) strengthening the competitive domestic economy supported by agricultural, infrastructure and energy development; (5) improvement of management of natural resources and the environment.

The strategy of strengthening a competitive domestic economy supported by agricultural development is a strategy that is close to the countryside. Pakintelan is a village located in Gunungpati District, Semarang City. The population in the Pakintelan Village as of March 2018 is 5275 people. The area of Pakintelan is  $\pm$  274,808 Ha, consisting of: (1) Paddy land  $\pm$  141,755 Ha; (2) yard / building  $\pm$  123,914 Ha; (3) Land for public facilities  $\pm$  1695 Ha.

The vast area of the Pakintelan Village is a capital or asset for the people of Pakintelan to make a living because most of the people of Pakintelan are farmers and traders. Farming is the main work of the native people of Pakintelan Village. The presence of Semarang State University made the Pakintelan Village one of the campus circumference areas that had its own impact on the people of the Pakintelan Village. Pakintelan people generally do cassava farming. Cassava is an easy plant to grow. Cassava is a tuber plant that can grow in the Pakintelan District and is commonly found in the Pakintelan area.

Common problems in cassava cultivation in Pakinetelan are low productivity and income. Low productivity because cassava cultivation technology has not been implemented well. Low income is due to farmers not diversifying the product, which is sold is the original cassava cassava processing is not carried out. Processing cassava into a superior product of Semarang City will have a higher attractiveness and sale value. Cassava processing can be done into gethuk, cassava chips, or other foods that have cassava-based ingredients.

The logical consequence for Semarang State University to participate in observing Pakintelan Village as a campus circumference area. One of the concerns and contributions of Semarang State University is to empower people around the campus. Changes and impacts are very clearly seen, including for the Village of Pakintelan. Ginanjar (1996: 145) empowerment is an effort to build power by encouraging, motivating, and raising awareness of the potential it will have and striving to develop by strengthening the potential of the community.

Most of the people in Pakintelan Village are farmers and traders and the community has grown traditionally. The limited quality of small business human resources both in terms of formal education and knowledge and skills is very influential on the management of business management for life, so that the business is difficult to develop optimally.

Pakintelan community whose main occupation is farmers and traders, after the presence of Semarang State University shifted. Most sell land which is generally used for farming or farming. Selling their land to migrants for housing or just investment.

Such conditions need to be considered because in the future the native people of Pakintelan will be driven from their land and replaced with migrants. The work of the Pakintelan community has also changed and many are no longer farmers but turn into odd jobs or prefer to work at Semarang State University.

Empowerment carried out in the community is not spared in terms of legal aspects, where the law has a role to protect the community. Legal aspects related to empowerment are trade law and company law. The issues raised are: (1) What is the legal aspect of community empowerment in the Village of Pakintelan in processing superior products? (2) What are the obstacles in empowering the people of Pakintelan Village in processing superior products and what is the solution?

#### B. Method

The community service method is carried out in stages, namely by identifying problems in the Village of Pakintelan, identifying and carrying out empowerment activities by conducting socialization (introducing the law) and conducting training. The method of implementing community

service activities is carried out in stages, namely by identifying problems, conducting empowerment activities by conducting trainings. The design of activities can be seen in Table 1.

Table 1 Methods of Implementing Community Service

No	Activities	Approach Method	Partners Participation	Evaluation
1	Identification of Problems	Survey and Indept Interview	Cooperation in identifying problems	Arranged systematically the problems raised
2	Identification and inventarization of farming areas	Survey and indept interview	Giving data	Data base
3	Designing empowerment activities by conducting socialization and conducting training	Survey and indept interview	Participation in activities	Systematically structured legal and economic empowerment activities
4	Designing evaluation activities	Evaluation	Participation on evaluation process	Overall activity

Source: Authors Analysis

#### C. Result and Discussion

According to the Trademark Law is a name, symbol, sign, design or combination thereof to be used as the identity of an individual, organization or company on goods and services owned to distinguish it from other service products. Brand characteristics play a very important role in determining whether a customer decides to trust a brand or not. Based on interpersonal trust research, individuals who are trusted are based on reputation, predictability, and competence.

The term superior potential of the region is interpreted differently by various groups, giving rise to different perceptions among policy makers in the region. In general, regional superior potential can be in the form of commodities or products that have the potential to be developed into superior areas (Hendra, et al, 2017: 113-114). Developing superior products provides many benefits for the area. This superior product will provide benefits in optimizing existing resources and be able to provide knowledge of a material that has more economic value. In addition, the presence of a

superior product can lead to the potential for economic improvement of the community of the region (Jufriyanto, 2019: 28).

The development of superior products in the area around the campus is carried out by Universitas Negeri Semarang as a form of moral responsibility to build a better region. Pakintelan Village is one of the campus ring areas that get attention to develop superior products.

# 1. Legal Aspects of Community Empowerment in Pakintelan Village in Processing Featured Products

Legal aspects related to community empowerment in Pakintelan Village in processing featured products are carried out by analyzing based on SWOT analysis (Strengths, Weaknesses, Opportunities, and Threats).

SWOT analysis or also known as situation analysis is an analysis to identify various factors systematically to formulate a strategy or policy in an economic sector. This analysis is based on logic that can maximize strengths and opportunities, but simultaneously can minimize weaknesses and threats. In carrying out the process of making strategic decisions always related to the development of mission, goals, strategies and wisdom. Thus strategic planning (strategic planning) must analyze the strategic factors that are owned (strengths, weaknesses, opportunities and threats) in the current conditions (Nano, 2012: 137).

This analysis seeks to see comprehensively about the empowerment of the people of Pakintelan in processing superior products, empowerment is focused on legal empowerment, although it will not be separated from the economic side.

Existing strengths, namely: (1) ease in obtaining raw materials (cassava); (2) the availability of productive workforce; (3) the level of education is relatively quite educated; (4) amount of available manpower; (5) Leaders (Lurah Pakintelan) who are open and supportive. Weaknesses (weaknesses), namely: (1) the absence of processing raw materials (cassava) into various kinds of processed; (2) there are capital difficulties; (3) not trained workers for processing; (4) the absence of good management in trying.

The opportunities that exist are: (1) The available market share; (2) there is assistance and guidance from Universitas Negeri Semarang; (3) raw materials will continue to be available regardless of the worst natural conditions; (4) processed business is in high demand by the community. While the threats (threads) that exist are: (1) processed cassava that has been widely circulated; (2) the number of other business actors who are

active in the field of cassava preparations; (3) the number of business actors who have capital and have long tried in processed cassava.

The SWOT analysis provides an illustration for the Village of Pakintelan to be able to do cassava processing business which is a superior product of the Village of Pakintelan. Starting and developing is the first thing to do. Management will be carried out after the establishment of business actors that will carry out the production of food preparations. Continue to innovate products, especially from the type and taste because cassava can generally be processed with a variety of snacks and cakes. Training continues to be done in stages and assistance is carried out to support the sustainability of the community empowerment in the Village of Pakintelan. Encourage business people to attend training, seminars and open new market shares.

The legal aspect can be applied by carrying out the legality of the business to be built. Legality is very important for business actors both in developing their business and in getting capital from creditors. Because with the legality that is fulfilled, it will increase trust for creditors.

Capital is one of the main factors for establishing an industry, because without the availability of capital, the production activities of an industry will be hampered. Industrial owners in starting their businesses mostly use capital with their own money or their own capital (Yusriyansah, 2012).

# 2. Empowering the Community of Pakintelan Village in Processing Featured Products: Obstacles and Solution

The Government has stipulated Presidential Regulation Number 98 of 2014 concerning licensing for micro and small businesses that aims to provide legal certainty and means of empowerment for Micro and Small Business Actors (*Pelaku Usaha Mikro dan Kecil*, PUMK) in developing their businesses. In addition, in arranging IUMK procedures after leaving PERPRES it becomes simpler, easier, and faster so that it is profitable for businesses. The objectives of the IUMK regulation are for micro and small businesses to: (a) obtain certainty and protection in trying to establish a designated location; (b) getting assistance for business development; (c) getting easy access to financing to bank and non-bank financial institutions; and (d) getting facilities for empowerment from the government, regional government and / or other institutions.

Through these regulations the Government can be known to have a high seriousness to empower the community. Community empowerment programs become something important to be developed in accordance with the socio-cultural community, based on strategies and adaptation patterns developed by surrounding communities. The social planning model also applies as a whole, so that there is a synergistic chain of activity from various parties (Andi, 2010: 43).

Opportunities for small businesses to be able to develop their businesses. For the Pakintelan community there is an opportunity to create a small business processing superior products and get empowerment from the Government. Empowerment is carried out with a variety of strategies both in production strategies, as well as in marketing strategies.

Obstacles in empowering Pakintelan Village are: (1) Lack of legal knowledge about business legalization; (2) Lack of skills and training related to processed superior products; (3) Lack of knowledge about management in doing business; (4) Lack of understanding or knowledge to obtain capital sources. To overcome these obstacles need a strategy in overcoming them.

The strategy for developing superior product marketing can be carried out by: (1) Carrying out marketing research and studies; (2) Disseminating market information; (3) Improve management skills and marketing techniques for business people; (4) Providing appropriate marketing tools. The strategy of activities to be carried out in the empowerment of Law and Economy of the Campus Circle Area can be formulated as follows:

- a. Improving legal and economic education through the provision of alternative educational facilities and their maximum utilization.
- b. Increased skills through the provision of skills training facilities and active and creative skills training.
- c. Empowering economic business development through training in economic business development.

After the strategy is carried out it is necessary to evaluate the strategy. The success of community empowerment efforts is not only seen from the increase in community income, but also other important and fundamental aspects. Some aspects that need attention in community empowerment include (Ravik, 2001: 122): (1) The development of community organizations/groups that are developed and function in dynamizing the productive activities of the community. (2) Development of strategic networks between groups /community organizations that are formed and play a role in community development. (3) The ability of community groups to access outside sources that can support their development in the field of market information, capital, and technology and management, including the ability of economic lobbying. (4) Guarantee of community rights in managing local resources. (5) Development of technical and managerial capabilities of community groups, so that various technical and organizational problems

can be solved properly. (6) Fulfillment of living needs and increasing the welfare of their lives and being able to guarantee the preservation of the carrying capacity of the environment for development.

#### D. Conclusion

The campus circumference area is the area that is around (close to) the Universitas Negeri Semarang campus. As a manifestation of the concern of Universitas Negeri Semarang, empowerment needs to be done in terms of the knowledge possessed by experts at Semarang State University. Law as part of science has an important role in empowering people especially in the community around the campus. Empowerment is done through a legal and economic approach. The Pakintelan Village Area is one of the campus circumference areas that have unique characteristics and traditional communities. Legal empowerment is carried out by introducing law and socialization in stages for the purpose of increasing legal awareness and insight in the community around the campus. The economic aspect is related to the superior product that will be developed by the Pakintelan Village. The superior products to be developed are products made from cassava (agricultural products from the Pakintelan region).

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#### H. References

- Ginanjar. (1996). Pembangunan Untuk Rakyat: Memadukan Pertumbuhan dan Pemerataan, Jakarta: PT. Pustaka Cidesindo
- Halim, A, et.al. (2005). *Manajemen Pesantren*, Yogyakarta: Pustaka Pesantren (Kelompok Penerbit LKiS)
- Karsidi, R. (2001). 'Paradigma Baru Penyuluhan Pembangunan dalam Pemberdayaan Masyarakat'. *Jurnal Mediator*, 2(1), 115-125.
- Jufriyanto, M. (2019). 'Pengembangan Produk Unggulan Sebagai Potensi Peningkatan Ekonomi Masyarakat Desa di Kecamatan Modung Bangkalan.' *Jurnal Pangabdhi*, 5(1), 28-32.
- Mustangin, M., Kusniawati, D., Islami, N.P., Setyaningrum, B., & Prasetyawati, E. (2017). 'Pemberdayaan Masyarakat Berbasis Potensi Lokal Melalui Program Desa Wisata di Desa Bumiaji'. Sosioglobal: Jurnal Pemikiran dan Penelitian Sosiologi, 2(1), 59-72.
- Prawoto, N. (2012). 'Model Pengembangan dan Pemberdayaan Masyarakat Berbasis Kemandirian Untuk Mewujudkan Ketahanan Ekonomi dan Ketahanan Pangan (Strategi Pemberdayaan Ekonomi Pada Masyarakat Dieng di Propinsi Jawa Tengah)'. Jurnal Organisasi dan Manajemen, 8(2), 135-154.
- Rangkuti, F. (2002). Analisis SWOT: Teknik Membedah Kasus Bisnis, Jakarta: Gramedia
- Suharto, E. (2005). *Membangun Masyarakat, Memberdayakan Masyarakat*. Bandung: PT. Retika Adhitama
- Sopandi, A. (2010). 'Strategi Pemberdayaan Masyarakat: Studi Kasus Strategi dan Kebijakan Pemberdayaan Masyarakat di Kabupaten Bekasi'. *Jurnal Kybernan*, 1(1), 40-56.
- Yufit R, Hendra & Bambang Herry P & Alwan Abdurrahman & Trismayanti Dwi P. (2017). 'Development Strategy of Trade-Reliable Products Area Supporting Regional Innovation Systems in Magetan, Ponorogo, and Pacitan'. *Cakrawala Journal*, 11(1), 113-129.
- Yusriansyah, M. (2012). Karakteristik Pengusaha Industri Keripik Tempe Berbasis Produk Unggulan Di Kota Malang. Fakultas Ilmu Sosial Universitas Negeri Malang (UM).

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# Alone, we can do so little; together, we can do so much

Helen Keller



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# Improving Law Student Ability on Legal Writing through Critical and Logical Thinking by IRAC Method

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**Abstract**: The lack of good stigma is attached to student activists, ranging from the unsatisfactory level of academic quality, graduating on time, not responsive and very reactive, hard and opposing views, to demonstrations that are colored by violence. The stigma is only in a few cases, not all activists face such conditions, but this stigma seems to have been far attached. The development of student activists today demands that activists must also have three literacy abilities: data literacy, humanitarian literacy, and technological literacy. However, based on the preliminary results of this activity, 90 percent of UNNES Law School student activists agreed that activists must have a critical attitude and critical writing skills, but only about 10 percent of activists who had taken it seriously (thought publications in various forms). This activity is aimed at developing the critical abilities of student activists through increased publications in various media. This activity also aims to establish a critical writing community for student activists and present a concrete forum for channeling ideas and solutions for student activists in writing that can be read by many people. This activity is carried out through a critical thinking approach in legal studies using the IRAC (Issue, Rule, Application, Conclusion) method which is commonly used in analyzing various cases in legal study thinking.

**Keywords:** student activists; critical thinking; publications; legal writing

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#### A. Introduction

The development of student activists is one of the issues that has been studied by many parties, especially related to the movement and its contribution to the progress of the nation. However, in addition to positive views towards student activists, so far there have also been developing negative stereotypes and stigma attached to student activists themselves related to academic achievement and their study period. Student activists are almost always associated with low academic performance and late graduation, or even drop out. High academic achievement and passing study on time for most students may also be for educators and education experts to be the two main standards of study success, but for activist students, the meaning of achievement is not just a high GPA or fast graduation (Anwar, 2012).

Students as agents of change and agents of social control are actually the mouthpiece of the people. Consequently, student assignments are not only studying and busy with assignments, but are also grounded in the community. This is in accordance with the Tri Dharma of Higher Education which implies aspects of education, research and community service. From this concept it can be clearly seen that the scope of students is study and society. However, sometimes student activists encounter obstacles in dividing time between academia and organizations (Barr & Treasure, 2016).

Research of PiPi-Hoy, Jitendra, and Kern (2009) stated that the results of studies conducted show that self-reports or time management skills are often related to academic achievement. Lower management effectiveness creates stress and tension. A good time manager is planning and organization. In addition, inefficient use of time, lack of control over time demands and inadequate amount of time turned out to have a negative impact on the psychological individual.

Meanwhile, in the paradigm of a system of social change both in revolutionary and evolutionary values and structures, student activities are influenced by social movements from individual environments and social groups that are part of the individual self. Social movements can arise in a variety of interests, such as changing the structure of social relations, changing worldviews, and fighting over political roles (Susan, 2009; Septiani, 2016). This is also the case with some of the dynamics of student activists at the Faculty of Law, Semarang State University (FH UNNES). Social changes that exist in some cases trigger various conflicts, for example in the case of demonstrations in the campus environment in the refusal of

the allowance (Anonymous, 2018; Sugiyarto, 2018; Budi, 2018; Widiarto, 2018).

According to Rollo May (1967) in Feist, J. & Feist, G.J. (2010: 65), that humans who are involved in conflict and collisions between ideality and reality that occur will deny destiny, lose the reason to 'be' and have no direction. They walk without having a goal or target. Then they will engage in behavior that makes them lose and break. They feel insignificant in a world that is increasingly dehumanizing individuals. This insignificant feeling is what directs humans to apathy and a state of decreased consciousness.

Thus, according to Oley (2013), conflict tendencies are natural and very natural in the dynamics of student activists, however, responses and reactions to these conflicts are very important to be considered to reduce the negative impacts. One of them is by providing sufficient space and space for the development of democracy in the campus environment, including the development of students' critical attitudes.

Tawakal (2015) confirms the critical attitude that exists in students, in which he thinks that the critical attitude is raised because there is a deviation, and like a problem, there must be a solution. Critical attitude, according to him, is solutive, which does not only throw arguments without concrete solutions. Critical attitude is not to bring down opponents, but to build cohesiveness and togetherness. Critical is objective, as a student, the horizon of knowledge must be open to change and be sensitive and judge something that is not random, there must be concrete facts that support the argument and based on an objective view, not a subjective view that only benefits some groups. Critical attitude is real or real, not a fictitious thing that is deliberately raised and used as controversy, is non-existent and solution-oriented, not creating new problems. Even according to Wae (2014) as an agent of change, students should also be critical and face this situation. By being critical, student insights will increase. Their character will also be formed into a wise person handling the problem. One of the ways is by utilizing the freedom to express thoughts as regulated in the 1945 Constitution Article 28E paragraph 2. Certainly by paying attention to ethics and using polite sentences.

Thus, channeling critical student attitudes must be directed to maximize student potential. This activity is expected to be able to provide solutions to partner problems (UNNES Faculty of Law Student Activists) in building critical attitudes through the development of ongoing publications.

The problems faced by partners, based on the results of a preliminary survey (of 55 UNHES FH student activists, May-April 2019), showed 63.6%

(35) agreed that the ability of a critical attitude for student activity was needed for personal capacity building, however, the survey results also showed that 52.7% (29) agreed that studies and discussions conducted by student activists only ended in discussion forums without further action. In fact, the results of discussions and student studies are important as a solution to the problems faced by the community, so that in practice, many solutions presented by student activists are not able to be transferred to a more concrete form towards the community. In fact, the critical level and publication of student activist thoughts, only 9.1% (5) have ever published their thoughts, and 90.9% (50) have never been at all. Therefore, the program to increase publicity as a place for channeling critical attitudes for UNNES Law Faculty student activists is very important.

The case studied was the condition of student activists in the Faculty of Law UNNES where in a preliminary study conducted by the author proved that the level of publication and literacy of student activists was at 1.8% (out of a total of 55 student activists surveyed). However, the level of discussion and forum for student activist studies was quite high, at around 76.4%.

#### B. Method

This research and program uses several methods and approaches. To search for preliminary data, this study uses interviews and observations with media media. Preliminary research conducted a survey of 55 student activists within the Faculty of Law UNNES. This program involves student activists in a number of stages. The program is conducted intensively with clear output targets, namely the publication of the results of students' critical thinking in the field of law in the form of scientific articles or books, or other publications.

The stages carried out in this research and service program are as follows.

#### 1. Preliminary Activities

The implementation of this service activity begins with a preliminary activity, where in this stage, the Implementation Team identifies deeper and further about the problems faced by partners and the solutions that can be offered. The identification of problems in this stage is done through the method of observation and questionnaire survey of the participants in the activity.

#### 2. Activity Method

Activities in this service are carried out with the following methods, namely:

#### 1) Workshop and Training

This activity is carried out to get more tangible results and clear outcomes, so that workshops and training are conducted regularly and continuously. The workshop and training involved several parties, including the Implementation Team, Expert Team, Facilitator, and Participants.

#### 2) Simulation and Application

Simulations are carried out to provide experience to partners through direct application related to critical thinking and critical writing. Participants will be introduced to various media for the distribution of opinions and critical writing both locally and nationally.

#### 3) Publication

This method is carried out at the final stage, where the output of this activity is the scientific publication of critical thinking of UNNES Law Faculty students in several well-known publishing media, such as:

Publisher	Level	City of Publisher
BPFH UNNES	National	Semarang
UNNES Press	National	Semarang
Thafa Media	National	Yogyakarta
SAGA Publication	National	Surabaya

In addition to publishing writings through these publishers, this activity also encourages student activists to publish scientific articles on critical thinking about legal science, legal thinking, legal case studies, and legal studies in several national journals as follows:

Name of Journal	Publisher	City of
Name of Journal	rublisher	Publisher
Cita Hukum	UIN Syarif Hidayatullah	Jakarta
Ajudikasi	Universitas Serang Raya	Serang Banten
Jambe Law Journal	Universitas Jambi	Jambi
Jambura Law Review	Universitas Negeri	Gorontalo
	Gorontalo	
Lex Scientia Law	Universitas Negeri	Semarang
Review	Semarang	
Diversi	Universitas Islam Kadiri	Kediri
Gorontalo Law	Universitas Gorontalo	Gorontalo
Review		
Hukum dan	Universitas Semarang	Semarang

Masyarakat Madani		
Halu Oleo Law	Universitas Halu Oleo	Kendari
Review		
Awang Long Law	STIH Awang Long	Samarinda
Review		
Indonesian Journal of	Universitas Udayana	Denpasar, Bali
Legal and Forensic		
Sciences		
Indonesian Journal of	Universitas Brawijaya	Malang
Disability Studies		

#### 4) Assistance

The mentoring method is carried out to oversee and accompany partner participants periodically in achieving the expected output targets. Assistance is carried out concretely and applicatively, where partner participants will be assisted intensively and directly to resolve the problems encountered.

#### 5) Case Study

Case study methods are provided to participants as a stimulus for logical, structured, and critical thinking paths to various problems in legal studies. The case studies offered vary according to the needs of the partner participants.

#### C. Result and Discussion

#### 1. Introduction to Academic Writing and Critical Thinking

Wigati's research (2014) revealed that in practice in class students often complain that writing assignments are still considered very difficult to do. Writing turns out to be a scourge for students. In fact, mastery of the material is the basic goal of the teaching and learning process. Mastery of the material is also often used as the main consideration for measuring the success or failure of a teaching lecturer. In fact, in a class with students who have different writing, speaking, and analyzing abilities, it will cause difficulties to measure whether students are at the same intensity in their understanding. Students with high levels of competence will feel burdened because they have to wait for other friends to be able to understand the material and be able to apply it. As for students with low levels of competence, they will feel frustrated because they are not able to understand and do assignments easily. This gap will be evident in skills-based courses. This is actually natural because in Krashen's theory (1984) understanding of language has the formula N + 1 which means that a

person will not be able to understand higher matter before he understands correctly about the underlying material.

Fox (1993) defines writing as an activity expressing ideas, feelings, and opinions to communicate messages from the mind to written form. Writing has two steps in the process of displaying the meaning of ideas and conveying them in the form of written language. Through writing we can share ideas, apply feelings, and convince others.

Meanwhile, regarding the difficulty in writing (writing), Byrne (1988) categorizes three problems that make writing skills difficult to master, namely linguistic, cognitive, and content problems. The first problem is the aspect of language or linguistics. This relates to one's shrewdness in writing the correct structure and hence the sentences that are formed will be able to blend with one another. The result is that the text that is created can be well replicated by the reader. The second problem is cognitive problems related to one's mastery of the forms of language, structure, grammar and spelling that are useful for effective communication in writing. Harmer (2004) termed it with organizational problems which are certainly more complicated than organizational problems in speaking. The third is the problem of ideas. This relates to anything that someone can pour in his writing. Often someone loses ideas in the middle of the writing process.

Based on the problems that have been identified in relation to the academic writing capacity of student activists as described previously, to overcome these problems an introduction to academic writing and critical thinking is conducted for student activists within the Faculty of Law, Semarang State University. This initial introduction was held on Monday, June 10, 2019 at the Faculty of Law, Semarang State University.

At this stage, the activities were carried out with the method of socialization and lectures on academic writing and critical thinking. In this activity also explained the difference between academic writing and creative writing, as explained in table 4 below. Table 4 becomes the foundation of understanding for the beginning of this program for law student activists in writing scientific papers related to the field of law studies.

Table 4 Differences in Academic Writing and Creative Writing

No	Academic Writing	Creative Writing
1	Non-fiction	Fiction
2	Based on facts (pure facts)	Based on imagination (can also
		be added by facts)
3	For academic purposes	For literary or pop /
		entertainment purposes

		(market orientation)
4	Supported research (to obtain data)	It could be supported by
		research or not
5	Supported references / literature	It can be supported by
		references or not
6	Written in formal / academic	Written in a literary or pop
	language	language that is easily
		understood by the public
7	Use academic terms	Can use academic terms or not
8	Comes with footnotes	It can also not (depending on
		the theme)
9	Equipped with a reference list	Not equipped with a reference
		list
10	Use appendix or attachments (as	Not appendixing
	needed)	
11	Using index (as needed)	There is no index
~	T) 1 0040	

Source: Pranoto, 2010.

Meanwhile, furthermore, the introduction of the concept of academic writing refers to the stages of academic writing itself, which include: prewriting, organizing, drafting, editing, revising, and evaluating (Lestari & Chasanatun, 2016). At the prewriting stage, participants of law student activists were asked to look for ideas, initial information material, and preparation for writing. The preparation of writing includes an introduction to the intended scientific journals, the selection of titles, frameworks of thought, and the composition of the writing arrangements.

The documentation of the activities at this stage can be seen from the following pictures.

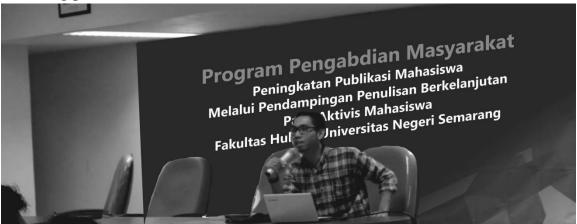


Figure 1. Presentation of Introduction to Academic Writing for Student Activists. *Source*: Personal Documentation, June 2019.



Figure 2. Participants of Community Service Program Activities. Source: Personal Documentation, June 2019.



Figure 3 (left) and Figure 4 (right). Activity Participants are having a discussion. *Source*: Personal Documentation, June 2019

As for this activity, the stages are introduced to the activity participants about writing, as illustrated in Figure 5 below.

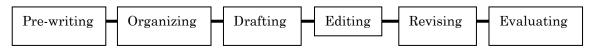


Figure 5. Academic writing steps

#### 2. Strengthening the Literacy Capacity of Student Activists

Literacy is as an ability to read and write. We know him by literacy or literacy. But now literacy has a broad meaning, so literacy is no longer single meaning but contains a variety of meanings (multi literacies). There are various literacy or literacy, for example computer literacy, media literacy, technology literacy, economic literacy, information literacy, and even moral literacy literacy). So, literacy or literacy can be interpreted as technology literacy, information literacy, critical thinking, sensitive to the environment, even sensitive to politics. A person is said to be literate if he is able to understand something because he reads the right information and does something based on his understanding of the contents of the reading (Herawati, 2017).

Yamin (2018) emphasized that literacy is a necessity that must be possessed by the education community, including students in it. In fact, it was underlined that literacy as an inseparable part of capital strengthening Human Resources (HR) in tertiary institutions becomes an important thing that must be done. Literacy is generally synonymous with reading and writing activities. Based on the Prague Declaration in 2003, literacy also includes the ability of a person to communicate in a meaningful community of praxis for social relations related to knowledge, language, and culture (UNESCO, 2003). Thus, literacy is in principle an inseparable part of the efforts to develop human resources who have the competence to strengthen in any case. The more knowledge that is obtained, accessed, and used as capital in self-development, this can encourage a movement to develop quality human resources. Literacy that is connected with capital in human development in the context of tertiary institutions is that the literacy ability of lecturers is their own capital for reviving scientific activities and culture. One manifestation of the program is writing competence called scientific publications.

The process of strengthening the literacy capacity of student activists in the community service program emphasizes ongoing assistance for participants. Activities are not only done once, but several times and focus on writing articles in the field of law for a particular journal.

The activities carried out by way of discussion together to explore ideas and critical thinking, also to provide a new and current understanding of legal issues. Discussions are also conducted in groups, and carried out in large numbers, and also small (divided into groups based on the same field of study). This activity was carried out on Monday-Wednesday (24-26 June 2019) at 14.00 until 15.30 WIB at the Faculty of Law, Semarang State University. Documentation of the activities can be seen as shown below.



Figure 6. Participant discussion activities in large numbers. Source: personal documentation, June 2019



Figure 7. Participant discussion activities in small numbers (divided by groups according to the field of study). *Source*: personal documentation, 2019

#### 3. Scientific Journal Writing Assistance for Student Activists

At this stage, program participants are immediately directed to make writing which will be sent to certain journals. The initial data of the participant's article title can be seen in the following table.

Table 5 Initial Data Title of Writing Participants

	Table o Illitial Data	Title of writing Farticipants	
No	Name of Student	Title of Article (in Bahasa, in English)	
1	Aisyah Dara Pamungkas	Mempertahankan Integritas dalam	
1	Aisyan Dara I amungkas		
		Negeri Demokrasi di Balik Isu	
		Kampanye Negatif dan Kampanye	
	A 1: 36.1 ·	Hitam Jelang Pilpres 2019	
2	Angeline Melenia	Kebijakan Hukuman Pidana Mati untuk	
		Menanggulangi Tindak Pidana	
		Narkotika di Indonesia	
3	Anggie Rizqita Herda	Perlindungan Hukum Bagi Korban	
	Putri	Tindak Pidana Perdagangan Orang di	
		Indonesia	
4	Arsita Dewi Fatasya	Pembunuhan Berencana dalam	
		Prespektif Hak Asasi Manusia Dan	
		Kajian Viktimologi	
5	Alycia Sandra Dinar	Perlindungan Hukum Dalam Kajian	
	Andhini	Viktimologi Terkait Dengan Kekerasan	
		Terhadap Anak	
6	Ayu Setyaningrum	Analisis Upaya Perlindungan Dan	
		Pemulihan Terhadap Korban Kekerasan	
		dalam Rumah Tangga Khususnya Anak-	
		Anak Dan Perempuan	
7	Azman Khoerul Muta'adi	Citra Hukum Masa Kini: Berbagai	
		Permasalahan Hukum di Indonesia	
8	Dasri	Penegakan Hukum Terpadu	
		(Gakkumdu) Dalam Penyelenggaraan	
		Pemilihan Umum di Indonesia	
9	Dwi Suci Mentari	Kajian Hukum Tentang Tindak	
		Kekerasan Seksual Terhadap Anak Di	
		Indonesia	
10	Fairuz Rhamdhatul	Kajian Hukum Tindak Pidana Pada	
	Muthia	Kasus Kejahatan Dunia Maya Atau	
		Cybercrime Dalam Perkara Pencemaran	
		Nama Baik	
11	Ifan Dwi Chandra	Politik Uang Sebagai Awal Munculnya	
		Tindak Korupsi Dalam Pilkada	
12	Kania Dewi Andhika Putri		
		Kepastian di dalam Hukum	
13	Kresna Adi Prasetyo	Analisis Hukum Pidana Mengenai	
		<u> </u>	

		Tindak Pidana Penistaan Agama Di	
		Indonesia	
14	Lita Hapsari	Tinjauan Teoritis Cybercrime Case	
		Mengenai Penyebaran Hoax	
		di Media Sosial dan Sanksi Pidananya	
15	Melani Diah Sekar Puri	Eksistensi Hukum Pidana Adat dan	
		Hukum Perdata Adat dalam	
		Perkembang-an Hukum Nasional	
		Indonesia	
16	Melani Pratika	Korupsi dan Hak Asasi Manusia	
	Yudaningrum	(Analisis Atas Dampak HAM Pada	
		Kasus-Kasus Tindak Pidana Korupsi Di	
		Indonesia)	
17	Miftakhul Ihwan	Kerjasama Polisi Dan Pemerintah	
		Daerah Dalam Menegakkan Hukum	
		Dimasyarakat Sebagai Wujud	
		Keikutsertaan Dalam Menjaga	
		Keamanan Dan Ketertiban Masyarakat	
18	Nasichatus Sholechah	Tindak Pidana Terorisme Dilihat dari	
		Sudut Hukum Materiil (Diatur di dalam	
		UU No. 15 Tahun 2003)	
19	Noviana Dwi Utami	Jalan Tanpa Ujung, Korupsi Yang Tidak	
		Bertepi Dan Menjadi Penyakit Pejabat	
		Negeri	
20	Nur Rika Fitaloka	Perlindungan Hukum Kepada Hak Anak	
		Angkat dalam Memperoleh Status	
		Hukum dengan Melalui Pencatatan	
		Hukum Pengangkatan Anak (Jika	
		Ditinjau dalam perspektif Hak Asasi	
01	Resa Nabila Ramadani	Manusia)	
21	nesa manna namadam	Hubungan Body Shaming Terhadap Penampilan Fisik Seseorang Dan	
		Penegakan Hukum Untuk Pelaku Body	
		Shaming	
22	Ria Juliana	Perlindungan Hukum Terhadap Anak Di	
	ivia guitalla	Indonesia Sebagai Pelaku Dan Korban	
		Tindak Pidana	
23	Rizha Fanditya Ningtyas	Tarik Ulur Penegakan Hukum UU ITE	
	TVIZITA I ATIATOJA TVIIIGOJAS	(Cyberlaw) Di Indonesia (Analisis Kasus-	
		Kasus Kontroversial)	

24	Saktiani Nurul Hidayah	Implementasi Pemilu dalam		
		Berdemokrasi di Indonesia		
25	Septi Sabela	Hak Politik Mantan Narapidana		
		Korupsi (Studi Atas Wacana		
		Pembatasan Hak Politik Narapidana		
		Korupsi Di Indonesia		
26	Siti Nurmala	Problematika Penegakan HAM di		
		Indonesia		
27	Siti Zanatya Katriantoro	Kampanye Negatif dan Kampanye		
		Hitam dalam Konteks Demokrasi dan		
		Negara Hukum Indonesia		
28	Thera Retno Aprilia	Politik Uang Dalam Demokrasi di		
		Indonesia		
29	Karin Aulia Rahmadhanty	Hak Anak Angkat dalam Mendapatkan		
		Warisan Ditinjau dari Hukum Waris		
		Indonesia		
30	Dewi Ayu Pranesti	Perlindungan Korban Dalam Kasus		
		Penyebaran Berita Hoax Di Media Sosial		
		Di Indonesia		
31	Ana Latifatul Muntamah	Pernikahan Dini Di Indonesia: Faktor		
		Dan Peran Pemerintah (Perspektif		
		Penegakan Dan Perlindungan Hukum		
		Bagi Anak)		
32	Arsitas Dewi Fatasya	Kajian Hukum Atas Pembunuhan		
		Berencana Yang Disertai Penganiyaan		
		Dan Mutilasi (Studi Atas Kasus-Kasus		
		Mutilasi Kontroversi Di Indonesia)		
33	Kaifa Nur Hanifa	Perlindungan Hak Asasi Manusia Bagi		
		Tenaga Kerja Kontrak Di Indonesia		
		(Human Rights Protection For Labor		
		Contracts In Indonesia)		
34	Yudha Chandra Arwana	Jalur Mediasi dalam Penyelesaian		
		Sengketa Pertanahan Sebagai Dorongan		
		Pemenuhan Hak Asasi Manusia		
35	Anggie Rizqita Herda	Perlindungan Hukum Bagi Korban		
	Putri	Tindak Pidana Perdagangan Orang Di		
		Indonesia		

Furthermore, all participants receive intensive periodic assistance. The assistance is done in two ways, namely: (1) face to face (offline), and (2)

online. Face-to-face mentoring is carried out to explore and explore ideas from participants and guide participants. While online methods are used to increase the intensity of the discussion regarding the development of the progress of the article made.

Through table 5 it can be seen that the participants' titles have led to a particular focus of the case or theme, although there are several titles whose scope is still quite broad. In order to sharpen the title of the article, participants were stimulated by various questions and discussions to draw ideas from the participants so that a proper title was formed to be published in a scientific article.

Assistance does not only stop at the title, but until an article is completed (conclusions and bibliography). Participants were also accompanied by the method of quoting and retrieving data, so that the articles written were more weighty.

Based on the results of the assistance, at least obtained articles have been submitted to various legal scientific journals in Indonesia, and have been published as data in Table 6.

Table 6 Published Articles of Participant

No	Name of	Title of Article (in	Publisher,
No	Student	Bahasa, in English)	Journal
1	Kania Dewi	Tinjauan Teoritis Keadilan	Mimbar Yustitia 2
	Andhika Putri	Dan Kepastian Dalam	(2), 142-158, 2018
		Hukum Di Indonesia (The	
		Theoretical Review of	
		Justice And Legal	
		Certainty In Indonesia)	
2	Ayu	Analisis Upaya	Jurnal
	Setyaningrum	Perlindungan Dan	Muqoddimah:
		Pemulihan Terhadap	Jurnal Ilmu Sosial,
		Korban Kekerasan Dalam	Politik Dan
		Rumah Tangga (Kdrt)	Hummaniora 3 (1),
		Khususnya Anak-Anak	9-19, 2019
		Dan Perempuan	
3	Ria Juliana	Anak Dan Kejahatan	Jurnal Selat 6 (2),
		(Faktor Penyebab Dan	225-234, 2019
		Perlindungan Hukum)	
4	LE Lestari	Penegakan Dan	Jurnal Komunikasi
		Perlindungan Hak Asasi	Hukum (Jkh) 5 (2),
		Manusia Di Indonesia	12-25, 2019

		Dalam Konteks	
		Implementasi Sila	
		Kemanusiaan Yang Adil	
		Dan Beradab	
	Ai - D::		D. J. J4 - 0 (1)
5	Anggie Rizqita	Perlindungan Hukum Bagi	Res Judicata 2 (1),
	Herda Putri	Korban Tindak Pidana	170-185, 2019
		Perdagangan Orang Di	
		Indonesia (Legal Protection	
		For Victims Of Human	
		Trafficking Crimes In	
		Indonesia)	
6	Yudha Chandra	Jalur Mediasi Dalam	Jambura Law
	Arwana	Penyelesaian Sengketa	Review 1 (2), 212-
		Pertanahan Sebagai	236, 2019
		Dorongan Pemenuhan Hak	
		Asasi Manusia	
7	Aisyah Dara	Demokrasi Dan Kampanye	Diktum: Jurnal
	Pamungkas	Hitam Dalam	Syariah Dan Hukum
		Penyelenggaraan	17 (1), 16-30, 2019
		Pemilihan Umum Di	
		Indonesia (Analisis Atas	
		Black Campaign Dan	
		Negative Campaign)	
8	Wiki Oktama	Penegakan Hukum	Al Daulah: Jurnal
	Putri	Terhadap Anggota	Hukum Pidana Dan
		Legislatif Dalam Kasus	Ketatanegaraan 8
		Tindak Pidana Korupsi Di	(1), 1-15, 2019
		Indonesia	
9	EM Saputri	Perlindungan Hukum	Jurnal Hukum
		Terhadap Konsumen	Bisnis Bonum
		Dalam Hal Pengembang	Commune 2 (2), 151-
		(Developer) Apartemen	161, 2019
		Dinyatakan Pailit	
10	ASD Andhini	Analisis Perlindungan	Ajudikasi: Jurnal
		Hukum Terhadap Tindak	Ilmu Hukum 3 (1),
		Kekerasan Pada Anak Di	41-52, 2019
		Indonesia	
11	MDS Puri	Pengaruh Adat Dalam	Volksgeist: Jurnal
		Hukum Keluarga Terhadap	Ilmu Hukum Dan
		Pembaruan Hukum	Konstitusi 2 (1), 73-
	l .		

		Nasional	87, 2019
12	NB Setyawan	Analisis Perlindungan	Nurani: Jurnal
		Terhadap Toleransi	Kajian Syari'ah Dan
		Kebebasan Beragama Di	Masyarakat 19 (1),
		Indonesia Dalam	27-34, 2019
		Perspektif Hak Asasi	
		Manusia	
13	RMA Ilyasa	Transaksi Bitcoin Dalam	Mahkamah: Jurnal
		Perspektif Hukum Islam	Kajian Hukum
		Dan Hukum Positif	Islam 4 (1), 26-35,
		Indonesia	2019
14	SA Choirinnisa	Pertanggungjawaban	Jurnal Mercatoria
		Korporasi Dalam Tindak	12 (1), 43-53, 2019
		Pidana Pencucian Uang	
		Dalam Prinsip Hukum	
		Pidana Indonesia	
15	NM Lubis	Criminal Liability For	Morality: Jurnal
		Witnesses Giving Fake	Ilmu Hukum 5 (1),
		Testimony Under The Oath	1-13, 2019
		In The Trial	
16	DA Pranesti	Perlindungan Korban	Jurnal Hukum
		Dalam Kasus Penyebaran	Media Bhakti 3 (1),
		Berita Hoax Di Media	8-17, 2019
		Sosial Di Indonesia	
17	FR Muthia	Kajian Hukum Pidana	Resam Jurnal
		Pada Kasus Kejahatan	Hukum 5 (1), 21-39,
		Mayantara (Cybercrime)	2019
		Dalam Perkara	
		Pencemaran Nama Baik Di	
		Indonesia	
18	MA Nurdiana	Tindak Pidana	Literasi Hukum 3
		Pemerkosaan: Realitas	(1), 52-63, 2019
		Kasus Dan Penegakan	
		Hukumnya Di Indonesia	
		(Crime Of Rape: Case	
		Reality And Law	
		Enforcement In Indonesia)	
19	KA Prasetyo	Analisis Hukum Pidana	Gorontalo Law
		Mengenai Tindak Pidana	Review 2 (1), 1-12,
		Penistaan Agama Di	2019

		Indonesia	
20	AL Muntamah	Pernikahan Dini Di	Widya Yuridika 2
		Indonesia: Faktor Dan	(1), 1-12, 2019
		Peran Pemerintah	
		(Perspektif Penegakan Dan	
		Perlindungan Hukum Bagi	
		Anak)	
21	J Fitriyaningrum	The Regulatory Model For	Varia Justicia 15 (1),
		Eradication Corruption In	36-42, 2019
		Infrastructure Funding	
22	MBK Dewi	Emancipation And Legal	Jurnal Cita Hukum
		Justice; Portrait Of	7 (1), 2019
		Women's Legal Protection	
		In Indonesia	
23	A Angga	Penerapan Bantuan	Diversi: Jurnal
		Hukum Bagi Masyarakat	Hukum 4 (2), 218-
		Kurang Mampu Di	236, 2019
		Indonesia	
24	A Setyaningrum	Analisis Upaya	Jurnal
		Perlindungan Dan	Muqoddimah:
		Pemulihan Terhadap	Jurnal Ilmu Sosial,
		Korban Kekerasan Dalam	Politik Dan
		Rumah Tangga (Kdrt)	Hummaniora 3 (1),
		Khususnya Anak-Anak	9-19, 2019
		Dan Perempuan	
25	AD Fatasya	Kajian Hukum Atas	Jurnal Ilmu Hukum:
		Pembunuhan Berencana	Fakultas Hukum
		Yang Disertai Penganiyaan	Universitas Riau 8
		Dan Mutilasi (Studi Atas	(1), 118-144, 2019
		Kasus-Kasus Mutilasi	
		Kontroversi Di Indonesia)	
26	Wandi Arifin	Asas Keadilan Upah Guru	Riau Law Journal 3
		Honorer Dalam Perspektif	(1), 85-104, 2019
		Hukum (Principle Of	
		Justice For Honorary	
		Teacher Wages In A Legal	
		Perspective)	

All of these articles have also been indexed by Google Scholars so that they are listed in national and international scientific journal databases. In addition, all articles that have been published can be accessed free of charge through the open journal system on each journal page.

#### D. Conclusion

Literacy culture among student activists is still relatively low, however, stimulus through ongoing publications is one way to increase the academic writing capacity and critical thinking of student activists. The program concludes that publication assistance for students can be done in stages, periodically, and continuously. Exploring the ideas of law students is very important, especially in analyzing contemporary issues. The introduction of a publication system of all kinds seems to be an active student in making publications in many media.

Based on the program that has been implemented, the team suggested that the need for a policy formulation related to student publications. In addition, intensive publication assistance is needed, especially in small groups (limited participants) and using targets and commitment agreements, so students are encouraged to do publication targets to enhance critical thinking as activists of law students.

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#### H. References

- Anwar, K. (2012). Tidak Semata IPK, Tidak Sebatas Wisuda: Memahami Dinamika Motivasi Berprestasi Akademik Mahasiswa Aktivis. *Skripsi*. Yogyakarta: Universitas Gadjah Mada.
- Anonim. (2018). Tanggapan Rektor Unnes soal Demo Mahasiswa yang Berujung Ricuh. *Liputan 6* edition 8 June, retrieved from <a href="https://www.liputan6.com/regional/read/3554192/tanggapan-rektor-unnes-soal-demo-mahasiswa-yang-berujung-ricuh">https://www.liputan6.com/regional/read/3554192/tanggapan-rektor-unnes-soal-demo-mahasiswa-yang-berujung-ricuh</a>
- Barr, F. D., & Harta, I. (2016). 'Analisis Manajemen Waktu Organisasi dan Kuliah Aktivis Mahasiswa Program Studi Pendidikan Matematika Universitas Muhammadiyah Surakarta'. *PRISMA*, *Prosiding Seminar Nasional Matematika*, IX(1), 280-285. retrieved from https://journal.unnes.ac.id/sju/index.php/prisma/article/view/21484
- Budi, T. (2018). Demo Mahasiswa Universitas Negeri Semarang Tolak Uang Pangkal Berujung Rusuh. *OKEZONE* edition 7 June, retrieved from <a href="https://news.okezone.com/read/2018/06/07/512/1908011/demo-mahasiswa-universitas-negeri-semarang-tolak-uang-pangkal-berujung-rusuh">https://news.okezone.com/read/2018/06/07/512/1908011/demo-mahasiswa-universitas-negeri-semarang-tolak-uang-pangkal-berujung-rusuh</a>
- DiPipi-Hoy, C., Jitendra, A. K., & Kern, L. (2009). 'Effects of Time Management Instruction on Adolescents Ability to Self-Manage Time in a Vocational Setting'. *The Journal of Special Education*, 43(3), 145-159.
- Feist, J. & Feist, G.J. (2010). *Teori Kepribadian*. Jakarta: Salemba Humanika.
- Herawati, L. (2017). 'Budaya Literasi Media dalam Meningkatkan Daya Baca Mahasiswa IAIN Cirebon'. *Paedagogia: Jurnal Pendidikan*, 6(2), 294-309.
- Septiani, P. (2016). 'Orientasi Karakter Perilaku Aktivis Mahasiswa (Character Orientation of Students Activist Behavior)'. *Jurnal Riset Mahasiswa Bimbingan dan Konseling*, 5(12), 636-646. retrieved from <a href="http://journal.student.uny.ac.id/ojs/index.php/fipbk/article/viewFile/6248/6000">http://journal.student.uny.ac.id/ojs/index.php/fipbk/article/viewFile/6248/6000</a>
- Oley, P.C. (2013). 'Perilaku Politik Aktivis Mahasiswa Fakultas Ilmu Sosial dan Ilmu Politik Universitas Sam Ratulangi (Suatu Studi Terhadap Pengurus Organisasi Mahasiswa Fakultas Ilmu Sosial dan Ilmu Politik Universitas Sam Ratulangi Tahun 2012)'. *Jurnal Politico*, 1(3), 31-41. retrieved from <a href="https://ejournal.unsrat.ac.id/index.php/politico/article/view/2514/2050">https://ejournal.unsrat.ac.id/index.php/politico/article/view/2514/2050</a>
- Pranoto, N. (2010). 'Sekilas Academic Writing: Proses dan Permasalahannya (Bagian 1)'. Online, edition 15 March 2010,

- retrieved from <a href="https://rayakultura.net/sekilas-academic-writingproses-dan-permasalahannya/">https://rayakultura.net/sekilas-academic-writingproses-dan-permasalahannya/</a>
- Susan, N. (2009). Sosiologi Konflik dan Isu-isu Konflik Kontemporer. Jakarta: Kencana Prenada Media Group.
- Sugiyarto. (2018). Demo Mahasiswa Unnes Menolak Uang Pangkal Dilanjutkan Menginap di Depan Rektorat. TRIBUNNEWS edition 5 June, retrieved from <a href="http://www.tribunnews.com/regional/2018/06/05/demo-mahasiswa-unnes-menolak-uang-pangkal-dilanjutkan-menginap-di-depan-rektorat">http://www.tribunnews.com/regional/2018/06/05/demo-mahasiswa-unnes-menolak-uang-pangkal-dilanjutkan-menginap-di-depan-rektorat</a>
- Lestari, S., & Chasanatun, T.W. (2016). 'Analisis Kompetensi dan Permasalahandalam Menulis Artikel Pada Mata Kuliah Academic Writing'. *Jurnal LPPM*, 4(1), 76-84.
- Tawakal, I. (2015). Kritis Pada Diri Mahasiswa, Untuk Perubahan. *Kompasiana*, edition 15 June, retrieved from <a href="https://www.kompasiana.com/tautawtau/550b3ec3a33311b0142e39e1/kritis-pada-diri-mahasiswa-untuk-perubahan">https://www.kompasiana.com/tautawtau/550b3ec3a33311b0142e39e1/kritis-pada-diri-mahasiswa-untuk-perubahan</a>
- Wae, W. (2014). Membangun Sikap Kritis. *Opini Online OKEZONE*, edition 1 December, retrieved from <a href="https://news.okezone.com/read/2014/12/01/65/1072809/membangun-sikap-kritis">https://news.okezone.com/read/2014/12/01/65/1072809/membangun-sikap-kritis</a>
- Widiarto, A. (2018). Ratusan Mahasiswa Unnes Demo Tolak Uang Pangkal. Suara Merdeka, edition 4 June, retrieved from https://www.suaramerdeka.com/news/baca/92227/ratusan-mahasiswa-unnes-demo-tolak-uang-pangkal
- Wigati, F.A. (2014). 'Kesulitan Pada Aspek-Aspek Writing Mahasiswa dengan English Proficiency Levels yang Berbeda'. *Jurnal Ilmiah Solusi*, 1(3), 46-61.
- Yamin, M. (2018). 'Kebijakan Literasi Untuk Meningkatkan Produktivitas Publikasi di Perguruan Tinggi'. *Jurnal Analisis Sistem Pendidikan Tinggi*, 2(1), 19-26.

### **Q**UOTE

# The important thing is not to stop questioning. Curiosity has its own reason for existing.

Albert Einstein



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# Legal Education against the Impact of Social Media in the Era of Information Disclosure for Pringgokusuman Residents in Yogyakarta

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**Abstract:** The purpose of this community service is to provide an understanding of the community on the impact of the use of social media in the current era of information disclosure. This is done so that people do not abuse the use of social media and are able to wisely utilize social media itself so as not to cause negative effects. Partners of community service activities are residents of Pringgokusuman, Gedongtengen, Yogyakarta. Education provided includes an understanding of the negative and positive impacts of using social media, the role of families, especially parents, in supervising the use of social media and the legal rules used to overcome problems arising from the use of social media. Many impacts arising from the use of social media. The negative impacts of using social media must be immediately prevented and acted upon because the negative impacts are spread very quickly and are detrimental to users and the community. In addition there are also positive impacts arising from the use of social media that can provide developments both in terms of social and material for the community.

**Keywords:** legal education; social media impacts; information disclosure era

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#### A. Introduction

The internet can be said to be the end of the greatest invention of information technology devices and technologies that have the greatest impact on humans. In this era it can be said that society cannot be separated from dependence on technology. However, the point of view of advances in information and communication technology is not only based on the presence of increasingly sophisticated communication devices, but also has an influence on culture that occurs in the community.

The development of science and technology ushered people into the digital era which gave birth to the internet as a network including in one's contact with other parties, even internet technology is able to convert data, information, audio, visuals that can affect human life (Widodo, 2013).

One impact caused by the rapid development of information technology is the increasingly widespread crime through social media. This is inseparable from the many users of social media from children to adults, through social media they can channel all opinions and forms of protest that can sometimes lead to acts against the law.

Teenagers as the most active users and almost every day interacting using social media, directly messages or information on social media are very quickly spread among adolescents, information that is spread through social media routinely and listened by teenagers directly leads to the formation of opinion among the adolescents are very vulnerable to lead to things that negatively affect adolescents themselves.

In Indonesia there are legislation that specifically regulates information and electronic transactions, especially in the use of social media, namely Law Number 11 of 2008 concerning Information and Electronic Transactions which has now been changed to Law Number 19 of 2016 concerning Changes to Law Number 11 of 2008 Reconcerning Information and Electronic Transactions.

Society often lacks understanding of its subordinates in the misuse of social media can lead to actions against the law. So from this it is necessary to have legal education regarding the use of social media so that people can be smarter in using social media.

#### B. Method

Partners of community service activities are residents of Pringgokusuman, Kec. Gedongtengen, Yogyakarta, which consists of teenagers and parents. This activity includes providing education to Pringgokusuman residents in using social media in order to produce positive impacts and avoid negative impacts. The education provided includes an understanding of the negative and positive impacts of using social media, the role of families, especially parents, in supervising the use of social media and the rule of law used to overcome problems arising from the use of social media.

#### C. Result and Discussion

# 1. Crimes and Technological Development: Negative and Positive Impacts

Technological progress is very potential for the emergence of various forms of criminal acts the internet can be a medium that makes it easy for someone to commit various criminal actions based on information technology (*cybercrime*). The internet beside recognized as a tool for disseminating information and a media for collaborating, also use for interacting between individuals using computers without boundaries.

The growth of the internet that is spreading rapidly within the community is very vulnerable to the abuse of the internet itself. Easy access to the internet from various groups of children, adolescents to parents, if not followed by a correct understanding of its use can cause various negative impacts.

Negative impacts arising from the misuse of the internet especially social media itself include:

#### 1) Addiction

Excessive use of social media can cause dependency. One can use social media for more than 8 hours a day. Even now a person can not be separated from the use of the internet, especially social media, even this has also become a new disease such as Facebook depression. This initial disease looks the same as anxiety, psychological disorders, dependency or other bad habits. Even now the disease is not only on Facebook but almost all social media. Social networks can be considered as the creators of depression for its users.

#### 2) Cannot Control Yourself

Addictive users of social media are considered unable to control themselves. For those who experience acute addiction, even having low self-control, they tend not to be able to control themselves to use social media. According to researchers, users are too concerned about their image on social media, especially self-esteem to their closest friends. They feel through social media they can express everything they are feeling and share what they are doing. In such a case the thing that was originally a private matter became public consumption. And other people

tend to be able to comment anything from something that should be personal.

#### 3) Danger of Crime

Technological progress is very potential for the emergence of various forms of criminal acts, the internet can be a medium that makes it easy for someone to commit various criminal actions based on information technology (cybercrime). The internet as a tool for disseminating information and a media for collaborating and interacting between individuals using computers without boundaries. By paying attention to the characteristics of the internet so specifically the internet can be a medium that makes it easy for someone to commit various types of criminal acts based on information technology (cybercrime) such as criminal acts of defamation, gambling, fraud, pornography to criminal acts of terrorism (cyber terrorism).

Furthermore, beside the negative impacts, social media as well as technological development also has some positive impacts, as follows:

#### 1) As a Promotion Place

By using social media, this allows small entrepreneurs to promote their products and services without spending much money. Even by using social media, entrepreneurs do not need to provide a special place to market their production. Everyone can immediately see the products to be marketed and entrepreneurs can establish a close buying and selling relationship with customers.

#### 2) Increase Friends and Relations

Social media has a positive impact on its users, by using social media we can expand the network of friends and can communicate with anyone, even with people we do not know even from various parts of the world.

#### 3) As a Communication Media

Social media as a communication media is the most widely used social media function where every social media user can communicate with other users from anywhere. With the convenience offered by social media, many people use it as a means of communication.

#### 4) Information Sharing

The rapid development of the internet has made social media a source of information for the community, with the ease of obtaining information through social media making it no longer difficult for people to obtain important information.

#### 2. Legal Provisions on Social Media

One impact caused by the rapid development of information technology is the increasingly widespread crime through social media. This is inseparable from the many users of social media from children to adults, through social media they can channel all opinions and forms of protest that can sometimes lead to acts against the law.

In Indonesia, prior to the provision of specific regulations regarding information and electronic transactions, the perpetrators of media misuse were subject to the rules contained in the main law, the Criminal Code (KUHP). It is still not effective enough to overcome the problems arising from social media in particular. Therefore, a special law was formed, namely Law No. 11/2008 concerning Information and Electronic Transactions which has now been amended to Law No. 19/16 concerning Amendment to Law No. 11/2008 concerning Information and Electronic Transactions. The criminal acts of information and electronic transactions are regulated in 9 Articles from Article 27 to Article 35, in these Articles describe criminal acts in the field of information and electronic transactions

With the promulgation of Law Number 11 of 2008 which has now been amended by Law Number 19 Year 2016 concerning Amendment to Law Number 11 of 2008 concerning Information and electronic transactions, the purpose of the promulgation of the Act is to be carried out optimally, evenly and spread throughout the community about knowledge about information and electronic transactions in order to educate the nation's life. Changes in the life of society in various fields will directly affect the birth of forms of new legal actions.

#### D. Conclusion

The impact of social media is a condition where a person is dependent on the latest technology. In the community environment, almost all people have used social media. The development of social media technology has mushroomed and rooted in everyday life and has changed lifestyles and even thought patterns. The negative and positive impacts arising from social media itself. The negative impacts must be immediately prevented and acted upon because the negative impacts are spread very quickly. Then the role of parents and the environment is needed to anticipate the abuse of social media. Not only the negative impacts, but also the positive impacts arising from the use of social media. These positive impacts can provide developments both in social and material terms for the community, and it needs to be understood that in Indonesia there are legislation that

specifically regulates Law Number 11 of 2008 which has now been amended by Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Transactions electronic.

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#### H. References

- Marpaung, L. (2009). Asas-Teori-Praktik Hukum Pidana. Jakarta: Sinar Grafika
- Prodjodikoro, W. (2002). *Tinda-Tindak Pidana Tertentu di Indonesia*. Bandung: PT. Refika
- Widodo. (2009). Sistem Pemidanaan Dalam Cybercrime. Yogyakarta : Laksbang Mediatama
- Widodo. (2013). Hukum Pidana di Bidang Teknologi Informasi. Yogyakarta : Aswaja Pressindo
- Undang-Undang Dasar Negara Republik Indonesia Tahun 1945
- Undang-Undang Nomor 1 Tahun 1946 tentang Kitab Undang-Undang Hukum Pidana, Lembaran Negara Republik Indonesia Tahun 1958 Nomor 127, Tambahan Lembaran Negara
- Undang-undang Nomor 19 Tahun 2016 Tentang Perubahan Atas Undangundang Nomor 11 Tahun 2008 Tentang Informasi dan Transaksi Elektronik
- [...] http://elib.unikom.ac.id/ Ruang Lingkup dan Penyelenggaraan Pers di Indonesia



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## Harmonization of Law No. 11 of 2010 concerning Cultural Heritage in the Preservation of Cultural Heritage Objects of Semanang City

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**Abstract:** The Semarang City Government has been criticized by the community because it is considered to allow the demolition of ancient and historic buildings to be replaced with new buildings that are economically more profitable. The city has ancient buildings of high historical and architectural value, especially in the Old City cultural heritage area. Blenduk Church, for example, which was built in 1742, is a landmark of the Old City. Therefore, the following problems can be formulated: (1) What is the existence of Cultural Heritage objects in the city of Semarang?, (2) What about Law No. 11 of 2010 in providing protection for Semarang City Cultural Heritage Property?, (3) What are the obstacles in implementing the preservation of Cultural Heritage objects in Semarang City? The method used in the socialization and dissemination of law regarding Law No.11 of 2010 concerning Cultural Heritage conducted at the activity participants is a lecture, question and answer, and discussion model. This model was chosen because it is based on the consideration that this model is more effective and inexpensive with a fairly high success rate compared to using other models. The results of the community service activities show that there is an increase in understanding and knowledge of the community service participants, which is indicated by the results of tests conducted by the community service team. From the results of this dedication, it can be concluded that the existence of cultural heritage objects in the city of Semarang can still be maintained, by creating cultural heritage zones, and protection of cultural heritage objects in addition to using laws, will be more effective when using local regulations and empowering society in the economic field. Then the advice given is that the Semarang City government should make a policy that protects cultural heritage objects from business interests. Besides that, it is necessary to conduct socialization about the importance of cultural heritage objects for improving the welfare of the community.

**Keywords:** harmonization; cultural heritage objects, preservation, Semarang City, legal services

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#### A. Introduction

Indonesia is a country that has a wealth of culture. The richness of Indonesian culture is including ownership of ancient objects. The preservation of ancient objects is intended so that people can understand history, while also respecting the work of copyright attached to ancient objects, while the national love of ancient objects will foster national pride. Understanding history without real form will be difficult to foster national pride.

Indonesia has many heritage buildings, which are silent witnesses to the history of Indonesian independence. Many of these buildings are scattered throughout the country, which are still recognized and maintained. The buildings are located in the city center or the city crowd and there are also those located in areas far from the city crowd. The location of the building that makes a difference makes a significant difference to the region because the issue of maintenance and accountability becomes confusing, maintenance seems to only be pegged to the city center or to the city crowd, but it does not rule out the possibility that historical heritage buildings in the downtown area receive less attention, worthy of maintenance.

Indonesia is rich in diversity, ranging from ethnicity, language, customs, dance, food, clothing, and many others. No one can deny how diverse Indonesia is. Cultural wealth is one thing that is owned by Indonesia without having to bother because it is an ancestral heritage. It can be said that Indonesia is the richest country in cultural diversity. Likewise, cultural products or natural events owned by Indonesia are considered to have high value by world citizens. Indonesia is a country that has cultural richness, the purpose of preserving ancient objects is so that people can understand history, while also respecting the work of copyright attached to ancient objects, while the national love of ancient objects will foster national pride. Understanding history without real form will be difficult to foster national pride.

Semarang people are aware of the value of their city. The city government often gets criticism from the public if it is considered to "allow" the demolition of ancient and historic buildings to be replaced by new buildings that are economically more profitable. The city has ancient buildings of high historical and architectural value, especially in the Old City cultural heritage area. Blenduk Church, for example, which was built in 1742, is a landmark of the Old City. There is also the Sam Poo Kong Temple, in the West Semarang Batu Building area, which was founded in

1724. While in other areas there is the Lawang Sewu Building (Thousand Doors Building), an old building with European architectural style.

Law Number 5 of 1992 concerning Cultural Property which has been replaced by Law No.11 of 2010 on Cultural Heritage provides an understanding of Cultural cultural objects, is a national cultural property that is important for understanding and developing history, science and culture, so that needs to be protected and preserved for the sake of fostering awareness of national identity and national interests. The importance of protecting and preserving cultural and historical heritage is also a need and demand of the community, especially the people of Semarang City. So far it can be said of the government's attention, even the public is still lacking in efforts to protect and preserve cultural heritage objects. So it is not surprising that many buildings/historic objects are damaged, not maintained, stolen, auctioned and owned by foreign collectors.

Semarang is the capital of Central Java Province. The city is located about 485 km, east of Jakarta, or 308 km west of Surabaya. Semarang was originally a district, founded by Raden Kaji Kasepuhan (known as Pandang Arang) on May 2, 1547 and authorized by Sultan Hadiwijaya. In 1906 the Dutch East Indies Government established the Municipality (gemeente). Semarang is led by burgermeester, which was the forerunner to the formation of Semarang City. Lowland areas are very narrow, which is about 4 kilometers from the coastline. These lowlands are known as lower cities. Lower urban areas are often hit by floods, and in some areas, flooding is caused by overflowing seawater (rob).

Semarang residents are generally Javanese and use Javanese as their daily language. The majority religion adopted is Islam. Semarang has a large Tingkoa community. Proven by the many temples in this city. Semarang has the old town of Little Netherland which includes the Polder area, the Semarang Tawang Station, the Bridged Bridge and Lawang Sewu. Semarang as an old city accompanied by various relics of the Dutch Colonial and also cultural heritage acculturation processes, in Semarang there are several Cultural Heritage Reserves that until now we can enjoy its beauty, among others: Gedung Lawang Sewu (Thousand Doors), Blenduk Church, Lombok Gang Temple, Lombok, and Sam Poo Kong Temple. In addition, there are many other cultural reserves. Lawangsewu was built in 1908, which was done by Dutch architects Professor Klinkkaner and Quendaag. In 1920, this building began to be used as the headquarters of the Nederlandsch Indische Spoor-weg Maatschapij (NIS), an airline or the first railroad company in Indonesia that was founded in 1864. When the Five Day Battle broke out in Semarang, 14-18 August 1945, Lawangsewu and its surroundings became the center of battle between the Indonesian army and the Japanese army. The victim was falling. To commemorate them, to the left of the entrance (gate) was erected a memorial bearing the names of the fallen Indonesian fighters. Unfortunately, the Japanese were not permitted to build similar monuments or statues.

The city of Semarang has many cultural reserves that need to be preserved, in addition to those mentioned above one that is very interesting to be studied more deeply. All historical buildings were made into the Ministry of Culture and Tourism as Cultural Heritage Objects, so that they could be controlled by the use of historical buildings that became tourist attractions, and in addition, they could be controlled for further maintenance and restoration.

Efforts to preserve cultural heritage objects in the city of Semarang should not only be burdened to the government of the city of Semarang but are the responsibility of the community. This has not been fully understood by the people of Semarang about the importance of preserving cultural heritage objects which are ancestral heritages.

Efforts to instill a love of action for the preservation of cultural heritage objects have begun from the government with the issuance of Law No. 11 of 2010 concerning cultural heritage and this must be strengthened by positive community reactions. The community must have high awareness and understanding in the effort to preserve cultural heritage objects, especially in the city of Semarang, where the community lives and lives. The paradigm of preservation of cultural heritage requires a balance of ideological, academic, ecological and economic aspects in order to improve people's welfare.

The government, academics, and the community are stakeholders who are related to the problem of preserving cultural heritage objects. The government is an institution that is obliged to manage objects of cultural heritage, academics are those who are competent in the field of scientific research that also supports the task of government, while the community is the owner of cultural heritage objects. These three components must unite in carrying out their respective duties in relation to preservation and utilization, so that each element cannot be run individually. Good management of cultural resources is management that involves a variety of interests, so that these cultural resources can be shared with benefits, including by people who are in fact the owners of these cultural heritage objects.

Based on the facts mentioned above, it is proper to conduct legal dissemination and socialization activities in Semarang, especially Law No.11 of 2010 concerning Cultural Heritage, namely the extent of the existence of Semarang City Cultural Heritage objects and how the protection has been given by Law No. 11 of 2010 against objects of cultural heritage in the city of Semarang, as well as any obstacles that arise in the implementation of efforts to preserve cultural heritage objects in the city of Semarang.

Based on the situation analysis described above, it is necessary to carry out socialization and dissemination of law regarding Law No. 11 of 2010 concerning Cultural Heritage. Therefore, the problem can be formulated as follows: (1) How is the existence of Cultural Heritage objects in the city of Semarang? (2) What about Law No. 11 of 2010 in providing protection for Semarang City Cultural Heritage Property? (3) What obstacles are there in the implementation of the preservation of Cultural Heritage objects in Semarang City?

#### B. Method

Based on the observation of the community service team, as described in the situation analysis and identification of problems, where the main problem faced is the lack of understanding and awareness of maintenance of cultural heritage objects. Under these conditions, the dedication team believes that it is necessary to disseminate and disseminate the law regarding Law No. 11 of 2010 concerning Cultural Heritage. The selection of the socialization and dissemination of these laws was carried out with the consideration that the socialization activity was an information dissemination activity that had a high level of effectiveness at a low cost compared to using other media channels.

In order to overcome the general problem of lack of understanding and protection of cultural heritage objects, the service activities carried out by the dedication team are based on socialization and dissemination activities. The socialization and dissemination activities were carried out with the aim of providing information to the public about the importance of protecting cultural heritage objects. In conducting this socialization and dissemination activity, the service team used a simple form of socialization. This socialization activity which is packaged in a simple form is intended so that the participants of the socialization activity can easily understand and digest the material of this socialization activity.

In addition, this socialization activity also uses interactive language and delivery techniques. The use of this interactive technique is aimed at getting community service participants to be actively involved in this community service activity.

The socialization activities about this cultural heritage, which became the target audience, were citizens of the city of Semarang. The selection of Semarang City residents as targets in this activity is due to the fact that Semarang has many cultural heritages such as old buildings, places of worship and arts that live in the community. Seeing the broad scope of the objectives of community service activities, this community service uses strategic intermediate objectives.

The strategic intermediate targets in this activity are students, especially high school students. These high school students were chosen with the consideration that these students are young people who have intellectual property and the future assets of the nation in the effort to preserve cultural heritage objects. So it is expected to have a high understanding of the efforts to preserve cultural heritage objects in the city of Semarang.

After participating in this socialization activity, these students are expected to be able to disseminate the information they have obtained while participating in the socialization activities to other fellow high school students, both within the school and outside the school. These students are also expected to have high perception and awareness of the importance of efforts to preserve cultural heritage objects in the city of Semarang.

The method used in the socialization and dissemination of law regarding Law No.11 of 2010 concerning Cultural Heritage conducted at the activity participants is a lecture, question and answer, and discussion model. This model was chosen because it is based on the consideration that this model is more effective and inexpensive with a fairly high success rate compared to using other models.

#### C. Result and Discussion

#### 1. Existence of Cultural Heritage Objects in Semarang City

Talking about the condition of cultural heritage objects in Indonesia today, we can draw two conclusions, namely cultural preservation objects that are preserved and cultural heritage objects that are on the brink of collapse. The condition of the objects of cultural heritage which is of concern is mostly found on sites or buildings of the colonial period, but that does not mean sites from other periods are all sustainable. Non-physically, relics of concern are those who may be waiting their turn to be demolished and replaced with modern buildings such as malls. For example, we can find buildings that have to suffer the bitter fate of having to become victims of

physical development. The Cultural Heritage objects have been replaced by modern buildings. Archaeological buildings are included as objects of cultural heritage that must be protected because it is legally protected by Law No. 5 years 1992 concerning cultural heritage objects in conjunction with Law No. 11 of 2010 concerning Cultural Heritage.

Law Number 5 of 1992 concerning Cultural Property Provides a definition of Cultural Property which is a man-made, movable or immovable object in the form of a unit or group, or parts or remnants, at least 50 (fifty) years old, or representing a unique style of mass and representing a style period of at least 50 (fifty) years, and is considered to have important value for history, science, and culture. Site is a location that contains or is suspected to contain objects of cultural heritage including the environment that are required for its safety.

Law No. 11 of 2010 concerning Cultural Heritage provides a definition of cultural heritage. Cultural heritage according to Law No.11 of 2010 is a cultural heritage of material nature in the form of cultural heritage objects, cultural heritage buildings, cultural heritage structures, cultural heritage sites, and cultural heritage areas, on land/or in water that need to be preserved because they have values important for history, science, education, religion and/or culture through the process of determination.

Cultural Heritage Objects are natural objects and / or man-made objects, both movable and immovable, in the form of a unit or group, or parts thereof, or the remnants that have a close relationship with the culture and history of human development.

#### 2. Protection of Law No. 11 of 2010 against Cultural Heritage Objects in the City of Semarang

Protection according to Law No.11 of 2010 is an effort to prevent and cope with damage, destruction, or destruction by way of Rescuing, Security, Zoning, Maintenance and Restoration of Cultural Heritage. The preservation of cultural heritage in the future will adjust to the new paradigm which is oriented to the management of the area, the participation of the community, the decentralization of government, development, and the demands and legal needs in the community. The new paradigm encourages the drafting of a Law that not only regulates the preservation of Cultural Heritage Objects, but also various other aspects as a whole relate to past cultural heritage, such as buildings and structures, sites and regions, as well as cultural landscapes which in the previous regulations were not clearly raised.

In addition, the name of the Cultural Heritage also contains a basic understanding as protecting the cultural heritage of the past which is an adjustment to new views in the field of science and technology. To give authority to the Government and community participation in managing Cultural Heritage, a good managerial system of planning, implementation and evaluation is needed regarding the protection, development and utilization of Cultural Heritage as a cultural resource for broad interests.

# 3. Obstacles in the Implementation of the Preservation of Cultural Heritage Objects in the City of Semarang

Based on observations from the community service team, it was found that the obstacles faced by the regional government and the community towards the protection of cultural heritage are the lack of understanding of the importance of a cultural heritage for a community. This can be seen from the increasing number of cultural heritage objects or cultural heritage areas in the city of Semarang turned into economic regions or regions.

Ownership is the strongest and most fully fulfilled right to a Cultural Preservation while still paying attention to social functions and obligations to preserve it. Mastery is the granting of authority from the owner to the Government, Regional Government, or every person to manage the Cultural Heritage while taking into account social functions and obligations to preserve it.

The control of all objects of cultural heritage is the state in this case, namely the state of Indonesia. In other words, mastery of cultural heritage objects includes cultural heritage objects that are contained in the jurisdiction of the Republic of Indonesia. Certain cultural heritage objects can be owned or controlled by anyone while taking into account their social functions and as long as they do not conflict with the provisions of the law.

Cultural heritage in the form of objects, buildings, structures, sites, and areas needs to be managed by the government and local government by increasing the participation of the community to protect, develop and utilize cultural heritage

Cultural heritage objects that can be owned or controlled by anyone, namely cultural heritage objects that are: (1) owned or controlled for generations or are inherited, (2) the number of each type is quite a lot and some of them are owned by the state.

Transfer of certain cultural heritage objects owned by Indonesian citizens for generations or because of inheritance can only be done to the State. The transfer of ownership referred to is accompanied by the provision

of reasonable compensation. Every possession, transfer of rights and relocation of certain cultural heritage sites must be registered.

### D. Conclusion

The existence of objects of cultural heritage in the city of Semarang can still be maintained, by creating zones of cultural heritage. Cultural heritage in the form of objects, buildings, structures, sites, and areas needs to be managed by the government and local government by increasing the participation of the community to protect, develop and utilize cultural heritage.

Protection of cultural heritage objects, in addition to using laws, will be more effective when using local regulations and empowering communities in the economic field. Weaknesses of regulations are the focus for improvement of the protection of cultural heritage buildings in the city of Semarang. Law Number 10 Year 2011 Regarding Cultural Heritage Objects and Semarang Mayor Decree Number 646/50/1992 Concerning Conservation of Ancient / Historic Buildings in the Municipality Level Region of Semarang Level II requires proper and useful implementation. Protected cultural heritage buildings have criteria including aesthetics, specificity, scarcity, historical role, influence on the environment and features. The Semarang City Government in implementing policies to preserve cultural heritage buildings experiences many problems, resulting in various violations. In implementing Semarang City Government's policy in an effort to preserve cultural heritage buildings, it often experiences constraints that are influenced by political, socio-cultural factors and moreover is influenced by economic factors. As a result of the factors mentioned above, there is often a dilemma especially between economic interests and the interests of preservation of cultural heritage buildings. Cultural heritage buildings do not have to be demolished and replaced with new ones, only because of economic demands in order to gain profit. Many cultural heritage buildings can be utilized with the symbolic concept of mutualism. This concept is reliable for conservation purposes. So the old building should be maintained, if you want the building to be modern it could be by modifying the interior space, as long as it does not change its original shape.

The limitations of communication in the form of information as a guideline in the effective control and utilization of urban space and buildings need to be anticipated immediately, because it will affect the growth of the city in the future. The implementer should communicate actively with the target group regarding the buildings of cultural heritage

being conserved and their use. Conservation does not mean that the building is only returned to its original form and function, but what is desired is that cultural heritage buildings are retained in their original form, but can be useful or can be used for things that are more meaningful, for example for economic and socio-cultural activities.

The influence of the policy environment on the preservation of cultural heritage buildings cannot be separated from the existence of the actors who are behind it. The Mayor of Semarang as the highest authority in the City of Semarang has the power to make decisions and enforce their implementation. In order to make a wise decision regarding the building of cultural heritage, all stackeholders should be involved.

Until now, the commitment of all components in the Semrang City Government is still low, bearing in mind that the policies that have been established as collective agreements to be implemented in the form of regulations have not been consistent and consequently implemented. The inconsistencies and inconsistencies of the Semarang City Government in determining attitudes towards building cultural heritage often lead to controversy. As a result, building owners and building users are victims. In line with regulations, of course there are sanctions that follow their implementation. So far, there have never been clear sanctions for violations committed, so that the implementation of law enforcement (law inforcement) did not go as expected.

The Government of Indonesia, both the Central Government and the Regional Government, not only monitors and sees developments made by the community, but the government should also participate in the field of maintenance and funding for the maintenance of cultural heritage objects.

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### H. References

- Budihardjo, E. (1987). Arsitek Bicara Tentang Arsitektur Indonesia. Bandung: Alumni
- Budihardjo, E. (1988). Konservasi Bangunan dan Lingkungan Bersejarah di Semarang. Semarang: Faculty of Engineering Universitas Diponegoro
- Budihardjo, E. (1992). *Inventarisasi Bangunan Kuno di Jawa Tengah*. Semarang: Faculty of Engineering Universitas Diponegoro
- Budiman, A. (1978). Semarang Riwayatmu Dulu. Part I. Semarang: Penerbit Yanjungsari
- Law No. 5 of 1992 concerning Cultural Heritage Objects
- Law No. 11 of 2010 concerning Cultural Heritage
- Semarang Mayor Decree No. 646/50/1992 concerning Conservation of Ancient/Historic Buildings in the Municipality Area Region Level Semarang [SK Walikota Semarang Nomor 646/50/1992 tentang Konservasi Bangunan-bangunan Kuno/Bersejarah di Wilayah Kotamadya Daerah Tingkat II Semarang]

## **Q**UOTE

# A nation's culture resides in the hearts and in the soul of its people.

Mahatma Gandhi



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# Implementation of Assistance for Victims of Domestic Violence

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Abstract: This research aims to empirically analyses of implementation of counselling towards victims of domestic violence. The research method is descriptive qualitative. The population of this study were women (wives), who were victims of different types of domestic violence at Tabongo Timur Village. Based on the result, there were three pattern implementations of counselling that have been done at Tabonga Timur Village, firstly, providing direction/guidance; secondly, assisting domestic violence victims; and thirdly, establishing domestic violence clinic. The realization of the program of providing counselling of domestic victims at Tabonga Timur Village has not been optimal because the victims are afraid to report, limited fund allocation, inadequate facilities and infrastructure, and both characteristics of victims and factors of domestic violence are various.

**Keywords:** assistance; implementation; domestice violence

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### A. Introduction

Human nature as a creature created by the classification of sexes between men and women, one with each other will be attracted to each other and then will unite themselves in marriage ties. Marriage as a forum that unites men and women who are always considered sacred and this condition can be understood because with the marriage, in addition to meeting biological needs, intended to be born offspring who are certainly expected to continue human life is sustainable.<sup>1</sup>

Domestic violence is not justified in terms of positive law and Islamic law. The essence of marriage is to form a happy and eternal family as regulated in Article 1 of Law No. 1 of 1974. In other words that every marriage can require a happy, harmonious family and can form a family sakinah mawaddah wa rahma. However, in reality that not all marriages go smoothly and in navigating the household ark. Every marriage can not fully feel happiness and love and love each other, but it causes discomfort, stress, or forced and hates each other.<sup>2</sup>

Triggers for the problem of domestic violence are very diverse, in the form of infidelity, economic problems, third party interference, differences in principles, and the problem of gambling or alcohol. Thus giving a negative impact on victims of violence in the household both physically, sexually, psychologically and / or neglect of the household, which provides a profound trauma impact on the victim. In addition, it gives the impact of the loss of confidence for the victim to get along and feel his life is threatened and intimidated.

In addition to the above reasons, observers of women's studies analyzing domestic violence are a serious problem, but so far they have not received a response from the community, partly because, first, domestic violence has a relatively closed (private) scope and is closely guarded by its privacy because it occurs within family. Second, domestic violence is often considered reasonable because of the belief that the husband as the leader and head of the household may treat his wife as he wishes. Third, domestic violence occurs in legal institutions, namely marriages.<sup>3</sup>

Ironically, some women who think that violence, both physical and non-physical, is received is the result of their own mistakes. Women like this tend to blame themselves, so that if they accept violence from their husbands.<sup>4</sup>

The mistreatment and injustice suffered by women cannot be corrected by merely reforming the criminal justice system. The criminal justice system will be more effective in cracking down, preventing and responding to acts of violence against women, especially the problem of domestic

Moc. Isnaeni, 2016, Hukum Perkawinan Indonesia, PT. Refika Aditama, Bandung, hal.

Explanation of Article 1 of Law Number 1 of 1974 concerning Marriage

<sup>&</sup>lt;sup>3</sup> Asni, Menyorot Kekerasan Dalam Rumah Tangga (KDRT) Sebagai Penyebab Perceraian., MUSAWA, *Journal for Gender Studies*, Vol.6 No.IJuni 2014. Pusat Studi Gender Dan Anak IAIN Palu.

Moerti Hadiati Soeroso, 2012, Kekerasan dalam Rumah Tangga; dalam perspektif yuridis-viktimologis, Sinar Grafika, Jakarta Hal. 61

violence. In addition to the criminal justice system that is concerned, victims in domestic violence need legal protection, physical and psychological health recovery, coaching. Women's safety and security must be a top priority for all parties. For perpetrators of domestic violence, law enforcement efforts are needed in the court process. So that the obstacles in guiding victims of domestic violence can be overcome by the government, as well as government and community cooperation in the implementation of providing assistance to victims of domestic violence in the village of East Tabongo can be realized.

Therefore, this paper discusses two main points, namely: (1) How is the implementation of giving guidance to victims of domestic violence in the village of east Tabongo? and (2) What are the obstacles faced in the implementation of providing guidance to victims due to domestic violence in the East Tabongo Village?

### B. Method

This study regarding the pattern / form of providing guidance to victims of domestic violence as the right of victims of domestic violence to get protection and legal guarantees in handling violence that they experienced in the East Tabongo Village, is a type of empirical research using a qualitative descriptive approach with data analysis techniques sourced from data primary and secondary data. To achieve the above objective, interview techniques were used with respondents consisting of: Village Government and the community. The results of the interview will be analyzed qualitatively.

### C. Result and Discussion

# 1. Patterns of Coaching and Assistance for Victims of Domestic Violence

### 1) Giving Direction or Guidance

From an interview (July 5, 2019) with Mr. Ahmad, the form of coaching conducted to address the problem of violence in the East Tabongo Village must first be reported from the victim, family or neighbor in case of violence, if it is proven true that the act of violence is then the village head will order the head of the hamlet and the head of the domestic violence complaint officer to go to the hamlet where the domestic violence case occurred. The head of the hamlet and the head of the board will go to the two warring

parties. Both parties will be asked for information on the causes of the acts of violence in turn.<sup>5</sup>

Like the slap case experienced by Mrs. NI (victim) committed by Mr. IA (the perpetrator) in 2018. The cause is the husband asking permission from his wife to remarry. Mrs. NI did not accept the words of her husband and immediately issued a diatribe, so Mr IA immediately slapped him. NI's mother does not agree with her husband's remarriage because there are still many dependents that must be fulfilled by her husband. If her husband is given permission to remarry, then he will focus on paying attention to the needs of his second wife and will abandon him and his children. On the other hand, Mr. IA continues to be urged by his affair to marry and immediately divorce his first wife.<sup>6</sup>

From the above case, Mr. Ahmad argues that the problems of both parties must be resolved in a family way through deliberation. Therefore, both parties are given direction or guidance regarding the matter. Forms of direction or guidance are the form of a heart-to-heart approach so that solutions are found in problem solving. For example, the existence of mutual respect between husband and wife, reminding to mutual understanding, building a pure relationship (transparent) that is to maintain good relations so that marriages remain lasting and reminded to both parties how their struggle to get the blessing of parents to decide married.

In addition, both parties were advised (fostered) by religious leaders about the importance of marriage, the purpose of marriage is to form a *sakinah* family, *mawddah warahmah*, and provide education to both parties how to deal with the attitude of a husband or wife who at all times change due to stress or work pressure. As well as providing religious advice when a husband or wife is angry it's better to leave it alone, later after the emotions subside then talk slowly.

After Mr. Ahmad and the religious leaders gave guidance / advice to both parties, then all decisions were made to the two parties in trouble, whether the two parties would continue the matter to the law or they would be peaceful and consider the matter resolved. And in the end both parties chose to make peace and forgive each other. According to the results of interviews with Mr. Ahmad and Mr. Ismet (Village Head) this form of guidance (a heart-to-heart approach) has been successful and is still being used to resolve domestic violence problems and end peacefully.

Interview with Mr. Ahmad D Rajak (Chair of the Domestic Violence Complaints Stance Officer)

<sup>&</sup>lt;sup>6</sup> Interview with Victims of Domestic Violence

### 2) Assistance with Victims of Domestic Violence

According to the results of an interview with Mr. Ismet (Village Head) said that in addition to the form of training approach, assistance was also needed by the cadres of domestic violence in each hamlet represented by (Hamlet Head) in each hamlet of Tabongo Timur Village. The head of the domestic violence complaint committee is assisted by the village head working with the community to provide education and reporting in the event of domestic violence in the community. The education carried out by Mr. Ahmad and his staff members took the form of conducting legal socialization in the handling of domestic violence. In addition, Mr. Ahmad assigns to each Head of Hamlet to provide assistance to victims of violence and provide protection from the threat of perpetrators of domestic violence. Forms of assistance by cadres of domestic violences prevention include:

### a. Victim Assistance in collaboration with PKK

The assistance of victims of domestic violence will work together with community institutions, namely PKK (Family Welfare Development) in East Tabongo Village. The Chairperson of the Domestic Violence Complaints Committee will be assisted by the PKK along with cadres to conduct legal outreach in handling domestic violence and assist efforts to protect women, especially wives and children. According to an interview with Mr. Stevianus, the purpose of this socialization is to provide an understanding to the community of the negative effects of early marriage and increase public awareness about procedures for handling domestic violence in the village of East Tabongo.<sup>7</sup>

### b. Assistance of victims to police institutions

According to an interview with Mr Ahmad, the form of assisting victims of domestic violence reached the legal channels (Polsek), if the two parties could not make peace through deliberations in the village. This assistance was implemented because many victims of domestic violence were lacking because of the most livelihoods of farmers.

### c. Spiritual accompaniment

In addition to victim assistance which has been explained above, victim assistance can be done spiritually. This spiritual assistance is carried out by religious and community leaders in the East Tabongo Village. The purpose of this spiritual accompaniment is so that victims begin to draw closer to God, begin to arrange a new life again and forget all the problems that occur, can begin to regulate temperament to restrain their emotions, and

<sup>&</sup>lt;sup>7</sup> Interview with Mr. Stevianus Nggilu (Head of East Tabongo Village Administration)

remind the purpose of marriage which is to form a family that is sure, mawadah and warahmah.

### d. Assistance of victims to the Domestic Violence Complaints Center

Victims of domestic violence are generally afraid to report. Victims of domestic violence consider disgrace unnecessary to others. Therefore, domestic violence cases always increase every year. East Tabongo Village did not escape the problem. According to an interview with Mr. Ahmad said that those who always report when violence occurs is neighbors of victims of domestic violence. Therefore, Mr. Ismet instructed that each hamlet head must accompany the victim to be able to help report to the domestic violence complaints center in the village of East Tabongo, of course, assisted by the local community. In addition to accompanying the victims, the hamlet head also provides a place to conduct deliberations in resolving domestic violence problems before the problem is delegated to the village office.

### 3) Establishment of Domestic Violence Clinic

The clinic was formed in order to provide protection as well as legal assistance to victims of domestic violence, both to husbands, wives and children. This clinic will partner directly with related parties including; Gorontalo district women's and child protection institutions, the police, prosecutors, lawyers and local government.

# 2. Obstacles in the Implementation of Coaching and Assistance for Victims of Domestic Violence

Women who are often victims of domestic violence, this violence is usually done by their partners. Therefore, the issue of violence needs serious attention and treatment. The role of government and society is needed to deal with the problem. The service program provided by the government of East Tabongo Village is in the form of providing direction and assistance to victims of violence. However, in the implementation of providing guidance and assistance often the East Tabongo village government encountered obstacles. The obstacles encountered in the implementation of providing guidance as follows:

### 1) Victims Fear of Reporting

According to the results of interviews conducted with Mr. Ahmad said that victims (wives) of violence tend to be closed when the perpetrators (husbands) commit violence against him. The victim (wife) always hides the abusive treatment she receives from others. The perpetrators always threaten victims not to tell anyone, including their families. So, the victim chose silence for fear of adverse effects on the actions of his report.

According to Mr. Ahmad, the neighbors who usually report when violence acts occur are neighbors, they feel they cannot bear to see the victim being abused by their husband.<sup>8</sup>

### 2) Limited Allocation of Funds

In connection with the lack of budget allocation for socialization activities in handling domestic violence carried out by the domestic violence complaints center. Companion funds for victims are considered insufficient let alone used for socialization activities. According to Mr. Ahmad's confession to carry out socialization activities are usually only done at the mosque before Friday prayers are held. This activity certainly has to get permission from the community about providing education about the importance of handling violence in the household. According to Mr. Ahmad, this is the best way to anticipate if the village does not have enough funds. In addition, the village government does not need to invite the community anymore because of course the community will come alone to perform Friday prayers. Therefore, the follow up for the implementation of the socialization was considered less than optimal.

### 3) Inadequate Facilities and Infrastructure

Inadequate facilities and infrastructure such as: domestic violence complaints centers are not available, rooms for socialization about education in handling domestic violence are inadequate, microphone and Laptop / LCD equipment are still borrowed from the village office, and places to resolve domestic violence problems are usually done in the hamlet head's house and if did not get a meeting point then proceed to the village office.

### 4) Characteristics of victims of domestic violence vary

In handling acts of domestic violence sometimes the management and village cadres (hamlet head) encounter problems. This is because domestic violence victims have various characteristics, for example victims who choose to remain silent when asked what causes violence, victims tend to be afraid to tell of the abusive treatment they received (passive / insecure attitude and fear in making decisions), and victims chose consider her economic needs rather than report her husband.

### 5) Factors that cause a variety of domestic violence

Domestic violence is a serious polemic in East Tabongo village. The perpetrators usually do not care about the consequences. Violence is usually experienced by women. According to Mr. Stevianus the number of victims of domestic violence in East Tabongo Village has increased. From year to year, there must be reports of acts of violence occurring in the community.

<sup>&</sup>lt;sup>8</sup> Interview with Mr. Ahmad D Rajak (Head of the Domestic Violence Complaints Committee)

Violence is usually reported by neighbors or family members to the village office. From the last 3 years, there were 4 cases of domestic violence that entered the village office, not to mention violence that was not exposed and seemed to be covered up by victims of domestic violence.<sup>9</sup>

According to an interview with Mr. Ahmad the cause of the violence occurred was influenced by several factors including: economic, gambling, infidelity, and alcohol. Thus, it requires extensive knowledge and good strategies to deal with domestic violence problems.

### D. Conclusion

Implementation of the provision of guidance in the village of East Tabongo for victims of domestic violence is carried out with 3 patterns in the form of the first, giving direction / advice carried out by the head of the domestic violence complaints committee, religious and community leaders, secondly assisting victims such as: assisting victims in collaboration with PKK, assisting victims to the police institution, spiritual assistance and assisting victims to the domestic violence center, the third was the formation of a domestic violence clinic. The obstacles encountered in the implementation of providing assistance to victims of domestic violence include: (1) victims are afraid to report, (2) limited funding allocation, (3) inadequate facilities and infrastructure, (4) the character of victims of domestic violence varies, and (5) various causes of domestic violence.

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<sup>&</sup>lt;sup>9</sup> Interview with Mr. Stevianus Nggilu (Head of East Tabongo Village Administration)

### H. References

- Abdul, W. & Irfan, M. (2011). Perlindungan Korban Kekerasan Seksual Advokasi atas Hak Asasi Manusia. Malang: PT Reflika Aditama.
- Anwar, Y., & Adang. (2016). Kriminologi. Bandung: Refika Aditama.
- Asni, A.N. (2014). Menyorot Kekerasan Dalam Rumah Tangga (KDRT) Sebagai Penyebab Perceraian. *MUSAWA: Journal for Gender Studies*, 6(1), 504-527. Retrieved from http://jurnal.iainpalu.ac.id/index.php/musawa/article/view/126
- Atmasasmita, R. (1985). Problema Kenakalan Anak-Anak/Remaja (Yuridis, Sosiologis, Kriminologi). Bandung: Armico.
- Departemen Agama RI. (2006). *Al-Qurran dan Terjemahannya*, Cet.III. Depag RI: Bandung.
- Fajar, M., & Yulianto, A. (2013), *Metode Penelitian Kriminologi*. Jakarta: Kencana.
- Gosita, A. (1985). *Masalah Korban Kejahatan*. Jakarta: Akademika Pressindo.
- Gusliana, HB. (2010). Penyebab Terjadinya Kekerasan Dalam Rumah Tangga (KDRT) Yang Dilakukan Oleh Suami Terhadap Istri di Kota Pekanbaru". *Jurnal Ilmu Hukum Universitas Riau*, 1(1), 80-93. http://dx.doi.org/10.30652/jih.v1i01.482
- Isnaeni, M. (2016). *Hukum Perkawinan Indonesia*. Bandung: PT. Refika Aditama.
- Jayanthi, E.T. (2009). Faktor-Faktor Penyebab Terjadinya Kekerasan Dalam Rumah Tangga Pada Survivor yang Ditangani Oleh Lembaga Sahabat Perempuan Magelang. *DIMENSIA: Jurnal Kajian Psikologi,* 3(2), 33-50. Retrieved from https://journal.uny.ac.id/index.php/dimensia/article/view/3417/2902
- Moleong, L. (1999). *Metode Penelitian Kualitatif*. Bandung: PT. Remaja Rosdakarya.
- Puluhulawa, F.U. (2009). Perlindungan Hukum Terhadap Perempuan Sebagai Korban KDRT. *Jurnal Legalitas*, 2(1), 1-2. Retrieved from http://ejurnal.ung.ac.id/index.php/JL/article/view/629/578
- Samadani, H.U.A. (2000). Kompetensi Pengadilan Agama terhadap Tindak Kekerasan dalam Rumah Tangga. Jakarta: Graha Ilmu.
- Soeroso, M.H. (2012). Kekerasan Dalam Rumah Tangga dalam Perspektif Yuridis dan Viktimilogi. Jakarta: Sinar Grafika.

Sugiono. (2008). Memahami Penelitian Kualitatif. Bandung: CV Alfabeta.

Syahruddin, N. (2013). Peneltian Hukum Normative Versus Penelitian Hukum Empiris. Makassar: PT Umitoha Ukhuwa Grafika.

### Laws and Regulations

Law Number 23 of 2004 concerning the Elimination of Domestic Violence [Undang-undang Nomor 23 Tahun 2004 Tentang Penghapusan Kekerasan dalam Rumah Tangga]

Law Number 1 of 1974 concerning Marriage [Undang-undang Nomor 1 Tahun 1974 Tentang Perkawinan]



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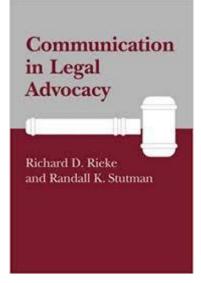
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### **BOOK REVIEW**

How to advocate for people who have problems with the law? A Book Review Communication in Legal Advocacy, Richard Ricke & Randall K. Stutman, South Carolina University Press

Ridwan Arifin Faculty of Law, Universitas Negeri Semarang, Indonesia



LAW faculty students are currently required to have abilities not only in terms of theoretical and scientific capacity, but also practice. Law faculty students in many conditions are also very much needed directly by the community in solving various problems faced by the community ranging from small and minor legal issues, to complex and complicated matters. The needs of the community for legal assistance and legal assistance have become unavoidable, especially in the midst of the development of information and technology flows and industry in the industrial revolution era 4.0.

Communication in Legal Advocacy (Studies

in Rhetoric/Communication) (Hardback) is written by Richard Rieke and Randall K. Stutman and published by University of South Carolina Press, United States, 2008. This book integrates work in legal theory, communication theory, social science research, and strategic planning to provide a comprehensive analysis of the communication process in trials. Responding to the energizing interest in alternative discipline resolution, calling attention to the ways in which negotiation, mediation, and arbitration interrelate with trials. This study blends traditional

argumentative analyses such as the rational-world notions of adversary proceedings, presumption, burden of proof and essential issues with contemporary ideas of narrative rationality. The volume offers the reader a practical and strategic guide to effective trial advocacy, and it provides theoretical insights into trials as socially sanctioned mechanisms of dispute resolution.

The Authors, Richard D. Rieke itself, has been a student of communication and law since his doctoral work at Ohio State University in 1964. His dissertation "Rhetorical Theory in American Legal Practice" was one of the first studies to argue for a rapprochement between legal theory and rhetorical theory in relation to the practical processes of conducting trials and appeals. Since then, as a member of the faculty at Ohio State and later the University of Utah, he has continued to study trials, appellate advocacy and appellate decision making from the perspective of rhetorical/communication theory. He is currently involved with the Utah State Bar and the American Arbitration Association in making dispute resolution more accessible to citizens of Utah.

This book is a research-based, practical analysis of communication processes in trials. Besides the traditional perception of trials as scientific fact-finding proceedings, the authors look at trials as social-scientific phenomena. Responding to the emerging interest in alternative dispute resolution, the book examines the ways in which negotiation, mediation, and arbitration interrelate with trials. The authors combine traditional argumentative analyses (such as presumption and burden-of-proof) with contemporary ideas about narrative rationality.

Social science research is used to expand the understanding of such traditional concepts as procedural fairness, the credibility of witnesses as sources of knowledge, and procedures such as jury selection, opening and closing statements, witness examination, and jury deliberation. Readers looking for a practical and strategic guide to effective trial advocacy, theoretical insights into trials as socially sanctioned mechanisms for dispute resolution, and a study of applied argumentation within the specialized field of law will find this book extremely beneficial.

### **AUTHOR GUIDELINES**

### How to submit your manuscript?

All manuscripts should be submitted to the journal via the online submission system (<a href="https://journal.unnes.ac.id/sju/index.php/ijals/index">https://journal.unnes.ac.id/sju/index.php/ijals/index</a>). Submissions can be made by single or multiple authors. Once submitted, the author can track the submission and communicate with the editors via the online journal management system.

Articles can be submitted at any time throughout the year. However, as we publish in themes, it is advisable to consider the forthcoming topic as phrased in the call for papers before submitting (see our homepage announcement). If you do submit a work that does not fit within the current theme, we will keep your article on file to consider at a later stage.

Indonesian Journal of Advocacy and Legal Services encourages authors to contact the editorial board (<u>ijals@mail.unnes.ac.id</u>) with ideas for articles or case notes they are planning to write. The editorial board is more than happy to discuss these ideas and how well they fit within the journal with the authors.

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### **Article Types**

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### Structure

### Title page

To ensure blind peer review, please only list the title and abstract on the submitted manuscript file.

The names of all authors, affiliations, contact details, biography (optional) and the corresponding author details must be completed online as part of the submission process. All authors must fit within the journal's definition of an author.

According to Authorship Guidelines, it is important that the correct list of authors is attributed to an article from the start of the submission process. Author lists with the incorrect information can result in academic or financial implications, whilst also providing the reader with the wrong information on where the responsibility and accountability for the published work should lie. All authors listed on a submission must have given prior approval to have their name attributed to the file(s) that are being submitted and agree to the publication. The corresponding author has responsibility to ensure that all authors qualify for, and have agreed to, authorship of the submission. They are also responsible for informing all co-authors of relevant editorial information during the review process.

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Should the research have received a funding grant then the grant provider and grant number should be detailed.

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If any of the authors have any competing interests then these must be declared. A short paragraph should be placed before the references.

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All references cited within the submission must be listed at the end of the main text file. References should be in line with **APA Citation Style** and Author is encouraged to use a proper and valid sources, references used are not less than 15 national and international journal articles. All sources cited must be included in the reference section and vice versa

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### Spelling

The US English spelling is used in the *Indonesian Journal of Advocacy and Legal Services*. Thus, please be aware of differences in US spelling and the British spelling. Some examples follow:

analyse vs analyse authorise vs authorize cancelled vs canceled centre vs center defence vs defense labour vs labor organisation vs organization

An exception to using British spelling would be merited if, for instance, the proper name of something uses the American spelling (for example, Organization of American States).

### Acronyms and Abbreviations

Do not put full stops in acronyms. For example, US and UK.

When using Latin acronyms such as eg or ie, the text should not be italicised.

### Cases

Case names should be italicized. Do not put a full stop after 'v'.

e.g. A case which highlights the overtly pro foreign investor stance of Chapter 11 is *Loewen Group, Inc v United States*.

Of note, there should not be a full stop after abbreviations, such as 'Inc', 'Corp', or 'Co', in case names.

### Commas

Do not put a comma before 'and' if it's ending a list (a list for example: bananas, kiwis **and** strawberries). (The exception to this would be if removing the comma would cause confusion.)

e.g. According to Guild and others, this is especially true for the EU Home Affairs agencies, Frontex, Europol and EASO, due to their experimental governance strategies and their areas of intervention.52

### <u>Capitalised Words</u>

The word 'State' in noun form should be capitalised. There will situations where the word 'State' is part of another word and will not be capitalised. Additionally, when the noun 'state' is referring to states within the United States, the 's' should not be capitalised.

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Single quotation marks (") are used for quotes. If a quote or phrase occurs within a quote, use double quotation marks ("").

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Check for in-line author references to different sections of the article (example: In Part IV.B, I argue that...) and make sure that they match the *Indonesian Journal* of Advocacy and Legal Services outline/publication format.

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